

HB69 ENGROSSED



1 HB69
2 CX3Y3JJ-2
3 By Representative Hammett
4 RFD: State Government
5 First Read: 13-Jan-26
6 PFD: 02-Dec-25



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A BILL

TO BE ENTITLED

AN ACT

9 Relating to the Alabama Department of Environmental
10 Management and well driller licenses; to amend Sections
11 22-24-1, 22-24-2, 22-24-3, 22-24-4, 22-24-5, 22-24-7, 22-24-8,
12 and 22-24-11 of the Code of Alabama 1975; to further provide
13 for the licensing of well drillers and other persons doing
14 related activity; to increase the fees for licensure and
15 provide a two-year licensure period; to require continuing
16 education of licensees; and to authorize the Environmental
17 Management Commission to adopt rules.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. Sections 22-24-1, 22-24-2, 22-24-3, 22-24-4,
20 22-24-5, 22-24-7, 22-24-8, and 22-24-11 of the Code of Alabama
21 1975, are amended to read as follows:

22 "§22-24-1

23 For the purpose of this chapter, the following terms
24 shall have the following meanings—~~respectively ascribed to~~
25 ~~them by this section:~~

26 (1) ~~BOARD. The Alabama Department of Environmental~~
27 ~~Management.~~ CATHODIC PROTECTION WELL. A borehole drilled for
28 the purpose of installing equipment or a system for the



29 electrical protection of metallic structures from corrosion.

30 (2) DIRECTOR. The Director of the Alabama Department of
31 Environmental Management. COMMISSION. The Environmental
32 Management Commission.

33 (3) DEPARTMENT. The Alabama Department of Environmental
34 Management.

35 ~~(3)~~ (4) DRILL. To drill or redrill, bore, auger, dig, or
36 otherwise construct a ~~water~~ well.

37 ~~(4)~~ (5) DRILLER. Any person who manages or supervises
38 the drilling of a ~~water~~ well.

39 (6) GEOTHERMAL WELL. A borehole drilled for the purpose
40 of obtaining or exchanging geothermal energy for use with
41 geothermal air conditioning or heat pump systems. The term
42 does not include any offshore well.

43 ~~(5)~~ (7) LOG. A record of the type of material or rock
44 penetrated in the drilling of a ~~water~~ well.

45 (8) MONITORING WELL. A borehole drilled for the purpose
46 of locating and sampling for engineering or geological data.

47 ~~(6)~~ (9) PERSON. Any individual, ~~organization, group,~~
48 ~~association, partnership, corporation,~~ or any ~~combination of~~
49 ~~them~~ other business entity operating ~~a business~~ to drill ~~water~~
50 wells.

51 (10) PUMP. All machinery, parts, and fittings installed
52 on or attached to a well.

53 (11) RELATED ACTIVITY. Any activity reasonably related
54 to drilling, maintaining, or repairing a well or pump,
55 including grouting, plugging, abandoning, and decommissioning
56 a well or borehole.



57 ~~(7)~~(12) SAMPLE. Cuttings or other fragments of rock or
58 soil materials removed from ~~the~~ a well.

59 ~~(8)~~(13) WATER WELL. A ~~hole~~ borehole drilled for the
60 production of water.

61 (14) WELL. A water well, monitoring well, geothermal
62 well, or cathodic protection well."

63 "§22-24-2

64 (a) It is the intent of the Legislature that this
65 chapter applies solely to wells drilled for the production of
66 water and water wells, monitoring wells, geothermal wells, and
67 cathodic protection wells; pump installation, maintenance, and
68 repair; and any related activity.

69 (b) This chapter has no application to wells or holes
70 drilled, augered, cored, or dug for quarry blast holes or
71 mineral prospecting or any purpose other than water
72 production."

73 "§22-24-3

74 (a) The board is authorized and directed to make,
75 promulgate and publish such commission shall adopt rules
76 pursuant to the Alabama Administrative Procedure Act, Chapter
77 22 of Title 41, and Section 22-22A-8 of the Environmental
78 Management Act and regulations as it deems reasonable and
79 necessary to effectuate and carry out the purpose and
80 provisions of this chapter, and a true copy of such rules and
81 regulations shall be kept on file with the Secretary of State
82 and copies thereof shall be made available for public
83 distribution.

84 (b) Prior to any rule change being proposed by the



85 commission, the department shall consult with the Alabama
86 Ground Water Association and other affected parties, as
87 determined by the department, not less than 60 days prior to
88 any proposed rule change being filed with the Legislative
89 Services Agency, Legal Division.

90 (c) The board department shall cause administer and
91 enforce this chapter and all rules and regulations it
92 promulgates to be enforced adopted pursuant to this chapter."

93 "§22-24-4

94 It shall be unlawful for any No person to operate any
95 equipment or machinery in the drilling may drill or repair of
96 a water well, monitoring well, geothermal well, or cathodic
97 protection well; install, maintain, or repair a pump; or
98 perform any related activity unless the overall operation is,
99 at all times, performed by or under the supervision and
100 management of a person licensed water well driller as provided
101 for in pursuant to this chapter."

102 "§22-24-5

103 Every person who intends to drill water wells within
104 the State of Alabama shall annually obtain from the board a
105 water well driller's license and, in order to obtain said
106 license, shall file with the board, in accordance with rules
107 and regulations as established by the board, an application
108 form, to be made available by the board. Any person, upon
109 filling said application and receiving approval of the board,
110 shall pay an annual fee of \$200.00 to the board, and the
111 payment of said fee shall entitle said person to the full and
112 complete privileges of drilling water wells, as provided in



113 ~~this chapter, and the board shall issue a license for a period~~
114 ~~not to exceed one year. Said annual fee paid to the board~~
115 ~~shall not exempt a person from additional state or county~~
116 ~~privilege taxes.~~ (a) A person who manages or supervises the
117 drilling or repair of a water well, monitoring well,
118 geothermal well, or cathodic protection well; installs,
119 maintains, or repairs a pump; or performs any related activity
120 shall be licensed under this chapter.

121 (b) The department shall issue two types of licenses as
122 follows:

123 (1) An Unrestricted Well Driller's License. A license
124 that authorizes a person to engage in the business of: (i)
125 drilling and repairing water wells, monitoring wells,
126 geothermal wells, and cathodic protection wells; (ii)
127 installing, maintaining, and repairing pumps; and (iii) any
128 related activity.

129 (2) A Restricted License. A license that authorizes a
130 person to engage in only one or more of the following
131 activities as specified in the conditions of the license:

132 a. Drilling of and related activity for a specific type
133 of well.

134 b. Installation, maintenance, and repair of pumps.

135 (c) A license may be issued to an individual or to a
136 business entity. A license may only be issued to a business
137 entity if a principal employee who is individually licensed is
138 listed on the business entity's license.

139 (d) Commencing October 1, 2026, all licenses issued by
140 the department shall be valid for a two-year license period.



141 (e) (1) The department shall charge a fee to issue a
142 license as follows:

143 a. An unrestricted license fee shall be one thousand
144 dollars (\$1,000).

145 b. A restricted license fee shall be five hundred
146 dollars (\$500).

147 (2) An additional fee of five hundred dollars (\$500)
148 shall be charged for the issuance of a business license.

149 (f) A license shall be renewed on October 1 and shall
150 be delinquent if not paid by December 31 of each renewal
151 period. Any renewal that is delinquent may be renewed by the
152 payment of an additional delinquency fee of twenty dollars
153 (\$20) per month of delinquency, for up to one year.

154 (g) An applicant for an initial individual license
155 shall be subject to examination and shall satisfy all
156 requirements as provided by rule of the commission. The
157 license fee for a new licensee shall be prorated on a monthly
158 basis for the balance of the license period.

159 (h) (1) Commencing on the renewal of each license for
160 the license period beginning on October 1, 2028, each
161 individual licensee shall submit proof of completing eight
162 hours of continuing education approved by the department
163 according to license type to renew a license.

164 (2) A licensee who fails to submit proof of completing
165 the required continuing education shall be given a grace
166 period to complete the continuing education until March 31
167 after the commencement of the new license period."

168 "§22-24-7



169 (a) ~~A license may be refused or The department may~~
170 ~~refuse to issue a license, a suspend or revoke an issued~~
171 ~~license duly issued may be suspended or revoked, or the refuse~~
172 ~~to renew a license renewal thereof refused by the board, if,~~
173 ~~after notice and hearing as provided in this section, it the~~
174 ~~department finds that the applicant for, or holder of, such a~~
175 ~~license:~~

176 (1) Is unable to present evidence of his or her
177 qualifications suitable to the ~~board~~ department;

178 (2) Has intentionally made a material misstatement in
179 the application for ~~such a~~ license;

180 (3) Has willfully violated any provision of this
181 chapter;

182 (4) Has obtained, or attempted to obtain, ~~such a~~
183 license by fraud or misrepresentation;

184 (5) Has been guilty of fraudulent or dishonest
185 practices; or

186 (6) Has demonstrated lack of competence as a driller of
187 ~~water~~ wells.

188 (b) Before any license ~~shall be~~ is refused, ~~or~~
189 ~~suspended, or revoked, or the renewal thereof of a license is~~
190 ~~refused, under this section, the board department shall give~~
191 ~~notice of its intention to do so by registered or certified~~
192 ~~mail to the applicant for, or holder of, such a license and~~
193 ~~shall set a date not less than 20 days from the date of~~
194 ~~mailing such the notice when the applicant or licensee may~~
195 ~~appear to be heard and produce evidence. In the conduct of~~
196 ~~such During the hearing, the board department, or an~~



197 authorized representative specially designated by ~~it~~ the
198 department for ~~such~~ that purpose, ~~shall have power to~~ may
199 administer oaths, ~~to~~ require the appearance of and examine any
200 person under oath, ~~to~~ and require the production of books,
201 records, or papers relevant to the inquiry upon its own
202 initiative or upon the request of the applicant or licensee.
203 Upon ~~termination of such~~ the conclusion of the hearing, the
204 findings shall be reduced to writing and, upon approval by the
205 ~~board~~ department, ~~shall be filed in its office and~~ notice of
206 the findings and resulting decision shall be sent by
207 registered or certified mail to the applicant or licensee
208 concerned.

209 (c) No licensee whose license has been revoked under
210 this section shall be entitled to file another application for
211 a license ~~as a water well driller~~ under this chapter within
212 one year from the effective date of ~~such~~ the revocation or, if
213 judicial review of ~~such~~ the revocation is sought, within one
214 year from the date of final court order or judgment affirming
215 ~~such~~ the revocation. ~~Such~~ The application, when filed, may be
216 refused by the ~~board~~ department unless the applicant shows
217 good cause why revocation of his or her license shall not be
218 deemed a bar to the issuance of a new license."

219 "§22-24-8

220 ~~It shall be unlawful and a violation of this chapter to~~
221 ~~drill a water well within the State of Alabama unless the~~
222 ~~following provisions are complied with:~~ (a) A licensee shall do
223 all of the following while performing an activity for which a
224 license is required by this chapter:



225 (1) The driller of the water well shall be licensed as
226 provided in Section 22-24-5.

227 (2)(1) The driller shall, at all times during the
228 drilling of a ~~water~~ well, keep posted in a conspicuous
229 location, ~~at or near the well being drilled or on his person,~~
230 ~~the appropriate license certificate as furnished on the~~
231 ~~drilling equipment a current sticker issued by the department~~
232 ~~indicating licensure by the board.~~

233 (3) (2) Before the commencement of the drilling
234 operation starting the construction of a well, the driller
235 shall file an application of intent to drill a water well, as
236 directed by the board department.

237 (4)(3) The driller of the well, within Within 30 days
238 after completion of completing the drilling of each water a
239 well, shall deliver to the board department a well completion
240 certification form, upon forms to be supplied by the board, a
241 "report of well drilled.". The board department shall notify
242 the local health authorities within seven days of the receipt
243 thereof receiving the certification for potable and
244 agricultural water wells only.

245 (5) (4) The driller shall furnish Furnish a log and a
246 set of samples to the State Geological Survey from wells
247 specifically designated by the board department or State
248 Geologist. The samples shall be collected during the drilling
249 at intervals of not more than 10 feet.

250 (b) The commission, by rule, may adopt a schedule of
251 fees due for the filing of a well completion certification
252 form pursuant to subdivision (a) (3). A fee may not exceed one



253 thousand dollars (\$1,000) and shall be in an amount according
254 to whether the well is used for an industrial, commercial, or
255 domestic purpose or other criteria as determined by rule of
256 the commission. The fee for a single-family residence or
257 duplex may not exceed two hundred fifty dollars (\$250). The
258 fees may be paid electronically. All fees shall be deposited
259 into the Environmental Management Fund and used for the
260 administration of this chapter and shall not revert to the
261 State General Fund at the end of each fiscal year."

262 "§22-24-11

263 Any person ~~guilty of violating any of the provisions of~~
264 ~~who violates this chapter or any rule adopted pursuant to this~~
265 ~~chapter or the rules and regulations adopted thereunder shall~~
266 ~~be guilty of a misdemeanor and may be punished by a fine of~~
267 ~~not less than \$100.00 nor more than \$500.00 for each~~
268 ~~violation. Each day the violation continues shall be~~
269 ~~considered a separate violation. Any and all funds derived~~
270 ~~from such fines shall be deposited with the State Treasurer in~~
271 ~~the Alabama Department of Environmental Management Fund is~~
272 ~~subject to Section 22-22A-5 of the Alabama Environmental~~
273 Management Act."

274 Section 2. All rules of the Alabama Department of
275 Environmental Management in Division 9 of Title 335 of the
276 Alabama Administrative Code shall continue as rules of the
277 Environmental Management Commission until amended or repealed.

278 Section 3. This act shall become effective on October
279 1, 2026.



HB69 Engrossed

280
281
282 House of Representatives

283 Read for the first time and referred 13-Jan-26
284 to the House of Representatives
285 committee on State Government

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287 Read for the second time and placed 14-Jan-26
288 on the calendar:
289 0 amendments

290
291 Read for the third time and passed 22-Jan-26
292 as amended
293 Yeas 93
294 Nays 0
295 Abstains 9

296
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298 John Treadwell
299 Clerk
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