

HB181 ENROLLED



1 HB181
2 RBQCRMY-3
3 By Representatives Marques, Givens, Fidler, Holk-Jones,
4 Simpson, Brown, Wilcox, Sorrells, Easterbrook, Bracy, Jones,
5 Clarke, Shirey, Stringer
6 RFD: Ports, Waterways and Intermodal Transit
7 First Read: 13-Jan-26



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Enrolled, An Act,

Relating to dredging; to require persons annually dredging over 1 million cubic yards of material in coastal areas to cause at least 70 percent of the dredged material to be beneficially used, subject to exceptions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For purposes of this section, the following terms have the following meanings:

(1) BENEFICIALLY USED. The productive and positive use of dredged material, including fish and wildlife habitat development, human recreation, and industrial and commercial uses. The term does not include the deposition of dredged material into public waters unless that deposition is part of a shoreline restoration or marsh creation project.

(2) LIVING SHORELINE. The term as defined in Section 9-7-13.1, Code of Alabama 1975.

(3) MARSH CREATION. The deposition of dredged material or natural or artificial material into public waters to establish a wetland, island, or marsh habitat on that site.

(4) PUBLIC WATERS. The term as defined in Section 9-11-80, Code of Alabama 1975.

(5) SHORELINE RESTORATION. The deposition of dredged material or natural or artificial material directly on or adjacent to an existing shoreline to restore or preserve the shoreline and the deposition of such material south of Dauphin Island or south of the Fort Morgan Peninsula for the restoration of Dauphin Island or Sand Island. This term includes a living shoreline project.



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29 (b) This section shall apply only in coastal areas.

30 (c) Any person that dredges more than one million cubic
31 yards of material in a year shall cause at least 70 percent of
32 the dredged material to be beneficially used. No funds
33 appropriated from the State General Fund to a person shall be
34 used for expenses incurred by the person to comply with the
35 requirements of this section.

36 (d) The Alabama Department of Environmental Management
37 and the Alabama Department of Conservation and Natural
38 Resources shall adopt rules to implement this section,
39 including revising the Alabama Coastal Area Management Program
40 as necessary.

41 (e) A person shall not be required to comply with
42 subsection (c):

43 (1) Except to the extent that federal funds are
44 available and have been allocated for beneficial use when
45 permitted and approved beneficial use sites are available in
46 the state and have a demonstrated capacity for suitable
47 material; or

48 (2) If the Governor, by order or proclamation declaring
49 a state of emergency, specifically references this section and
50 states that this section shall not be in effect. Such an order
51 or proclamation shall provide a date on which the order shall
52 be terminated and no longer in effect.

53 (f) Nothing in this section shall be construed to grant
54 a third party standing to bring a private cause of action
55 relating to this section.

56 Section 2. This act shall become effective on October



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57 1, 2026.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 27-Jan-26, as amended.

John Treadwell
Clerk

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|--------|------------------------------|----------------------------------|
| Senate | <hr/> 03-Feb-26 <hr/> | Amended and Passed |
| House | <hr/> 03-Feb-26 <hr/> | Concurred in Senate Amendment |