

HB168 INTRODUCED



1 HB168
2 9N7EMBM-1
3 By Representative Treadaway
4 RFD: Urban and Rural Development
5 First Read: 05-Feb-25



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SYNOPSIS:

Existing law provides that local emergency management organizations, through the director, may enter into mutual aid agreements with other public and private agencies for reciprocal emergency aid when the size of a disaster requires such aid.

This bill would transfer the authority to enter into mutual aid agreements to the governing body of the local emergency management organization; and would also provide that mutual aid agreements can be developed with other agencies for reciprocal aid to protect public peace and safety.

This bill would also provide that employees of other political subdivisions have the same power and immunity when they render assistance under such a mutual aid agreement outside their political subdivision.

This bill would further make nonsubstantive changes to update the existing code language to current style.

A BILL
TO BE ENTITLED
AN ACT



HB168 INTRODUCED

29
30 Relating to local emergency management organizations;
31 to amend Section 31-9-9, Code of Alabama 1975, to further
32 provide for mutual aid agreements with other public or private
33 agencies for reciprocal aid to protect public health and
34 safety; to vest the authority in the governing body; to amend
35 Section 31-9-11, Code of Alabama 1975, to further provide that
36 employees of political subdivisions have the same powers and
37 immunities when they act outside of the political subdivision
38 pursuant to a mutual aid agreement; and to make nonsubstantive
39 changes to update the existing code language to current style.
40 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

41 Section 1. Sections 31-9-9 and 31-9-11, Code of Alabama
42 1975, are amended to read as follows:

43 "§31-9-9

44 (a) The ~~director~~governing body of each local
45 organization for emergency management may develop ~~or cause to~~
46 ~~be developed~~ mutual aid agreements with other public and
47 private agencies within this state for reciprocal emergency
48 management aid and assistance in case of disaster too great to
49 be dealt with unassisted. The governing body may also develop
50 or cause to be developed mutual aid agreements with other
51 public or private agencies within the state for reciprocal aid
52 and assistance to protect the public peace, health, and
53 safety, and to preserve the lives and property of the people
54 of the state. Such agreements shall be consistent with the
55 state emergency management plan and program, and a copy of
56 each ~~such~~ agreement shall be filed with the State Director of



HB168 INTRODUCED

57 Emergency Management immediately after being entered into. ~~In~~
58 ~~time of emergency it shall be the duty of each~~Each local
59 organization for emergency management ~~to~~shall render
60 assistance in accordance with the provisions of ~~such~~the mutual
61 aid agreements.

62 (b) The ~~director~~governing body of each local
63 organization for emergency management may assist in
64 negotiation of reciprocal mutual aid agreements between the
65 Governor and adjoining states or political subdivisions
66 thereof, and shall carry out any such agreement relating to
67 the local and political subdivision.

68 (c) The ~~directors~~governing body of each local
69 organization for emergency management may develop ~~or cause to~~
70 ~~be developed~~ mutual aid agreements with federally recognized
71 Indian tribes located within the state.

72 (d) For purposes of this section, "governing body"
73 means the political subdivision establishing the local
74 organization for emergency management pursuant to Section
75 31-9-10."

76 "§31-9-11

77 Whenever the employees of any political subdivision are
78 rendering outside aid pursuant to a mutual aid agreement
79 authorized by Section 31-9-9 or the authority contained in
80 Section 31-9-10, ~~such~~the employees shall have the same powers,
81 duties, rights, privileges, and immunities as if they were
82 performing their duties in the political subdivisions in which
83 they are normally employed."

84 Section 2. This act shall become effective on October



HB168 INTRODUCED

85 1, 2025.