

1 SB486  
2 131365-1  
3 By Senator Allen  
4 RFD: Judiciary  
5 First Read: 24-MAY-11

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8 SYNOPSIS: This bill would permit local emergency  
9 management officials to designate buildings as  
10 shelters.

11 This bill would grant immunity from  
12 liability to the owners of designated shelters.

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14 A BILL  
15 TO BE ENTITLED  
16 AN ACT

17  
18 Relating to public safety; to permit local emergency  
19 officials to designate buildings as shelters and to provide  
20 immunity from liability.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. (a) Local emergency management officials  
23 may designate public or private buildings to serve as shelters  
24 for residents during a weather phenomenon.

25 (b) The designated shelters shall fulfill the  
26 following conditions:

1                   (1) Be certified by a professional engineer,  
2                   licensed and regulated by the state.

3                   (2) Be equipped with emergency power.

4                   (3) Contain adequate ventilation and first aid  
5                   equipment.

6                   (c) Any individual, partnership, firm, society,  
7                   unincorporated association, joint venture group, joint stock  
8                   company, corporation, trustee, personal representative, trust  
9                   estate, decedent's estate, trust, or other legal entity  
10                  whether doing business for itself or in a fiduciary capacity,  
11                  owning or controlling real property, that voluntarily and  
12                  without compensation grants a license or privilege for, or  
13                  otherwise permits, the designation by an emergency management  
14                  official for the use of the whole or any part of the property  
15                  for the purpose of sheltering persons during an actual,  
16                  impending, mock, or practice attack, or natural or man-made  
17                  disaster, together with its successors in interest, if any,  
18                  shall not be civilly liable for negligently causing the death  
19                  of or injury to any person or damage to any personal property  
20                  on the property of the licensor in connection with the use of  
21                  the licensed premises for the purposes designated.

22                  Section 2. This act shall become effective on the  
23                  first day of the third month following its passage and  
24                  approval by the Governor, or its otherwise becoming law.