

SB137 INTRODUCED



1 SB137

2 ZQ9CJKW-1

3 By Senator Livingston

4 RFD: Fiscal Responsibility and Economic Development

5 First Read: 14-Jan-26

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4 SYNOPSIS:

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

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

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

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

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

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25 A BILL

26 TO BE ENTITLED

27 AN ACT

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

36 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

37 Section 1. The Legislature finds and declares the
38 following:

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

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

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

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

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

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

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

76 (1) The Alabama Department of Agriculture and
77 Industries.

78 (2) The Alabama Department of Commerce.

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

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

83 (5) The Alabama Department of Environmental Management.

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- (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

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

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

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

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113 resilience initiatives.

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

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

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

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

135 (f) Provide support and assistance in the preparation
136 and maintenance of the state hazard mitigation plan, as
137 contemplated by the federal Disaster Mitigation Act of 2000,
138 42 U.S.C § 5121, et seq., or successor federal statute;
139 provided that the Alabama Emergency Management Agency shall be
140 responsible for administrative maintenance and day-to-day

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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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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253 Fund" to be used to support the activities of the Alabama
254 Resilience Council and the Office of the Chief Resilience
255 Officer. The Chief Resilience Officer and the Council are
256 authorized to receive and to deposit into or disburse from the
257 Fund any federal, state, or private monies, in accordance with
258 applicable law. Receipts deposited into this fund shall be
259 disbursed only by warrants of the state Comptroller drawn upon
260 the State Treasury on itemized vouchers approved by the Chief
261 Resilience Officer. No funds deposited pursuant to Section
262 27-2-39 shall be withdrawn or expended except as budgeted and
263 allotted according to Sections 41-4-80 to 41-4-96, inclusive,
264 and 41-19-1 to 41-19-12, inclusive, and only in amounts as
265 stipulated in the general fund appropriations act or other
266 appropriation acts. At the end of each fiscal year, any
267 unencumbered and unexpended balance shall not revert to the
268 State General Fund under Section 41-4-93, but shall carry over
269 to the next fiscal year.

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

272 "§27-2-39

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

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281 41-19-1 to 41-19-12, inclusive, and only in amounts as
282 stipulated in the general appropriations act, other
283 appropriation acts, or this section. At the end of each fiscal
284 year, any unencumbered and unexpended balance of up to 25
285 percent of the amount appropriated for that fiscal year shall
286 not revert to the State General Fund under Section 41-4-93,
287 but shall carry over to the next fiscal year.

288 (b) Notwithstanding any other provision of law, the
289 Commissioner of Insurance shall promptly pay all sums, fees,
290 taxes, licenses, renewals, and other miscellaneous charges
291 collected pursuant to Sections 27-2-16, 27-3-29, 27-4-2,
292 27-13-5, 27-13-24, 27-13-62, 27-21A-21, 27-34-6, 27-34-36,
293 27-34-47, and 27-39-6, other than those fines, penalties, and
294 deposit requirements collected pursuant to Section 27-3-29,
295 into the State Treasury with 50 percent credited to the
296 Insurance Department Fund; one million five hundred thousand
297 dollars (\$1,500,000) credited each fiscal year to the Center
298 for Risk and Insurance Research Fund; beginning in fiscal year
299 2028, 10 percent credited to the Alabama Resilience Council
300 Fund, but not to exceed a cap of one million dollars
301 (\$1,000,000) in any one fiscal year; and the remainder
302 credited to the State General Fund. "

303 Section 9. This act shall become effective on October
304 1, 2026.