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SYNOPSIS:

This bill would require the State Health Officer to issue an advisory regarding the consumption of fish when deemed appropriate.

This bill would require the State Health Officer to establish a panel to consider and advise upon fish consumption advisories.

This bill would require the Alabama Department of Environmental Management to regularly evaluate fish species for pollutants.

This bill would require the Alabama Department of Environmental Management to post signage at access areas adjacent to waters with an active fish consumption advisory.

This bill would also require the Department of Conservation and Natural Resources to notify fishing license purchasers of active fish consumption advisories.

A BILL
TO BE ENTITLED
AN ACT



29 Relating to consumption of fishes; to require the State
30 Health Officer to issue advisories concerning fish consumption
31 and to establish a panel to advise on and discuss this issue;
32 to require the Alabama Department of Environmental Management
33 to test fishes for pollutants and post signage at water bodies
34 notifying of an active fish consumption advisory; and to
35 require the Department of Conservation and Natural Resources
36 to notify fish license purchasers of all active advisories.

37 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

38 Section 1. This act shall be known and may be cited as
39 the Safe and Healthy Outdoor Recreation Act of 2023.

40 Section 2. The Legislature finds and declares the
41 following:

42 (1) That outdoor recreation, including catching,
43 cooking, and eating fish is a fundamental way of life for
44 countless residents of this state.

45 (2) That all Alabamians should have the right to know
46 whether it is safe to consume the fish they catch.

47 (3) That outdoor recreation-related illnesses stemming
48 from contact with polluted waters and contaminated fish pose a
49 severe public health risk to the people of Alabama.

50 Section 3. (a) The State Health Officer, in
51 consultation with the Director of the Alabama Department of
52 Environmental Management, shall issue a fish consumption
53 advisory when it is reasonable and necessary to protect public
54 health and well-being. The Alabama Department of Public Health
55 shall publish the advisory on its website in a clear and
56 concise manner and maintain a dedicated telephone number to



57 provide information related to the advisory.

58 (b) The State Health Officer shall establish an
59 advisory panel to analyze, develop, and implement the fish
60 consumption advisory program. The panel shall consist of, in a
61 number to be determined by the State Health Officer,
62 representatives from the Alabama Department of Public Health,
63 the Alabama Department of Environmental Management, the
64 Department of Conservation and Natural Resources, and any
65 other agency, business, nongovernmental organization, or
66 individual the State Health Officer determines appropriate.
67 The panel shall meet at least annually and consider tissue
68 sampling methodologies, water bodies and fish species to be
69 sampled, pollutant toxicity limits, strategies for
70 communicating consumption advisories to the public, and any
71 other subjects relevant to the program.

72 Section 4. The Alabama Department of Environmental
73 Management, in consultation with the Alabama Department of
74 Public Health, shall conduct regular fish tissue monitoring to
75 evaluate safe consumption levels of fish species. The Alabama
76 Department of Environmental Management shall annually publish
77 a report on its website, which shall be made available for
78 public comment, detailing and identifying the methodology and
79 reasoning for evaluating the species and pollutants chosen.

80 Section 5. The Alabama Department of Environmental
81 Management shall post signage at any public boat ramp adjacent
82 to state waters with an active fish consumption advisory
83 notifying the public of this fact. The signage shall include a
84 telephone number for the department, an Internet address, and



85 a quick response code for a website from which to obtain
86 information about fish consumption advisories, water quality,
87 and water discharge permits. The Alabama Department of
88 Environmental Management may consult with other state
89 agencies, political subdivisions of the state, nongovernmental
90 organizations, private corporations, or any other organization
91 to implement this subsection.

92 Section 6. The Department of Conservation and Natural
93 Resources, with each issuance of an electronic fishing
94 license, shall notify the licensee of current fish consumption
95 advisories by providing an Internet address to access all
96 active advisories online.

97 Section 7. This act shall become effective immediately
98 following its passage and approval by the Governor, or its
99 otherwise becoming law.