

## HR367 INTRODUCED



1     HR367  
2     NRBQ6TT-1  
3     By Representative Blackshear  
4     RFD:  
5     First Read: 14-May-25



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4 HR\_\_\_\_\_ ESTABLISHING THE HOUSE 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 HOUSE OF REPRESENTATIVES OF THE  
20 LEGISLATURE OF ALABAMA, That there is created the House  
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) One member appointed by the Minority Leader of  
31 the House of Representatives.

32           (3) One member appointed by the Governor.

33           (4) One member appointed by the Lieutenant Governor.

34           (5) One member representing the Alabama Department of  
35 Transportation.

36           (6) One member representing the Alabama Public  
37 Service Commission.

38           (7) One member representing the Alabama Cable and  
39 Broadband Association.

40           (8) One or more members representing the Energy  
41 Institute of Alabama to represent any electric industry  
42 perspectives not otherwise represented on the study  
43 commission, appointed by the chair of the study commission.

44           (9) One member representing the Alabama Natural Gas  
45 Association.

46           (10) One member representing the Alabama Stormwater  
47 Association.

48           (11) One member representing the Alabama Road  
49 Builders Association.

50           (12) One member representing the Alabama Water &  
51 Wastewater Institute, Incorporated.

52           (13) One member representing the Association of  
53 County Commissions of Alabama.



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54           (14) One member representing the Alabama League of  
55 Municipalities.

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

59           (16) One member representing the Broadband  
60 Association of Alabama and Mississippi.

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

66           (18) To the extent there is interest, one or more  
67 members of the Senate recommended by the President Pro  
68 Tempore of the Senate and appointed by the chair in  
69 consultation with the Speaker of the House of  
70 Representatives.

71           (19) To the extent there is interest, one or more  
72 members of the Senate recommended by the Minority Leader of  
73 the Senate and appointed by the chair in consultation with  
74 the Speaker of the House of Representatives.

75           (b) The appointing authorities shall coordinate their  
76 appointments to ensure the study commission membership is  
77 inclusive and reflects the racial, gender, geographic,  
78 urban, rural, and economic diversity of the state.

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



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

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

86           c. Costs and expenses incurred to relocate utility  
87 facilities due to public road projects.

88           d. Allocation and reimbursement of such costs and  
89 expenses incurred for utility relocations due to public road  
90 construction projects.

91           e. The availability of federal funding for utility  
92 relocations, including ways in which the Alabama Department  
93 of Transportation can seek, utilize, and maximize federal  
94 funding to provide for the payment or reimbursement of  
95 utility facility relocation costs.

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

103           (d) (1) The Speaker of the House of Representatives  
104 shall designate one of his or her appointees to serve as  
105 chair and one of his or her appointees to serve as the vice  
106 chair of the study commission. The first meeting of the  
107 study commission shall be held at the call of the chair no  
108 later than 60 days after this resolution's passage. The



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109 study commission may then meet as necessary to conduct  
110 business.

111 (2) The Legislative Services Agency and the Clerk of  
112 the House of Representatives shall provide administrative  
113 and other assistance for the work of the study commission as  
114 necessary.

115 (e)(1) The legislative members of the study  
116 commission shall be entitled to their legislative  
117 compensation, per diem, and travel expenses for each day  
118 they attend a meeting of the study commission pursuant to  
119 Section 49 of the Constitution of Alabama of 2022.

120 (2) The nonlegislative members of the study  
121 commission shall serve without compensation but may be  
122 reimbursed for necessary expenses in attending meetings of  
123 the study commission pursuant to the policies of their  
124 respective appointing authority.

125 (f) The study commission shall prepare a report of  
126 its findings, conclusions, and recommendation to the  
127 Legislature not later than the tenth legislative day of the  
128 2026 Regular Session, at which point the study commission  
129 shall stand dissolved and discharged of any future duties  
130 and liabilities.

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



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

139           (i) This study commission shall stand dissolved and  
140 discharged of its duties if a Joint Resolution establishing  
141 a joint interim study commission to address the same or  
142 similar relocation issues is enacted during the 2025 Regular  
143 Session.