

SB137 ENROLLED



1 SB137

2 RBZRDYY-2

3 By Senator Livingston

4 RFD: Fiscal Responsibility and Economic Development

5 First Read: 14-Jan-26



SB137 Enrolled

1 Enrolled, An Act,

2

3 To create the Alabama Resilience Council as an
4 appointed advisory group within the executive branch of state
5 government, and to provide for the rules, duties, and
6 procedures of the council; to authorize appointment of, and
7 provide for the responsibilities of, a Chief Resilience
8 Officer; to require a statewide resilience plan that includes
9 a statewide comprehensive risk and vulnerability assessment;
10 and to create the Office of Risk and Resilience within the
11 Department of Insurance.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. The Legislature finds and declares the
14 following:

15 (1) Alabama is susceptible to various natural and
16 manmade disaster events, posing threats to the safety of its
17 citizens, integrity of its infrastructure, prospects for its
18 economic growth, and maintenance and protection of its unique
19 natural resources. These threats also pose significant fiscal
20 and operational risks to functions of the state and local
21 government.

22 (2) For the purposes of this act, the term "resilience"
23 shall be considered the capacity of individuals, communities,
24 businesses, and systems to anticipate, prepare for, adapt to,
25 and rapidly recover from adverse events. For the purposes of
26 this act, resilience shall be guided by five principles: (i)
27 individual responsibility; (ii) collective continuity and
28 function; (iii) factual assessment of risk; (iv) integrated



SB137 Enrolled

29 resilience efforts; and (v) focused support.

30 (3) The Alabama Resilience Council established by
31 Executive Order No. 736, on May 5, 2023, has examined
32 resilience policy needs to address current and future adverse
33 events, and based on its findings, Alabama would benefit from
34 a lasting, comprehensive approach to resilience.

35 (4) Coordinated statewide resilience efforts and
36 development of a statewide resilience plan would be most
37 effective under a single designated Chief Resilience Officer
38 to coordinate activities of the Alabama Resilience Council.

39 Section 2. (a) Commencing upon the Governor's
40 rescission of Executive Order No. 736, the Alabama Resilience
41 Council shall be created as an appointed advisory group within
42 the executive branch of state government for the purpose of
43 coordinating resilience-related activities of state government
44 and for facilitating interactions between state and local
45 government and the private sector to proactively address
46 harmful impacts on Alabama communities and infrastructure
47 before they occur.

48 (b) The voting members of the council shall consist of
49 the Governor or his or her designee, the Chief Resilience
50 Officer, and the head of the following agencies or their
51 designees:

52 (1) The Department of Agriculture and Industries.

53 (2) The Department of Commerce.

54 (3) The Department of Conservation and Natural
55 Resources.

56 (4) The Alabama Department of Economic and Community



SB137 Enrolled

57 Affairs.

58 (5) The Alabama Department of Environmental Management.

59 (6) The Department of Finance.

60 (7) The Department of Insurance.

61 (8) The Alabama Department of Public Health.

62 (9) The State Department of Transportation.

63 (10) The Alabama Emergency Management Agency.

64 (11) The State Forestry Commission.

65 (12) The State Military Department.

66 (13) The Alabama Office of Information Technology.

67 (14) The Alabama State Law Enforcement Agency.

68 (15) The Alabama Public Service Commission

69 (c) The following nonvoting members of the council

70 shall be appointed by the Governor:

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

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

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

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

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

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

83 (7) One member representing an academic research entity
84 based at a public university in this state that focuses on



SB137 Enrolled

85 risk and resilience.

86 (8) One member representing small business with
87 knowledge and expertise in risk and resilience.

88 (9) One member representing the broadband and
89 telecommunications industry.

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

92 (11) Additional nonvoting members may be appointed to
93 represent local, state, and federal government; critical
94 infrastructure owners and operators; business, industry, and
95 insurance sectors; nonprofit entities focused on risk and
96 resilience; and other state agencies.

97 (d) The council membership shall be inclusive and
98 reflect the racial, gender, geographic, urban, rural, and
99 economic diversity of the state.

100 Section 3. The duties of the Alabama Resilience Council
101 shall be as follows:

102 (1) Develop strategies to guide statewide resilience
103 efforts by prioritizing objectives reflecting pressing
104 resilience challenges. To this end, the council shall
105 regularly convene government and private-sector stakeholders
106 with different perspectives and interests to facilitate
107 planning across jurisdictions and sectors and thereby to avoid
108 cascading failures. The council shall develop principles to
109 guide the work of state government in carrying out its
110 resilience initiatives.

111 (2) Assist the Chief Resilience Officer in the
112 development, maintenance, and implementation of the statewide



SB137 Enrolled

113 resilience plan.

114 (3) Solicit participation of the private sector in
115 programs to collectively strengthen the resilience of
116 businesses and communities. The council shall engage the
117 private sector to reduce costs from lost productivity and
118 pursue joint, public-private efforts to avoid infrastructure
119 damages.

120 (4) Improve the public's ability to assess risk
121 management alternatives by reducing the complexity of risk
122 information for nontechnical audiences, by generating and
123 sharing reliable information that helps decision-makers
124 identify and select risk-reduction alternatives, and by
125 providing guidance about assistance programs and funding
126 opportunities based on needs, cost effectiveness, feasibility,
127 potential resources, and returns on investment.

128 (5) Develop, pursue, and support federal and state
129 policies and programs that promote innovative and flexible
130 solutions for achieving individual, community, and statewide
131 resilience.

132 (6) Provide support and assistance in the preparation
133 and maintenance of the state hazard mitigation plan, as
134 contemplated by the federal Disaster Mitigation Act of 2000,
135 42 U.S.C § 5121 et seq., or successor federal statute,
136 provided that the Alabama Emergency Management Agency shall be
137 responsible for administrative maintenance and day-to-day
138 execution of the plan.

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



SB137 Enrolled

141 Section 4. (a) The council shall be led by a chair,
142 vice chair, cochairs, or other leadership positions from
143 within the voting membership on the council. Leadership
144 positions shall be appointed by the Governor and shall serve
145 at the pleasure of the Governor.

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

150 (c) The council shall meet at least twice each year and
151 may meet more frequently upon the call of the chair, subject
152 to the Open Meetings Act. Members of the council may
153 participate in a meeting of the council by means of telephone
154 conference, video conference, or similar communications
155 equipment by means of which all individuals participating in
156 the meeting may hear each other at the same time.
157 Participation by electronic means shall constitute presence in
158 person at a meeting for all purposes.

159 (d) Members of the council shall serve without
160 compensation except members who are public officials or public
161 employees may elect to receive the per diem and travel
162 allowance authorized by state law for persons traveling on
163 official state business.

164 Section 5. (a) The Commissioner of Insurance shall
165 designate a Chief Resilience Officer within the Department of
166 Insurance to coordinate the activities of the council
167 established pursuant to Section 2 and lead the development,
168 maintenance, and implementation of the statewide resilience



SB137 Enrolled

169 plan.

170 (b) The duties of the Chief Resilience Officer shall be
171 as follows:

172 (1) Conduct a comprehensive inventory of Alabama's
173 resilience assets.

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

176 (3) Review resilience programs from both inside Alabama
177 and among comparable states.

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

181 (5) Identify and enhance state agency knowledge of
182 statewide resilience efforts.

183 (6) Identify and pursue funding through federal, state,
184 and private opportunities to promote resilience in the State
185 of Alabama.

186 Section 6. (a) The Chief Resilience Officer shall
187 develop, maintain, and implement a statewide resilience plan,
188 with the general oversight and input from the council. The
189 plan shall include the following components:

190 (1) Statewide Comprehensive Risk and Vulnerability
191 Assessment. The plan shall evaluate the impacts of extreme
192 weather and disasters; assess current and future risks across
193 various hazards using historical data and future scenarios
194 while factoring in land and water management practices; and
195 examine effects on communities, infrastructure, the economy,
196 and the environment. Additionally, a vulnerability assessment



SB137 Enrolled

197 shall identify the social, economic, and environmental systems
198 most at risk. It shall analyze risk exposure, potential costs,
199 and impacts on state assets, government functions, local
200 economies, and critical natural systems.

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

224 (3) Community Preparedness. The plan shall include



SB137 Enrolled

225 strategies to enhance community awareness to prepare for, and
226 protect against, hazards; to enable greater understanding of
227 personal risks; to educate residents of the state about how to
228 mitigate risks; and to increase knowledge of resources
229 available for mitigation efforts.

230 (4) Implementation Strategy. The plan shall include an
231 implementation strategy outlining how resilience actions will
232 be enacted, funded, and tracked. It shall define roles,
233 responsibilities, timelines, and metrics while prioritizing
234 actions for high-risk vulnerabilities. The strategy shall also
235 support partnerships, provide technical assistance, and ensure
236 public access to data for planning and decision-making.

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

241 Section 7. There is created a fund in the State
242 Treasury to be designated the "Alabama Resilience Council
243 Fund" to be used to support the activities of the Alabama
244 Resilience Council and the Chief Resilience Officer. The Chief
245 Resilience Officer may receive and deposit into or disburse
246 from the fund any federal, state, or private monies, in
247 accordance with applicable law. Receipts deposited into this
248 fund shall be disbursed only by warrants of the Comptroller
249 drawn upon the State Treasury on itemized vouchers approved by
250 the Commissioner of Insurance. No funds deposited pursuant to
251 Section 27-2-39, Code of Alabama 1975, shall be withdrawn or
252 expended except as budgeted and allotted according to Sections



SB137 Enrolled

253 41-4-80 to 41-4-96, inclusive, and 41-19-1 to 41-19-12,
254 inclusive, Code of Alabama 1975, and only in amounts as
255 stipulated in the general fund appropriations act or other
256 appropriation acts. At the end of each fiscal year, any
257 unencumbered and unexpended balance shall not revert to the
258 State General Fund under Section 41-4-93, Code of Alabama
259 1975, but shall carry over to the next fiscal year.

260 Section 8. (a) There is created within the Department
261 of Insurance the Office of Risk and Resilience. The office
262 shall work to develop and implement programs that address risk
263 and resilience issues facing the state and, therefore, promote
264 a healthy insurance market. The senior director of the office
265 shall be appointed by the Commissioner of Insurance.

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

273 Section 9. This act shall become effective on October
274 1, 2026.



SB137 Enrolled

275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB137

Senate 27-Jan-26

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,
Secretary.

House of Representatives
Amended and passed: 07-Apr-26

Senate concurred in House amendment 08-Apr-26

By: Senator Livingston