

SB346 INTRODUCED



1 SB346
2 G3NTA2C-1
3 By Senator Livingston
4 RFD: Fiscal Responsibility and Economic Development
5 First Read: 24-Apr-25

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SYNOPSIS:

The Alabama Resilience Council was established by Executive Order No. 736 to provide a forum for coordinating activities of state government and for facilitating interactions between state government and the private sector to proactively address harmful impacts on Alabama communities and infrastructure before they occur.

This bill would permanently establish the Alabama Resilience Council as an appointed advisory group within the executive branch of state government.

This bill would also provide for the rules, duties, and procedures of the council.

This bill would also authorize appointment of, and provide for the responsibilities of, a Chief Resilience Officer.

This bill would also require a statewide resilience plan and statewide comprehensive risk and vulnerability assessment.

A BILL
TO BE ENTITLED
AN ACT

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29 To create the Alabama Resilience Council as an
30 appointed advisory group within the executive branch of state
31 government, and to provide for the rules, duties, and
32 procedures of the council; to authorize appointment of, and
33 provide for the responsibilities of, a Chief Resilience
34 Officer; to require a statewide resilience plan and statewide
35 comprehensive risk and vulnerability assessment.

36 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

37 Section 1. The Legislature finds and declares the
38 following:

39 (a) The protection of human life and property is a
40 fundamental responsibility of the state government.

41 (b) Alabama is susceptible to various natural and
42 manmade disaster events, posing threats to the safety of its
43 citizens, integrity of its infrastructure, prospects for its
44 economic growth, and maintenance and protection of its unique
45 natural resources. These threats also pose significant fiscal
46 and operational risks to functions of the state and local
47 government.

48 (c) Resilience is the capacity of individuals,
49 communities, businesses, and systems to anticipate, prepare
50 for, adapt to, and rapidly recover from adverse events.
51 Resilience is guided by five principles: individual
52 responsibility; collective continuity and function; factual
53 assessment of risk; integrated resilience efforts; and focused
54 support.

55 (d) The Alabama Resilience Council established by
56 Executive Order No. 736, May 5, 2023, has examined resilience

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57 policy needs to address current and future adverse events, and
58 based on its findings, Alabama would benefit from a lasting,
59 comprehensive approach to resilience.

60 (e) Coordinated statewide resilience efforts and
61 development of a statewide resilience plan would be most
62 effective under a single designated Chief Resilience Officer
63 to coordinate activities of the Alabama Resilience Council.

64 Section 2. (a) Commencing upon the governor's revocation
65 of Executive Order No. 736, the Alabama Resilience Council
66 shall be created as an appointed advisory group within the
67 executive branch of state government for the purpose of
68 coordinating resilience-related activities of state government
69 and for facilitating interactions between state government and
70 the private sector to proactively address harmful impacts on
71 Alabama communities and infrastructure before they occur.

72 (b) The voting members of the council shall consist of
73 the Governor or his or her designee and the head of the
74 following agencies or their designees:

75 (1) The Alabama Department of Agriculture and
76 Industries.

77 (2) The Alabama Department of Commerce.

78 (3) The Alabama Department of Conservation and Natural
79 Resources.

80 (4) The Alabama Department of Economic and Community
81 Affairs.

82 (5) The Alabama Department of Environmental Management.

83 (6) The Alabama Department of Finance.

84 (7) The Alabama Department of Insurance.

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85 (8) The Alabama Department of Public Health.

86 (9) The Alabama Department of Transportation.

87 (10) The Alabama Emergency Management Agency.

88 (11) The Alabama Forestry Commission.

89 (12) The Alabama Geological Survey.

90 (13) The Alabama Military Department (i.e., the
91 National Guard).

92 (14) The Alabama Office of Information Technology.

93 (15) The Alabama State Law Enforcement Agency.

94 (16) Additional voting members as appointed by the
95 Governor.

96 (c) The non-voting members of council shall consist of
97 representatives from the following entities:

98 (1) The Alabama Soil and Water Conservation Committee.

99 (2) The Federal Emergency Management Agency.

100 (3) The National Weather Service.

101 (4) The United States Army Corps of Engineers.

102 (5) The United States Economic Development
103 Administration.

104 (6) The United States Forest Service.

105 (7) The United States Small Business Administration.

106 (8) Additional non-voting members as appointed by the
107 Governor.

108 (c) The council membership shall be inclusive and
109 reflect the racial, gender, geographic, urban, rural, and
110 economic diversity of the state.

111 Section 3. The duties of the Alabama Resilience Council
112 shall be as follows:

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113 (a) Develop strategies to guide statewide resilience
114 efforts by prioritizing objectives reflecting pressing
115 resilience challenges. To this end, the council shall
116 regularly convene government and private-sector stakeholders
117 with different perspectives and interests to facilitate
118 planning across jurisdictions and sectors and thereby to avoid
119 cascading failures. The council shall develop principles to
120 guide the work of state government in carrying out its
121 resilience initiatives.

122 (b) Assist the Chief Resilience Officer in the
123 development, maintenance, and implementation of the statewide
124 resilience plan.

125 (c) Enhance community awareness to prepare for, and
126 protect against, hazards; to enable greater understanding of
127 personal risks; to educate residents of the state about how to
128 mitigate risks; and to increase knowledge of resources
129 available for mitigation efforts.

130 (d) Solicit participation of the private sector in
131 programs to collectively strengthen the resilience of
132 businesses and communities. The council shall engage the
133 private sector to reduce costs from lost productivity and
134 pursue joint, public-private efforts to avoid infrastructure
135 damages.

136 (e) Improve the public's ability to assess risk
137 management alternatives by reducing the complexity of risk
138 information for non-technical audiences, by generating and
139 sharing reliable information that helps decisionmakers
140 identify and select risk-reduction alternatives, and by

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141 providing guidance about assistance programs and funding
142 opportunities based on needs, cost effectiveness, feasibility,
143 potential resources, and returns on investment.

144 (f) Pursue and support federal and state policies and
145 programs that promote innovative and flexible solutions for
146 achieving individual, community, and statewide resilience. To
147 this end, the council shall engage the support and assistance
148 of government agencies, professional associations, businesses,
149 private citizens, non-profit organizations, and interested
150 parties.

151 (g) Provide support and assistance in the preparation
152 and maintenance of the state hazard mitigation plan, as
153 contemplated by the federal Disaster Mitigation Act of 2000,
154 42 U.S.C. § 5121, et seq., or successor federal statute;
155 provided that the Alabama Emergency Management Agency shall be
156 responsible for administrative maintenance and day-to-day
157 execution of the plan.

158 (h) Identify and pursue funding through federal, state,
159 and private opportunities to promote resilience in the State
160 of Alabama.

161 Section 4. (a) The council shall be led by a Chair,
162 Vice-Chair, Co-Chairs, or other leadership positions from
163 within the membership on the council. Leadership positions
164 shall be appointed by the Governor and shall serve at the
165 pleasure of the Governor.

166 (b) The council shall develop, adopt, and maintain
167 bylaws governing its activities; provided the bylaws are

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168 consistent with the provisions of this Act. At its discretion,
169 the council may establish working groups or subcommittees.

170 (c) The council shall meet at least twice each year and
171 may meet more frequently upon the call of the chair, subject
172 to the Open Meetings Act. Members of the council may
173 participate in a meeting of the council by means of telephone
174 conference, video conference, or similar communications
175 equipment by means of which all individuals participating in
176 the meeting may hear each other at the same time.
177 Participation by electronic means shall constitute presence in
178 person at a meeting for all purposes.

179 (d) Members of the council shall serve without
180 compensation except members who are public officials or public
181 employees may elect to receive the per diem and travel
182 allowance authorized by state law for persons traveling on
183 official state business.

184 (e) Administrative support shall be provided by the
185 council's appointed leadership and the Chief Resilience
186 Officer.

187 Section 5. (a) The Governor may appoint a Chief
188 Resilience Officer to coordinate the activities of the council
189 established pursuant to Section 2 and lead the development,
190 maintenance, and implementation of the Resilience Plan. The
191 Chief Resilience Officer shall serve at the pleasure of the
192 governor.

193 (b) The duties of the Chief Resilience Officer shall be
194 as follows:

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195 (1) Conduct a comprehensive inventory of Alabama's
196 resilience assets.

197 (2) Identify areas of collaboration among state
198 agencies, areas of overlap, and potential shareable resources.

199 (3) Review resilience programs from both inside Alabama
200 and among comparable states.

201 (4) Engage state agencies to examine how to best
202 collect, organize, analyze, and communicate data in ways that
203 advance Alabama's resilience principles.

204 (5) Identify and enhance state agency knowledge of
205 statewide resilience efforts.

206 (6) Identify and pursue funding through federal, state,
207 and private opportunities to promote resilience in the State
208 of Alabama.

209 Section 6. (a) The Chief Resilience Officer shall
210 develop, maintain, and implement a statewide resilience plan,
211 with the general oversight and leadership of the council. The
212 plan shall include the following components:

213 (1) Statewide Comprehensive Risk and Vulnerability
214 Assessment. The plan will evaluate the impacts of extreme
215 weather and disasters. It will assess current and future risks
216 across various hazards using historical data and future
217 scenarios while factoring in land and water management
218 practices. The assessment will examine effects on communities,
219 infrastructure, the economy, and the environment.

220 Additionally, a vulnerability assessment will identify the
221 social, economic, and environmental systems most at risk. It
222 will analyze risk exposure, potential costs, and impacts on

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223 state assets, government functions, local economies, and
224 critical natural systems.

225 (2) Resilience Actions. The plan will provide a
226 prioritized list of resilience actions to address
227 vulnerabilities, detailing their benefits, costs, and
228 implementation timeline. Priority shall be given to actions
229 that effectively mitigate the impacts of future disasters,
230 particularly those that provide multiple co-benefits, such as
231 enhancing environmental stewardship, economic stability, or
232 public health. Resilience actions that incorporate or restore
233 natural features to achieve risk mitigation benefits shall
234 also be prioritized, provided they are cost-effective and
235 demonstrate long-term advantages over alternative approaches.
236 The plan will also outline how these actions align with
237 existing efforts by state agencies, local governments, and
238 other entities, ensuring they complement the state hazard
239 mitigation plan.

240 (3) Implementation Strategy. The plan will include an
241 implementation strategy outlining how resilience actions will
242 be enacted, funded, and tracked. It will define roles,
243 responsibilities, timelines, and metrics while prioritizing
244 actions for high-risk vulnerabilities. The strategy will also
245 support partnerships, provide technical assistance, and ensure
246 public access to data for planning and decision-making.

247 (b) The initial plan shall be completed within two
248 years of the Governor appointing a Chief Resilience Officer
249 and shall be reviewed and updated at least every two years

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250 thereafter to ensure its continued effectiveness and
251 relevance.

252 Section 7. This act shall become effective on October
253 1, 2025.