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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 and local 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 provide for the rules, duties, and procedures of the council.

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

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

A BILL
TO BE ENTITLED
AN ACT



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 that includes
35 a statewide comprehensive risk and vulnerability assessment;
36 and to create the Office of Risk and Resilience within the
37 Department of Insurance.

38 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

39 Section 1. The Legislature finds and declares the
40 following:

41 (1) 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 (2) For the purposes of this act, the term "resilience"
49 shall be considered the capacity of individuals, communities,
50 businesses, and systems to anticipate, prepare for, adapt to,
51 and rapidly recover from adverse events. For the purposes of
52 this act, resilience shall be guided by five principles: (i)
53 individual responsibility; (ii) collective continuity and
54 function; (iii) factual assessment of risk; (iv) integrated
55 resilience efforts; and (v) focused support.

56 (3) The Alabama Resilience Council established by



57 Executive Order No. 736, on May 5, 2023, has examined
58 resilience policy needs to address current and future adverse
59 events, and based on its findings, Alabama would benefit from
60 a lasting, comprehensive approach to resilience.

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

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

74 (b) The voting members of the council shall consist of
75 the Governor or his or her designee, the Chief Resilience
76 Officer, and the head of the following agencies or their
77 designees:

78 (1) The Department of Agriculture and Industries.

79 (2) The Department of Commerce.

80 (3) The Department of Conservation and Natural
81 Resources.

82 (4) The Alabama Department of Economic and Community
83 Affairs.

84 (5) The Alabama Department of Environmental Management.



- 85 (6) The Department of Finance.
- 86 (7) The Department of Insurance.
- 87 (8) The Alabama Department of Public Health.
- 88 (9) The State Department of Transportation.
- 89 (10) The Alabama Emergency Management Agency.
- 90 (11) The State Forestry Commission.
- 91 (12) The State Military Department.
- 92 (13) The Alabama Office of Information Technology.
- 93 (14) The Alabama State Law Enforcement Agency.
- 94 (15) The Alabama Public Service Commission

95 (c) The following nonvoting members of the council
96 shall be appointed by the Governor:

97 (1) One member representing property and casualty
98 insurance companies regulated by the Department of Insurance.

99 (2) One member representing entities in the business of
100 emergency management and disaster response.

101 (3) One member representing local government with
102 knowledge and expertise in risk and resilience.

103 (4) One member representing general business entities
104 with knowledge and expertise in risk and resilience.

105 (5) One member representing manufacturing entities with
106 knowledge and expertise in risk and resilience.

107 (6) One member representing independent insurance
108 agents licensed by the Department of Insurance.

109 (7) One member representing an academic research entity
110 based at a public university in this state that focuses on
111 risk and resilience.

112 (8) One member representing small business with



113 knowledge and expertise in risk and resilience.

114 (9) One member representing the broadband and
115 telecommunications industry.

116 (10) One member representing public utilities regulated
117 by the Alabama Public Service Commission.

118 (11) Additional nonvoting members may be appointed to
119 represent local, state, and federal government; critical
120 infrastructure owners and operators; business, industry, and
121 insurance sectors; nonprofit entities focused on risk and
122 resilience; and other state agencies.

123 (d) The council membership shall be inclusive and
124 reflect the racial, gender, geographic, urban, rural, and
125 economic diversity of the state.

126 Section 3. The duties of the Alabama Resilience Council
127 shall be as follows:

128 (1) Develop strategies to guide statewide resilience
129 efforts by prioritizing objectives reflecting pressing
130 resilience challenges. To this end, the council shall
131 regularly convene government and private-sector stakeholders
132 with different perspectives and interests to facilitate
133 planning across jurisdictions and sectors and thereby to avoid
134 cascading failures. The council shall develop principles to
135 guide the work of state government in carrying out its
136 resilience initiatives.

137 (2) Assist the Chief Resilience Officer in the
138 development, maintenance, and implementation of the statewide
139 resilience plan.

140 (3) Solicit participation of the private sector in



141 programs to collectively strengthen the resilience of
142 businesses and communities. The council shall engage the
143 private sector to reduce costs from lost productivity and
144 pursue joint, public-private efforts to avoid infrastructure
145 damages.

146 (4) Improve the public's ability to assess risk
147 management alternatives by reducing the complexity of risk
148 information for nontechnical audiences, by generating and
149 sharing reliable information that helps decision-makers
150 identify and select risk-reduction alternatives, and by
151 providing guidance about assistance programs and funding
152 opportunities based on needs, cost effectiveness, feasibility,
153 potential resources, and returns on investment.

154 (5) Develop, pursue, and support federal and state
155 policies and programs that promote innovative and flexible
156 solutions for achieving individual, community, and statewide
157 resilience.

158 (6) Provide support and assistance in the preparation
159 and maintenance of the state hazard mitigation plan, as
160 contemplated by the federal Disaster Mitigation Act of 2000,
161 42 U.S.C § 5121 et seq., or successor federal statute,
162 provided that the Alabama Emergency Management Agency shall be
163 responsible for administrative maintenance and day-to-day
164 execution of the plan.

165 (7) Identify and pursue funding opportunities to
166 promote resilience in the State of Alabama.

167 Section 4. (a) The council shall be led by a chair,
168 vice chair, cochairs, or other leadership positions from



169 within the voting membership on the council. Leadership
170 positions shall be appointed by the Governor and shall serve
171 at the pleasure of the Governor.

172 (b) The council shall develop, adopt, and maintain
173 bylaws governing its activities, provided the bylaws are
174 consistent with the provisions of this act. At its discretion,
175 the council may establish working groups or subcommittees.

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

185 (d) Members of the council shall serve without
186 compensation except members who are public officials or public
187 employees may elect to receive the per diem and travel
188 allowance authorized by state law for persons traveling on
189 official state business.

190 Section 5. (a) The Commissioner of Insurance shall
191 designate a Chief Resilience Officer within the Department of
192 Insurance to coordinate the activities of the council
193 established pursuant to Section 2 and lead the development,
194 maintenance, and implementation of the statewide resilience
195 plan.

196 (b) The duties of the Chief Resilience Officer shall be



197 as follows:

198 (1) Conduct a comprehensive inventory of Alabama's
199 resilience assets.

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

202 (3) Review resilience programs from both inside Alabama
203 and among comparable states.

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

207 (5) Identify and enhance state agency knowledge of
208 statewide resilience efforts.

209 (6) Identify and pursue funding through federal, state,
210 and private opportunities to promote resilience in the State
211 of Alabama.

212 Section 6. (a) The Chief Resilience Officer shall
213 develop, maintain, and implement a statewide resilience plan,
214 with the general oversight and input from the council. The
215 plan shall include the following components:

216 (1) Statewide Comprehensive Risk and Vulnerability
217 Assessment. The plan shall evaluate the impacts of extreme
218 weather and disasters; assess current and future risks across
219 various hazards using historical data and future scenarios
220 while factoring in land and water management practices; and
221 examine effects on communities, infrastructure, the economy,
222 and the environment. Additionally, a vulnerability assessment
223 shall identify the social, economic, and environmental systems
224 most at risk. It shall analyze risk exposure, potential costs,



225 and impacts on state assets, government functions, local
226 economies, and critical natural systems.

227 (2) Resilience Actions. The plan shall provide a
228 prioritized list of resilience actions to address
229 vulnerabilities, detailing their benefits, costs, and
230 implementation timeline. Priority shall be given first to
231 actions that reduce state costs associated with historic and
232 persistent challenges or vulnerabilities that have calculable
233 costs or expenditures and that remediate or prevent critical
234 infrastructure failures that threaten public health, impair
235 essential services, or place the state at risk of federal
236 enforcement. Priority shall also be given to actions that
237 effectively mitigate the impacts of future disasters,
238 particularly those that provide multiple co-benefits, such as
239 enhancing environmental stewardship, economic stability, or
240 public health. Resilience actions that incorporate or restore
241 natural features to achieve risk mitigation benefits shall
242 also be prioritized, provided they are cost-effective and
243 demonstrate long-term advantages over alternative approaches.
244 The plan shall also outline how these actions align with
245 existing efforts by state agencies, local governments, and
246 other entities, ensuring they complement the state hazard
247 mitigation plan. Alabama state agencies engaged in resilience
248 activities shall report those activities to the Chief
249 Resilience Officer.

250 (3) Community Preparedness. The plan shall include
251 strategies to enhance community awareness to prepare for, and
252 protect against, hazards; to enable greater understanding of



253 personal risks; to educate residents of the state about how to
254 mitigate risks; and to increase knowledge of resources
255 available for mitigation efforts.

256 (4) Implementation Strategy. The plan shall include an
257 implementation strategy outlining how resilience actions will
258 be enacted, funded, and tracked. It shall define roles,
259 responsibilities, timelines, and metrics while prioritizing
260 actions for high-risk vulnerabilities. The strategy shall also
261 support partnerships, provide technical assistance, and ensure
262 public access to data for planning and decision-making.

263 (b) The initial plan shall be completed within two
264 years after the effective date of this act and shall be
265 reviewed and updated at least every two years thereafter to
266 ensure its continued effectiveness and relevance.

267 Section 7. There is created a fund in the State
268 Treasury to be designated the "Alabama Resilience Council
269 Fund" to be used to support the activities of the Alabama
270 Resilience Council and the Chief Resilience Officer. The Chief
271 Resilience Officer may receive and deposit into or disburse
272 from the fund any federal, state, or private monies, in
273 accordance with applicable law. Receipts deposited into this
274 fund shall be disbursed only by warrants of the Comptroller
275 drawn upon the State Treasury on itemized vouchers approved by
276 the Commissioner of Insurance. No funds deposited pursuant to
277 Section 27-2-39, Code of Alabama 1975, shall be withdrawn or
278 expended except as budgeted and allotted according to Sections
279 41-4-80 to 41-4-96, inclusive, and 41-19-1 to 41-19-12,
280 inclusive, Code of Alabama 1975, and only in amounts as



281 stipulated in the general fund appropriations act or other
282 appropriation acts. At the end of each fiscal year, any
283 unencumbered and unexpended balance shall not revert to the
284 State General Fund under Section 41-4-93, Code of Alabama
285 1975, but shall carry over to the next fiscal year.

286 Section 8. (a) There is created within the Department
287 of Insurance the Office of Risk and Resilience. The office
288 shall work to develop and implement programs that address risk
289 and resilience issues facing the state and, therefore, promote
290 a healthy insurance market. The senior director of the office
291 shall be appointed by the Commissioner of Insurance.

292 (b) The Commissioner of Insurance, in conformance with
293 Section 36-26-10, Code of Alabama 1975, may employ personnel
294 to operate the office including one employee who is in exempt
295 service and not subject to the state Merit System. This
296 position is in addition to any other exempt position otherwise
297 authorized by law for the department. The compensation of this
298 employee shall be set by the commissioner.

299 Section 9. This act shall become effective on October
300 1, 2026.