

SB317 INTRODUCED



1 SB317
2 I3SJ866-1
3 By Senators Orr, Albritton
4 RFD: Finance and Taxation Education
5 First Read: 19-Feb-26



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SYNOPSIS:

This bill would recreate the Alabama Commission on the Evaluation of Services as a legislative department and substantially revise provisions governing the operation of the commission.

This bill would provide for the appointment of the director of the commission and revise and clarify certain duties of the commission.

This bill would also establish the Legislative Committee on the Evaluation of Services to supervise and control the commission.

A BILL
TO BE ENTITLED
AN ACT

Regarding the Alabama Commission on the Evaluation of Services; to add Chapter 2B to Title 29, Code of Alabama 1975, to recreate the commission as a legislative department; to substantially revise the provisions governing the operation of the commission; to provide for the appointment of a director; to revise and clarify duties of the commission; to create the Legislative Committee on the Evaluation of Services; to repeal Chapter 2A, Title 29, Code of Alabama 1975, the existing law



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29 governing the commission; and to provide an effective date.

30 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

31 Section 1. Chapter 2B is added to Title 29, Code of
32 Alabama 1975, to read as follows:

33 Chapter 2B. Alabama Commission on the Evaluation of
34 Services.

35 §29-2B-1

36 There is created the Alabama Commission on the
37 Evaluation of Services, which shall be a legislative
38 department, for the purpose of advising the Legislature
39 regarding the evaluation of services funded by the state.

40 §29-2B-2

41 (a) The affairs of the commission shall be administered
42 by the director, whose actions shall be supervised and
43 controlled by the Legislative Committee on the Evaluation of
44 Services. The director shall be selected and appointed by the
45 committee and shall receive compensation and benefits in an
46 amount established by the committee, payable in the same
47 manner as is provided for other state employees.

48 (b) A vacancy in the office of director arising from
49 any cause shall be filled by the committee. The committee may
50 appoint a highly qualified person as its director to a
51 nonmerit, conditional appointment. The director, with the
52 consent and approval of the committee, shall select and
53 supervise professional and clerical staff upon a full-time or
54 part-time basis as necessary to assist the committee and the
55 director in performing the duties assigned by this chapter.
56 The director, without regard to the state Merit System Act,



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57 may hire employees as necessary to effectuate the purposes of
58 this chapter. The number of employees, their compensation, and
59 other expenditures of the committee shall be within the limits
60 and in compliance with the appropriation made therefor by the
61 Legislature and within budgets that shall be approved from
62 time to time by the commission.

63 §29-2B-3

64 (a) There is hereby established the Alabama Commission
65 on the Evaluation of Services Fund in the State Treasury for
66 the deposit of all funds received by the commission.

67 (b) The commission may receive state appropriations and
68 apply for and receive grant funds from other sources
69 including, but not limited to, foundations, governmental
70 entities, federal grants, and businesses. No public monies
71 shall be expended by the director for any purpose unless the
72 monies have been appropriated by the Legislature to the
73 commission. Any monies appropriated shall be budgeted and
74 allotted pursuant to the Budget Management Act in accordance
75 with Article 4 of Chapter 4 of Title 41, and only in the
76 amounts provided by the Legislature in the general
77 appropriations act or other appropriation acts.

78 §29-2B-4

79 (a) Any department, agency, institution, and
80 establishment of the executive branch of government and
81 regulatory agency or regulatory commission of the state,
82 excluding entities that do not receive a direct appropriation
83 from the State General Fund or the Education Trust Fund, shall
84 furnish to the commission any available material, subject to



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85 the restrictions and limitations of federal law or regulations
86 limiting the sharing of personally identifying information,
87 which the commission determines to be necessary in the
88 performance of the duties and functions of the commission.

89 (b) Any collection of data by a department, agency,
90 institution, establishment, or regulatory agency or regulatory
91 commission of the state, excluding entities that do not
92 receive a direct appropriation from the State General Fund or
93 the Education Trust Fund, shall be furnished to the
94 commission, if available, upon request by the director or an
95 employee of the commission.

96 (c) The commission may take application for and award
97 grant funds to any department, agency, institution,
98 establishment, or regulatory agency or regulatory commission
99 to further the purposes, policies, recommendations, and
100 objectives of the commission subject to the availability of
101 funding.

102 §29-2B-5

103 For purposes of this chapter, the following terms have
104 the following meanings:

105 (1) AGENCY. Any department, board, commission, office,
106 institution, or other unit of state government that receives
107 appropriations from the state.

108 (2) CAUSAL IMPACT EVALUATION. A rigorous evaluation
109 that uses experimental or quasi-experimental methods to
110 determine whether a program caused observed outcomes,
111 isolating the program's effects from other factors.

112 (3) EVALUATION PLAN. A written document that describes



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113 how an agency will assess a program's implementation, outputs,
114 and outcomes, including the data sources, indicators, and
115 methods to be used.

116 (4) LOGIC MODEL. A visual or narrative representation
117 that shows the logical relationships between a program's
118 resources, activities, outputs, and intended outcomes.

119 (5) MAJOR EXPANSION. An increase in a program's
120 appropriation of 25 percent or more compared to the prior
121 fiscal year, or an expansion that significantly changes the
122 program's target population, service delivery method, or
123 geographic scope.

124 (6) NEW PROGRAM. A program that receives an
125 appropriation for the first time and that is not a
126 continuation or modification of an existing program under a
127 different name or organizational structure.

128 (7) PRELIMINARY STUDY. An evaluation or examination of
129 a proposed or existing policy or program conducted before or
130 during legislative consideration, designed to inform
131 legislative decisions about program design, feasibility, or
132 resource requirements.

133 (8) PRIORITY EVALUATION QUESTION. A significant
134 question about a program's implementation, effectiveness, or
135 outcomes that an agency or the commission identifies as
136 warranting systematic evaluation.

137 §29-2B-6

138 The Alabama Commission on the Evaluation of Services
139 shall develop and publish on its website the evaluation
140 standards used in the performance of evaluations of services.



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141 §29-2B-7

142 (a) Each year, within 30 days of the conclusion of the
143 regular session of the Legislature, or any special session
144 where an appropriations act is enacted, the Legislative
145 Services Agency shall identify each new program or major
146 expansion of an existing program for which an agency received
147 an appropriation and notify the agency and the Alabama
148 Commission on the Evaluation of Services of the programs
149 subject to the provisions of this chapter.

150 (b) Each agency shall prepare an evaluation plan for
151 each new program and each major expansion of an existing
152 program that is enacted in an appropriations act, as follows:

153 (1) The evaluation plan shall, at a minimum, describe
154 the program's objectives, target population, key activities,
155 expected inputs, outputs, intended outcomes, and benchmarks
156 for intended outcomes. These variables shall be incorporated
157 into a logic model in the plan.

158 (2) The evaluation plan shall identify the indicators
159 the agency will use to track inputs, outputs, and key
160 outcomes; and for each, describe the data sources and explain
161 how the measures will be calculated for each indicator.

162 (3) The evaluation plan shall classify the planned
163 level of evaluation (for example, monitoring, outcome
164 evaluation, or causal impact evaluation) consistent with the
165 typology in the standards issued under Section 29-2B-6.

166 (4) For programs meeting criteria established in
167 guidance under Section 29-2B-6, the evaluation plan shall
168 include a proposal for a causal impact evaluation or a



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169 justification for why such an evaluation is not feasible or
170 appropriate.

171 (5) Evaluation plans shall be submitted to the Alabama
172 Commission on the Evaluation of Services for approval and
173 publication on its website, per the standards and guidance
174 issued under Section 29-2B-6, before data is analyzed.

175 §29-2B-8

176 (a) For each program subject to this chapter, the
177 agency shall prepare and submit evaluation reports to the
178 Alabama Commission on the Evaluation of Services on a schedule
179 specified in the standards issued under Section 29-2B-6, which
180 shall include at a minimum:

181 (1) A description of the program as implemented,
182 including any material deviations from the original evaluation
183 plan;

184 (2) Results on the agreed-upon input, output, and
185 outcome indicators, including baseline values and trends over
186 time;

187 (3) For programs with a causal impact evaluation, a
188 summary of the evaluation design, key findings, and
189 limitations; and

190 (4) The agency's interpretation of the findings and
191 planned actions in response (for example, continuation,
192 expansion, modification, or termination).

193 (b) The Alabama Commission on the Evaluation of
194 Services shall publish submitted evaluation reports on its
195 website.

196 §29-2B-9



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197 The Legislature, by language in an appropriations act
198 or other act, may require an evaluation of a specific program
199 or line item. Such a provision may:

200 (1) Specify that no more than a stated percentage of
201 funds may be expended until the agency has submitted an
202 evaluation plan meeting the standards of this chapter;

203 (2) Require that an evaluation report be submitted by a
204 certain date and that continuation, renewal, or expansion of
205 funding in a subsequent fiscal year shall consider the
206 findings; or

207 (3) Identify any additional or different indicators or
208 evaluation questions that are particularly important for the
209 program in question.

210 §29-2B-10

211 (a) The Legislature, by request of the Joint
212 Legislative Committee on Finances and Budget or by language in
213 an appropriations act or other act, may direct the Alabama
214 Commission on the Evaluation of Services to conduct a
215 preliminary study of proposed or existing policies or
216 programs.

217 (b) Any action directing a preliminary study shall
218 specify:

219 (1) The policy or program to be examined; and

220 (2) The questions or issues the study should address.

221 (c) The Alabama Commission on the Evaluation of
222 Services shall coordinate with the respective agencies or
223 entities impacted by the study to:

224 (1) Confirm the scope and objectives of the study;



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225 (2) Establish a timeline for completion based on study
226 complexity and available resources;

227 (3) Identify necessary resources, including estimated
228 costs and staffing needs; and

229 (4) Determine the content and format of the final
230 report.

231 (d) If the Alabama Commission on the Evaluation of
232 Services determines that completing a preliminary study as
233 specified would require resources or time periods that exceed
234 available capacity of the commission or agency, the commission
235 may propose to the Legislature modifications to the study
236 scope, timeline, or resource allocation.

237 (e) Preliminary studies may examine:

238 (1) The feasibility of proposed programs or policies;

239 (2) Estimated costs and potential fiscal impacts;

240 (3) Experiences with similar programs in other
241 jurisdictions;

242 (4) Available data and evidence related to the policy
243 area;

244 (5) Evaluation design options if the policy or program
245 is enacted; or

246 (6) Expected implementation challenges and resource
247 requirements.

248 (f) Each preliminary study report shall include:

249 (1) A description of the policy or program examined;

250 (2) The study methodology and data sources used;

251 (3) Key findings addressing the questions specified in
252 the directing act;



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253 (4) Limitations of the analysis; and

254 (5) Implications for policy design or implementation,
255 if applicable.

256 (g) Upon completion, the Alabama Commission on the
257 Evaluation of Services shall publish the preliminary study
258 report on the agency's website and submit the report to the
259 Senate Finance and Taxation Committees, the House Ways and
260 Means Committees, the Legislative Committee on the Evaluation
261 of Services, and the Legislative Fiscal Officer.

262 §29-2B-11

263 The commission shall adopt rules necessary to implement
264 this chapter pursuant to the Alabama Administrative Procedure
265 Act, Chapter 22 of Title 41.

266 §29-2B-12

267 (a) There is hereby created a continuing legislative
268 committee to be known as the Legislative Committee on the
269 Evaluation of Services to exercise general supervision and
270 control over the actions of the Alabama Commission on the
271 Evaluation of Services.

272 (b) The committee shall be led by the Chair of the
273 Senate Finance and Taxation General Fund Committee, the Chair
274 of the House Ways and Means General Fund Committee, the Chair
275 of the Senate Finance and Taxation Education Committee, and
276 the Chair of the House Ways and Means Education Committee who
277 shall alternate as the chair of the committee each year.

278 (c) The Alabama Legislative Committee on the Evaluation
279 of Services shall have 12 members. The membership of the
280 committee shall include the following:



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281 (1) The Chair and Vice-chair of the Senate Finance and
282 Taxation Education Committee.

283 (2) The Chair and Vice-chair of the Senate Finance and
284 Taxation General Fund Committee.

285 (3) The Chair and Vice-chair of the House Ways and
286 Means Education Committee.

287 (4) The Chair and Vice-chair of the House Ways and
288 Means General Fund Committee.

289 (5) One member of the Senate, appointed by the
290 President Pro Tempore of the Senate.

291 (6) One member of the House of Representatives,
292 appointed by the Speaker of the House of Representatives.

293 (7) One member of the Senate, appointed by the Minority
294 Leader of the Senate.

295 (8) One member of the House of Representatives,
296 appointed by the Minority Leader of the House of
297 Representatives.

298 (d) The committee shall meet at the call of the chair
299 or any two members, provided that the committee shall meet at
300 least once every six months. A majority of the members of the
301 committee shall constitute a quorum for the transaction of
302 business at meetings. Members of the committee shall be
303 entitled to their regular legislative compensation, per diem,
304 and travel expenses each day they attend a meeting of the
305 commission in accordance with Section 49 of the Constitution
306 of Alabama of 2022. These payments shall be paid out of any
307 funds appropriated for the use of the Legislature by means of
308 warrants drawn by the Comptroller on the State Treasury.



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309 (e) Members of the committee may participate in a
310 meeting of the committee by means of telephone conference,
311 video conference, or similar communications equipment by means
312 of which all persons participating in the meeting may hear
313 each other at the same time. Participation by such means shall
314 constitute presence in person at a meeting for all purposes.

315 Section 2. (a) Chapter 2A of Title 29, Code of Alabama
316 1975, related to the Alabama Commission on the Evaluation of
317 Services, is repealed.

318 (b) Any reference in any law to the Alabama Commission
319 on the Evaluation of Services under Chapter 2A of Title 29,
320 Code of Alabama 1975, shall be deemed a reference to the
321 Alabama Commission on the Evaluation of Services created by
322 Section 1.

323 Section 3. This act shall become effective on January
324 1, 2027.