

SB137 INTRODUCED



1 SB137
2 ZQ9CJKW-1
3 By Senator Livingston
4 RFD: Fiscal Responsibility and Economic Development
5 First Read: 14-Jan-26

SYNOPSIS:

The Alabama Resilience Council was established by Executive Order No. 736 to provide a forum for coordinating activities of state government and for facilitating interactions between state and local government and the private sector to proactively address harmful impacts on Alabama communities and infrastructure before they occur.

This bill would permanently establish the Alabama Resilience Council as an appointed advisory group within the executive branch of state government.

This bill would also provide for the rules, duties, and procedures of the council.

This bill would also authorize appointment of, and provide for the responsibilities of, a Chief Resilience Officer.

This bill would also require a statewide resilience plan that includes a statewide comprehensive risk and vulnerability assessment.

A BILL
TO BE ENTITLED
AN ACT

SB137 INTRODUCED

To create the Alabama Resilience Council as an appointed advisory group within the executive branch of state government, and to provide for the rules, duties, and procedures of the council; to authorize appointment of, and provide for the responsibilities of, a Chief Resilience Officer; to require a statewide resilience plan that includes a statewide comprehensive risk and vulnerability assessment.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Legislature finds and declares the following:

(a) Alabama is susceptible to various natural and manmade disaster events, posing threats to the safety of its citizens, integrity of its infrastructure, prospects for its economic growth, and maintenance and protection of its unique natural resources. These threats also pose significant fiscal and operational risks to functions of the state and local government.

(b) For the purposes of this Act, the term "resilience" shall be considered the capacity of individuals, communities, businesses, and systems to anticipate, prepare for, adapt to, and rapidly recover from adverse events. For the purposes of this Act, resilience shall be guided by five principles: individual responsibility; collective continuity and function; factual assessment of risk; integrated resilience efforts; and focused support.

(c) The Alabama Resilience Council established by Executive Order No. 736, May 5, 2023, has examined resilience policy needs to address current and future adverse events, and

SB137 INTRODUCED

based on its findings, Alabama would benefit from a lasting, comprehensive approach to resilience.

(d) Coordinated statewide resilience efforts and development of a statewide resilience plan would be most effective under a single designated Chief Resilience Officer to coordinate activities of the Alabama Resilience Council.

Section 2. (a) Commencing upon the Governor's rescission of Executive Order No. 736, the Alabama Resilience Council shall be created as an appointed advisory group within the executive branch of state government for the purpose of coordinating resilience-related activities of state government and for facilitating interactions between state and local government and the private sector to proactively address harmful impacts on Alabama communities and infrastructure before they occur.

(b) The voting members of the council shall consist of the Governor or his or her designee, the Chief Resilience Officer, and the head of the following agencies or their designees:

(1) The Alabama Department of Agriculture and Industries.

(2) The Alabama Department of Commerce.

(3) The Alabama Department of Conservation and Natural Resources.

(4) The Alabama Department of Economic and Community Affairs.

(5) The Alabama Department of Environmental Management.

SB137 INTRODUCED

(6) The Alabama Department of Finance.

(7) The Alabama Department of Insurance.

(8) The Alabama Department of Public Health.

(9) The Alabama Department of Transportation.

(10) The Alabama Emergency Management Agency.

(11) The Alabama Forestry Commission.

(12) The Alabama State Military Department.

(13) The Alabama Office of Information Technology.

(14) The Alabama State Law Enforcement Agency.

(15) The Alabama Public Service Commission

(c) Non-voting members of council may be appointed by the Governor and should include representatives of local government; critical infrastructure owners and operators; business, industry, and insurance sectors; and other state agencies.

(d) The council membership shall be inclusive and reflect the racial, gender, geographic, urban, rural, and economic diversity of the state.

Section 3. The duties of the Alabama Resilience Council shall be as follows:

(a) Develop strategies to guide statewide resilience efforts by prioritizing objectives reflecting pressing resilience challenges. To this end, the council shall regularly convene government and private-sector stakeholders with different perspectives and interests to facilitate planning across jurisdictions and sectors and thereby to avoid cascading failures. The council shall develop principles to guide the work of state government in carrying out its

SB137 INTRODUCED

resilience initiatives.

(b) Assist the Chief Resilience Officer in the development, maintenance, and implementation of the statewide resilience plan.

(c) Solicit participation of the private sector in programs to collectively strengthen the resilience of businesses and communities. The council shall engage the private sector to reduce costs from lost productivity and pursue joint, public-private efforts to avoid infrastructure damages.

(d) Improve the public's ability to assess risk management alternatives by reducing the complexity of risk information for non-technical audiences, by generating and sharing reliable information that helps decisionmakers identify and select risk-reduction alternatives, and by providing guidance about assistance programs and funding opportunities based on needs, cost effectiveness, feasibility, potential resources, and returns on investment.

(e) Develop, pursue, and support federal and state policies and programs that promote innovative and flexible solutions for achieving individual, community, and statewide resilience.

(f) Provide support and assistance in the preparation and maintenance of the state hazard mitigation plan, as contemplated by the federal Disaster Mitigation Act of 2000, 42 U.S.C § 5121, et seq., or successor federal statute; provided that the Alabama Emergency Management Agency shall be responsible for administrative maintenance and day-to-day

SB137 INTRODUCED

141 execution of the plan.

142 (g) Identify and pursue funding opportunities to
143 promote resilience in the State of Alabama.

144 Section 4. (a) The council shall be led by a Chair,
145 Vice-Chair, Co-Chairs, or other leadership positions from
146 within the voting membership on the council. Leadership
147 positions shall be appointed by the Governor and shall serve
148 at the pleasure of the Governor.

149 (b) The council shall develop, adopt, and maintain
150 bylaws governing its activities; provided the bylaws are
151 consistent with the provisions of this Act. At its discretion,
152 the council may establish working groups or subcommittees.

153 (c) The council shall meet at least twice each year and
154 may meet more frequently upon the call of the chair, subject
155 to the Open Meetings Act. Members of the council may
156 participate in a meeting of the council by means of telephone
157 conference, video conference, or similar communications
158 equipment by means of which all individuals participating in
159 the meeting may hear each other at the same time.
160 Participation by electronic means shall constitute presence in
161 person at a meeting for all purposes.

162 (d) Members of the council shall serve without
163 compensation except members who are public officials or public
164 employees may elect to receive the per diem and travel
165 allowance authorized by state law for persons traveling on
166 official state business.

167 Section 5. (a) The Governor shall appoint a Chief
168 Resilience Officer to coordinate the activities of the council

SB137 INTRODUCED

established pursuant to Section 2 and lead the development, maintenance, and implementation of the statewide resilience Plan. The Chief Resilience Officer shall serve at the pleasure of the Governor.

(b) The duties of the Chief Resilience Officer shall be as follows:

(1) Conduct a comprehensive inventory of Alabama's resilience assets.

(2) Identify areas of collaboration among state agencies, areas of overlap, and potential shareable resources.

(3) Review resilience programs from both inside Alabama and among comparable states.

(4) Engage state agencies to examine how to best collect, organize, analyze, and communicate data in ways that advance Alabama's resilience principles.

(5) Identify and enhance state agency knowledge of statewide resilience efforts.

(6) Identify and pursue funding through federal, state, and private opportunities to promote resilience in the State of Alabama.

(c) The Office of the Chief Resilience Officer may contract for professional services in the same manner as any state agency. Upon the approval of the Governor, the Chief Resilience Officer may hire staff as determined necessary to carry out the duties of the Chief Resilience Officer and the council.

Section 6. (a) The Chief Resilience Officer shall develop, maintain, and implement a statewide resilience plan,

SB137 INTRODUCED

with the general oversight and input from the council. The plan shall include the following components:

(1) Statewide Comprehensive Risk and Vulnerability Assessment. The plan shall evaluate the impacts of extreme weather and disasters; assess current and future risks across various hazards using historical data and future scenarios while factoring in land and water management practices; and examine effects on communities, infrastructure, the economy, and the environment. Additionally, a vulnerability assessment shall identify the social, economic, and environmental systems most at risk. It shall analyze risk exposure, potential costs, and impacts on state assets, government functions, local economies, and critical natural systems.

(2) Resilience Actions. The plan shall provide a prioritized list of resilience actions to address vulnerabilities, detailing their benefits, costs, and implementation timeline. Priority shall be given first to actions that reduce state costs associated with historic and persistent challenges or vulnerabilities that have calculable costs or expenditures and that remediate or prevent critical infrastructure failures that threaten public health, impair essential services, or place the state at risk of federal enforcement. Priority shall also be given to actions that effectively mitigate the impacts of future disasters, particularly those that provide multiple co-benefits, such as enhancing environmental stewardship, economic stability, or public health. Resilience actions that incorporate or restore natural features to achieve risk mitigation benefits shall

SB137 INTRODUCED

also be prioritized, provided they are cost-effective and demonstrate long-term advantages over alternative approaches. The plan shall also outline how these actions align with existing efforts by state agencies, local governments, and other entities, ensuring they complement the state hazard mitigation plan. Alabama state agencies engaged in resilience activities shall report those activities to the Chief Resilience Officer.

(3) Community Preparedness. The plan shall include strategies to enhance community awareness to prepare for, and protect against, hazards; to enable greater understanding of personal risks; to educate residents of the state about how to mitigate risks; and to increase knowledge of resources available for mitigation efforts.

(4) Implementation Strategy. The plan shall include an implementation strategy outlining how resilience actions will be enacted, funded, and tracked. It shall define roles, responsibilities, timelines, and metrics while prioritizing actions for high-risk vulnerabilities. The strategy shall also support partnerships, provide technical assistance, and ensure public access to data for planning and decision-making.

(b) The initial plan shall be completed within two years of the Governor appointing a Chief Resilience Officer and shall be reviewed and updated at least every two years thereafter to ensure its continued effectiveness and relevance.

Section 7. There is created a fund in the State Treasury to be designated the "Alabama Resilience Council

SB137 INTRODUCED

Fund" to be used to support the activities of the Alabama Resilience Council and the Office of the Chief Resilience Officer. The Chief Resilience Officer and the Council are authorized to receive and to deposit into or disburse from the Fund any federal, state, or private monies, in accordance with applicable law. Receipts deposited into this fund shall be disbursed only by warrants of the state Comptroller drawn upon the State Treasury on itemized vouchers approved by the Chief Resilience Officer. No funds deposited pursuant to Section 27-2-39 shall be withdrawn or expended except as budgeted and allotted according to Sections 41-4-80 to 41-4-96, inclusive, and 41-19-1 to 41-19-12, inclusive, and only in amounts as stipulated in the general fund appropriations act or other appropriation acts. At the end of each fiscal year, any unencumbered and unexpended balance shall not revert to the State General Fund under Section 41-4-93, but shall carry over to the next fiscal year.

Section 8. Section 27-2-39, Code of Alabama 1975, is amended to read as follows:

"§27-2-39

(a) There is created a fund in the State Treasury designated the Insurance Department Fund to be used for the operation of the Department of Insurance. Receipts deposited into this fund shall be disbursed only by warrants of the state Comptroller drawn upon the State Treasury on itemized vouchers approved by the Commissioner of Insurance. No funds shall be withdrawn or expended except as budgeted and allotted according to Sections 41-4-80 to 41-4-96, inclusive, and

SB137 INTRODUCED

41-19-1 to 41-19-12, inclusive, and only in amounts as stipulated in the general appropriations act, other appropriation acts, or this section. At the end of each fiscal year, any unencumbered and unexpended balance of up to 25 percent of the amount appropriated for that fiscal year shall not revert to the State General Fund under Section 41-4-93, but shall carry over to the next fiscal year.

(b) Notwithstanding any other provision of law, the Commissioner of Insurance shall promptly pay all sums, fees, taxes, licenses, renewals, and other miscellaneous charges collected pursuant to Sections 27-2-16, 27-3-29, 27-4-2, 27-13-5, 27-13-24, 27-13-62, 27-21A-21, 27-34-6, 27-34-36, 27-34-47, and 27-39-6, other than those fines, penalties, and deposit requirements collected pursuant to Section 27-3-29, into the State Treasury with 50 percent credited to the Insurance Department Fund; one million five hundred thousand dollars (\$1,500,000) credited each fiscal year to the Center for Risk and Insurance Research Fund; beginning in fiscal year 2028, 10 percent credited to the Alabama Resilience Council Fund, but not to exceed a cap of one million dollars (\$1,000,000) in any one fiscal year; and the remainder credited to the State General Fund. "

Section 9. This act shall become effective on October 1, 2026.