



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

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A BILL

6 TO BE ENTITLED

AN ACT

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

22 (2) LIVING SHORELINE. The term as defined in Section
23 9-7-13.1, Code of Alabama 1975.

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

27 (4) PUBLIC WATERS. The term as defined in Section
28 9-11-80, Code of Alabama 1975.



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

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

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

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

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

55 (2) If the Governor, by order or proclamation declaring
56 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.