

## HJR350 INTRODUCED



1 HJR350  
2 W1FF85E-1  
3 By Representative Blackshear  
4 RFD:  
5 First Read: 06-May-25



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4 HJR\_\_\_ ESTABLISHING THE JOINT INTERIM STUDY COMMISSION ON  
5 UTILITY RELOCATION COSTS.  
6

7 WHEREAS, the law of the State of Alabama has long  
8 authorized the location of utility facilities in, along,  
9 across, and under public road rights-of-way; and

10 WHEREAS, public road projects undertaken by state,  
11 county, and municipal authorities, such as road realignment  
12 and road widening projects, often necessitate the temporary  
13 or permanent relocation of utility facilities; and

14 WHEREAS, the expense of relocation of utility  
15 facilities incurred in connection with public road projects  
16 is a matter of public concern; it is in the public interest  
17 to study the equitable allocation of such costs; now  
18 therefore,

19 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH  
20 HOUSES THEREOF CONCURRING, That there is created the Joint  
21 Interim Study Commission on Utility Relocation Costs to  
22 study the costs of utility facility relocations incurred in  
23 connection with public road projects and to make  
24 recommendations of how to allocate related expenses.

25 (a) The membership of the study commission shall  
26 consist of all of the following:



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27           (1) Two members of the Alabama House of  
28 Representatives, appointed by the Speaker of the House of  
29 Representatives.

30           (2) Two members of the Alabama Senate, appointed by  
31 the President Pro Tempore of the Senate.

32           (3) One member appointed by the Minority Leader of  
33 the House of Representatives.

34           (4) One member appointed by the Minority Leader of  
35 the Senate.

36           (5) One member appointed by the Governor.

37           (6) One member appointed by the Lieutenant Governor.

38           (7) One member representing the Alabama Department of  
39 Transportation.

40           (8) One member representing the Alabama Public  
41 Service Commission.

42           (9) One member representing the Alabama Cable and  
43 Broadband Association.

44           (10) One or more members representing the Energy  
45 Institute of Alabama to represent any electric industry  
46 perspectives not otherwise represented on the study  
47 commission, appointed by the chair of the study commission.

48           (11) One member representing the Alabama Natural Gas  
49 Association.

50           (12) One member representing the Alabama Stormwater  
51 Association.

52           (13) One member representing the Alabama Road  
53 Builders Association.



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(14) One member representing the Alabama Water & Wastewater Institute, Incorporated.

(15) One member representing the Association of County Commissions of Alabama.

(16) One member representing the Alabama League of Municipalities.

(17) One member who is familiar with right-of-way and infrastructure issues, appointed by the Business Council of Alabama.

(18) One member representing the Broadband Association of Alabama and Mississippi.

(19) One member representing any organization not previously listed who may provide a unique perspective on the issues being studied by the study commission, appointed by the chair of the study commission in consultation with the vice chair.

(b) The appointing authorities shall coordinate their appointments to ensure the task force membership is inclusive and reflects the racial, gender, geographic, urban, rural, and economic diversity of the state.

(c)(1) The study commission shall assess current practices and law regarding all of the following matters:

a. The use of public road rights-of-way for the location of utility facilities.

b. The current process and procedure for utility facility relocation due to public highway, road, or street construction projects.



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81 c. Costs and expenses incurred to relocate utility  
82 facilities due to public road projects.

83 d. Allocation and reimbursement of such costs and  
84 expenses incurred for utility relocations due to public road  
85 construction projects.

86 e. The availability of federal funding for utility  
87 relocations, including ways in which the Alabama Department  
88 of Transportation can seek, utilize, and maximize federal  
89 funding to provide for the payment or reimbursement of  
90 utility facility relocation costs.

91 (2) Based on the assessments conducted pursuant to  
92 subdivision (1), the study commission shall develop  
93 comprehensive recommendations on changes to law and  
94 procedures for the allocation and reimbursement of the costs  
95 of relocating utility facilities located in, along, or  
96 adjacent to public road rights-of-way due to public road  
97 construction projects.

98 (d) (1) The Speaker of the House of Representatives  
99 shall designate one of his or her appointees to serve as  
100 chair of the study commission, and the President Pro Tempore  
101 of the Senate shall designate one of his or her appointees  
102 to serve as the vice chair of the study commission. The  
103 first meeting of the study commission shall be held at the  
104 call of the chair no later than 60 days after this  
105 resolution's passage. The study commission may then meet as  
106 necessary to conduct business.

107 (2) The Legislative Services Agency, the Clerk of the  
108 House of Representatives, and the Secretary of the Senate



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109 shall provide administrative and other assistance for the  
110 work of the task force as necessary.

111 (e) (1) The legislative members of the task force  
112 shall be entitled to their legislative compensation, per  
113 diem, and travel expenses for each day they attend a meeting  
114 of the task force pursuant to Section 49 of the Constitution  
115 of Alabama of 2022.

116 (2) The nonlegislative members of the task force  
117 shall serve without compensation but may be reimbursed for  
118 necessary expenses in attending meetings of the task force  
119 pursuant to the policies of their respective appointing  
120 authority.

121 (f) The study commission shall prepare a report of  
122 its findings, conclusions, and recommendation to the  
123 Legislature not later than the tenth legislative day of the  
124 2026 Regular Session, at which point the study commission  
125 shall stand dissolved and discharged of any future duties  
126 and liabilities.

127 (g) Pursuant to Section 36-14-17.1, Code of Alabama  
128 1975, the task force shall provide a notice of all meetings,  
129 the name of each member serving on the study commission, and  
130 a copy of the final report and any other documents produced  
131 by the study commission throughout its duration to the  
132 Secretary of State.

133 (h) Each appointing authority named herein shall be  
134 provided a copy of this resolution upon its passage.

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