

House State Government Reported Substitute for  
SB137



1

2

3

4

5

6

7

8

A BILL

TO BE ENTITLED

## AN ACT

9 To create the Alabama Resilience Council as an  
10 appointed advisory group within the executive branch of state  
11 government, and to provide for the rules, duties, and  
12 procedures of the council; to authorize appointment of, and  
13 provide for the responsibilities of, a Chief Resilience  
14 Officer; to require a statewide resilience plan that includes  
15 a statewide comprehensive risk and vulnerability assessment;  
16 and to amend Section 27-2-39, Code of Alabama 1975, to revise  
17 the distribution of insurance license fees to provide funding  
18 for the council.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20                   Section 1. The Legislature finds and declares the  
21        following:

22 (a) Alabama is susceptible to various natural and  
23 manmade disaster events, posing threats to the safety of its  
24 citizens, integrity of its infrastructure, prospects for its  
25 economic growth, and maintenance and protection of its unique  
26 natural resources. These threats also pose significant fiscal  
27 and operational risks to functions of the state and local  
28 government.



House State Government Reported Substitute for  
SB137

29 (b) For the purposes of this Act, the term "resilience"  
30 shall be considered the capacity of individuals, communities,  
31 businesses, and systems to anticipate, prepare for, adapt to,  
32 and rapidly recover from adverse events. For the purposes of  
33 this Act, resilience shall be guided by five principles:  
34 individual responsibility; collective continuity and function;  
35 factual assessment of risk; integrated resilience efforts; and  
36 focused support.

37 (c) The Alabama Resilience Council established by  
38 Executive Order No. 736, May 5, 2023, has examined resilience  
39 policy needs to address current and future adverse events, and  
40 based on its findings, Alabama would benefit from a lasting,  
41 comprehensive approach to resilience.

42 (d) Coordinated statewide resilience efforts and  
43 development of a statewide resilience plan would be most  
44 effective under a single designated Chief Resilience Officer  
45 to coordinate activities of the Alabama Resilience Council.

55 (b) The voting members of the council shall consist of  
56 the Governor or his or her designee, the Chief Resilience



**House State Government Reported Substitute for  
SB137**

57 Officer, and the head of the following agencies or their  
58 designees:

59 (1) The Alabama Department of Agriculture and  
60 Industries.

61 (2) The Alabama Department of Commerce.

62 (3) The Alabama Department of Conservation and Natural  
63 Resources.

64 (4) The Alabama Department of Economic and Community  
65 Affairs.

66 (5) The Alabama Department of Environmental Management.

67

68 (6) The Alabama Department of Finance.

69 (7) The Alabama Department of Insurance.

70 (8) The Alabama Department of Public Health.

71 (9) The Alabama Department of Transportation.

72 (10) The Alabama Emergency Management Agency.

73 (11) The Alabama Forestry Commission.

74 (12) The Alabama State Military Department.

75 (13) The Alabama Office of Information Technology.

76 (14) The Alabama State Law Enforcement Agency.

77 (15) The Alabama Public Service Commission

78 (c) Non-voting members of council may be appointed by  
79 the Governor and should include representatives of local  
80 government; critical infrastructure owners and operators;  
81 business, industry, and insurance sectors; and other state  
82 agencies.

83 (d) The council membership shall be inclusive and  
84 reflect the racial, gender, geographic, urban, rural, and



**House State Government Reported Substitute for  
SB137**

85 economic diversity of the state.

86         Section 3. The duties of the Alabama Resilience Council  
87 shall be as follows:

88             (a) Develop strategies to guide statewide resilience  
89 efforts by prioritizing objectives reflecting pressing  
90 resilience challenges. To this end, the council shall  
91 regularly convene government and private-sector stakeholders  
92 with different perspectives and interests to facilitate  
93 planning across jurisdictions and sectors and thereby to avoid  
94 cascading failures. The council shall develop principles to  
95 guide the work of state government in carrying out its  
96 resilience initiatives.

97             (b) Assist the Chief Resilience Officer in the  
98 development, maintenance, and implementation of the statewide  
99 resilience plan.

100             (c) Solicit participation of the private sector in  
101 programs to collectively strengthen the resilience of  
102 businesses and communities. The council shall engage the  
103 private sector to reduce costs from lost productivity and  
104 pursue joint, public-private efforts to avoid infrastructure  
105 damages.

106             (d) Improve the public's ability to assess risk  
107 management alternatives by reducing the complexity of risk  
108 information for non-technical audiences, by generating and  
109 sharing reliable information that helps decisionmakers  
110 identify and select risk-reduction alternatives, and by  
111 providing guidance about assistance programs and funding  
112 opportunities based on needs, cost effectiveness, feasibility,



**House State Government Reported Substitute for  
SB137**

113 potential resources, and returns on investment.

114 (e) Develop, pursue, and support federal and state  
115 policies and programs that promote innovative and flexible  
116 solutions for achieving individual, community, and statewide  
117 resilience.

118 (f) Provide support and assistance in the preparation  
119 and maintenance of the state hazard mitigation plan, as  
120 contemplated by the federal Disaster Mitigation Act of 2000,  
121 42 U.S.C § 5121, et seq., or successor federal statute;  
122 provided that the Alabama Emergency Management Agency shall be  
123 responsible for administrative maintenance and day-to-day  
124 execution of the plan.

125 (g) Identify and pursue funding opportunities to  
126 promote resilience in the State of Alabama.

127 Section 4. (a) The council shall be led by a Chair,  
128 Vice-Chair, Co-Chairs, or other leadership positions from  
129 within the voting membership on the council. Leadership  
130 positions shall be appointed by the Governor and shall serve  
131 at the pleasure of the Governor.

132 (b) The council shall develop, adopt, and maintain  
133 bylaws governing its activities; provided the bylaws are  
134 consistent with the provisions of this Act. At its discretion,  
135 the council may establish working groups or subcommittees.

136 (c) The council shall meet at least twice each year and  
137 may meet more frequently upon the call of the chair, subject  
138 to the Open Meetings Act. Members of the council may  
139 participate in a meeting of the council by means of telephone  
140 conference, video conference, or similar communications



**House State Government Reported Substitute for  
SB137**

141 equipment by means of which all individuals participating in  
142 the meeting may hear each other at the same time.

143 Participation by electronic means shall constitute presence in  
144 person at a meeting for all purposes.

145 (d) Members of the council shall serve without  
146 compensation except members who are public officials or public  
147 employees may elect to receive the per diem and travel  
148 allowance authorized by state law for persons traveling on  
149 official state business.

150 Section 5. (a) The Governor shall appoint a Chief  
151 Resilience Officer to coordinate the activities of the council  
152 established pursuant to Section 2 and lead the development,  
153 maintenance, and implementation of the statewide resilience  
154 Plan. The Chief Resilience Officer shall serve at the pleasure  
155 of the Governor.

156 (b) The duties of the Chief Resilience Officer shall be  
157 as follows:

158 (1) Conduct a comprehensive inventory of Alabama's  
159 resilience assets.

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

162 (3) Review resilience programs from both inside Alabama  
163 and among comparable states.

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

167 (5) Identify and enhance state agency knowledge of  
168 statewide resilience efforts.



## House State Government Reported Substitute for SB137

169 (6) Identify and pursue funding through federal, state,  
170 and private opportunities to promote resilience in the State  
171 of Alabama.

172 (c) The Office of the Chief Resilience Officer may  
173 contract for professional services in the same manner as any  
174 state agency. Upon the approval of the Governor, the Chief  
175 Resilience Officer may hire staff as determined necessary to  
176 carry out the duties of the Chief Resilience Officer and the  
177 council.

178 Section 6. (a) The Chief Resilience Officer shall  
179 develop, maintain, and implement a statewide resilience plan,  
180 with the general oversight and input from the council. The  
181 plan shall include the following components:

182 (1) Statewide Comprehensive Risk and Vulnerability  
183 Assessment. The plan shall evaluate the impacts of extreme  
184 weather and disasters; assess current and future risks across  
185 various hazards using historical data and future scenarios  
186 while factoring in land and water management practices; and  
187 examine effects on communities, infrastructure, the economy,  
188 and the environment. Additionally, a vulnerability assessment  
189 shall identify the social, economic, and environmental systems  
190 most at risk. It shall analyze risk exposure, potential costs,  
191 and impacts on state assets, government functions, local  
192 economies, and critical natural systems.

193 (2) Resilience Actions. The plan shall provide a  
194 prioritized list of resilience actions to address  
195 vulnerabilities, detailing their benefits, costs, and  
196 implementation timeline. Priority shall be given first to



## House State Government Reported Substitute for SB137

197 actions that reduce state costs associated with historic and  
198 persistent challenges or vulnerabilities that have calculable  
199 costs or expenditures and that remediate or prevent critical  
200 infrastructure failures that threaten public health, impair  
201 essential services, or place the state at risk of federal  
202 enforcement. Priority shall also be given to actions that  
203 effectively mitigate the impacts of future disasters,  
204 particularly those that provide multiple co-benefits, such as  
205 enhancing environmental stewardship, economic stability, or  
206 public health. Resilience actions that incorporate or restore  
207 natural features to achieve risk mitigation benefits shall  
208 also be prioritized, provided they are cost-effective and  
209 demonstrate long-term advantages over alternative approaches.  
210 The plan shall also outline how these actions align with  
211 existing efforts by state agencies, local governments, and  
212 other entities, ensuring they complement the state hazard  
213 mitigation plan. Alabama state agencies engaged in resilience  
214 activities shall report those activities to the Chief  
215 Resilience Officer.

216 (3) Community Preparedness. The plan shall include  
217 strategies to enhance community awareness to prepare for, and  
218 protect against, hazards; to enable greater understanding of  
219 personal risks; to educate residents of the state about how to  
220 mitigate risks; and to increase knowledge of resources  
221 available for mitigation efforts.

222 (4) Implementation Strategy. The plan shall include an  
223 implementation strategy outlining how resilience actions will  
224 be enacted, funded, and tracked. It shall define roles,



**House State Government Reported Substitute for  
SB137**

225 responsibilities, timelines, and metrics while prioritizing  
226 actions for high-risk vulnerabilities. The strategy shall also  
227 support partnerships, provide technical assistance, and ensure  
228 public access to data for planning and decision-making.

229 (b) The initial plan shall be completed within two  
230 years of the Governor appointing a Chief Resilience Officer  
231 and shall be reviewed and updated at least every two years  
232 thereafter to ensure its continued effectiveness and  
233 relevance.

234 Section 7. There is created a fund in the State  
235 Treasury to be designated the "Alabama Resilience Council  
236 Fund" to be used to support the activities of the Alabama  
237 Resilience Council and the Office of the Chief Resilience  
238 Officer. The Chief Resilience Officer and the Council are  
239 authorized to receive and to deposit into or disburse from the  
240 Fund any federal, state, or private monies, in accordance with  
241 applicable law. Receipts deposited into this fund shall be  
242 disbursed only by warrants of the state Comptroller drawn upon  
243 the State Treasury on itemized vouchers approved by the Chief  
244 Resilience Officer. No funds deposited pursuant to Section  
245 27-2-39 shall be withdrawn or expended except as budgeted and  
246 allotted according to Sections 41-4-80 to 41-4-96, inclusive,  
247 and 41-19-1 to 41-19-12, inclusive, and only in amounts as  
248 stipulated in the general fund appropriations act or other  
249 appropriation acts. At the end of each fiscal year, any  
250 unencumbered and unexpended balance shall not revert to the  
251 State General Fund under Section 41-4-93, but shall carry over  
252 to the next fiscal year.



**House State Government Reported Substitute for  
SB137**

253       Section 8. Section 27-2-39, Code of Alabama 1975, is  
254       amended to read as follows:

255       "§27-2-39

256       (a) There is created a fund in the State Treasury  
257       designated the Insurance Department Fund to be used for the  
258       operation of the Department of Insurance. Receipts deposited  
259       into this fund shall be disbursed only by warrants of the  
260       state Comptroller drawn upon the State Treasury on itemized  
261       vouchers approved by the Commissioner of Insurance. No funds  
262       shall be withdrawn or expended except as budgeted and allotted  
263       according to Sections 41-4-80 to 41-4-96, inclusive, and  
264       41-19-1 to 41-19-12, inclusive, and only in amounts as  
265       stipulated in the general appropriations act, other  
266       appropriation acts, or this section. At the end of each fiscal  
267       year, any unencumbered and unexpended balance of up to 25  
268       percent of the amount appropriated for that fiscal year shall  
269       not revert to the State General Fund under Section 41-4-93,  
270       but shall carry over to the next fiscal year.

271       (b) Notwithstanding any other provision of law, the  
272       Commissioner of Insurance shall promptly pay all sums, fees,  
273       taxes, licenses, renewals, and other miscellaneous charges  
274       collected pursuant to Sections 27-2-16, 27-3-29, 27-4-2,  
275       27-13-5, 27-13-24, 27-13-62, 27-21A-21, 27-34-6, 27-34-36,  
276       27-34-47, and 27-39-6, other than those fines, penalties, and  
277       deposit requirements collected pursuant to Section 27-3-29,  
278       into the State Treasury **as follows: with**

279       **(1) a. 50**Fifty percent credited to the Insurance  
280       Department Fund 1/2



**House State Government Reported Substitute for  
SB137**

281        b. Beginning in fiscal year 2028, one million dollars

282        (\$1,000,000) of the amount in paragraph a. shall be credited  
283        each fiscal year to the Alabama Resilience Council Fund.

284        (2) oneOne million five hundred thousand dollars

285        (\$1,500,000) credited each fiscal year to the Center for Risk  
286        and Insurance Research Fund.and

287        (3) theThe remainder credited to the State General

288 Fund. "

289        Section 9. This act shall become effective on October  
290        1, 2026.