



**House Ways and Means General Fund Reported
Substitute for HB181**

A BILL

TO BE ENTITLED

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.



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(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.

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

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

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

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

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

(2) If the Governor, by order or proclamation declaring a state of emergency, specifically references this section and



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57 states that this section shall not be in effect. Such an order
58 or proclamation shall provide a date on which the order shall
59 be terminated and no longer in effect.

60 Section 2. This act shall become effective on October
61 1, 2026.