



**House State Government Reported Substitute for
HB97**

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A BILL
TO BE ENTITLED
AN ACT

Relating to geographic information technology; to add Chapter 27A, commencing with Section 41-27A-1, to Title 41 of the Code of Alabama 1975, to establish the Alabama Geographic Information Executive Council, the Alabama Geographic Information Program Office, the State of Alabama Geographic Information Officer, and an advisory committee; and to provide for coordination between the Alabama Geographic Information Executive Council and Alabama Geographic Information Program Office with the 911 Board; to amend Section 11-98-4.1, Code of Alabama 1975, to further provide for the authority of the 911 Board to compile and maintain geographic information system data for emergency 911 services; and to make nonsubstantive, technical revisions to update existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Chapter 27A, commencing with Section 41-27A-1, is added to Title 41 of the Code of Alabama 1975, to read as follows:

§41-27A-1

The Legislature finds all of the following:

- (1) The development, use, and sharing of geographic



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29 information, geospatial data, and the efficient use of
30 geographic information system (GIS) technology are yielding
31 sustained, long-term benefits to the people of Alabama, with
32 innumerable applications that serve economic development,
33 enhance governmental operations, protect natural resources,
34 and simplify human activity.

35 (2) Because public agencies expend considerable
36 resources collecting and managing geographic information in
37 diverse formats and scales, it is necessary to require
38 coordination and direction in the development and
39 implementation of GIS to continually improve the delivery of
40 public services, to reduce redundancy and duplication of
41 effort, and to prevent the spread of erroneous geographic
42 information in activities that demand urgency such as
43 emergency response.

44 (3) The management and coordination of GIS is currently
45 entrusted to the Alabama Geographic Information Executive
46 Council, the Alabama Geographic Information Program Office,
47 and the Advisory Committee, all created by executive order.

48 (4) The 911 Board, and by extension the local emergency
49 communication districts, are charged by legislative act with
50 the "efficient and effective delivery" of enhanced 911
51 service, a duty that explicitly requires the collection and
52 remediation of geospatial information into GIS mapping.

53 (5) The Legislature wishes to enable formal
54 coordination between the Alabama Geographic Information
55 Program Office, as the operating arm of the Alabama Geographic
56 Information Executive Council, and the 911 Board, while



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57 maintaining the boundaries of their authorized duties and
58 functions.

59 §41-27A-2

60 (a) The Alabama Geographic Information Executive
61 Council (Executive Council) is established as an independent
62 council to develop policies regarding the use of geographic
63 information, geographic information systems (GIS), and other
64 related technologies, to include all of the following
65 responsibilities:

66 (1) Strategic planning for a sustainable state program
67 for GIS.

68 (2) Resolution of policy and technology issues.

69 (3) Coordination of interagency development of a high
70 quality, accurate framework for geospatial data.

71 (4) Coordination, direction, and facilitation of state,
72 county, and local government GIS efforts.

73 (5) Development of educational outreach to coordinate
74 geospatial training initiatives.

75 (6) Provision of advice to the Governor, Legislature,
76 and local governing bodies on needed direction,
77 responsibilities, and funding regarding geospatial
78 information.

79 (7) Evaluation and determination of staffing
80 requirements for GIS coordination at the state level.

81 (8) Solicitation of input from all stakeholders at all
82 levels of government and the private sector, including public
83 utilities, business professionals, industry leaders, and
84 others with a vested interest in GIS.



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85 (b) (1) The membership of the Executive Council shall
86 consist of all of the following, or their designees:

87 a. The Commissioner of the Alabama Department of
88 Agriculture and Industries.

89 b. The Commissioner of the Alabama Department of
90 Conservation and Natural Resources.

91 c. The Commissioner of the Department of Revenue.

92 d. The Director of the Department of Economic and
93 Community Affairs.

94 e. The Director of the Alabama Department of
95 Environmental Management.

96 f. The Executive Director of the 911 Board.

97 g. The Director of the Alabama Criminal Justice
98 Information Center.

99 h. The Director of the Department of Finance.

100 i. The Director of the Alabama Department of Workforce.

101 j. The Director of the Department of Public Safety.

102 k. The Director of the State Department of
103 Transportation.

104 l. The Director of the Alabama Emergency Management
105 Agency.

106 m. The Secretary of the Alabama State Law Enforcement
107 Agency.

108 n. The Secretary of the State Office of Information
109 Technology.

110 o. The State Geologist & Oil and Gas Supervisor of the
111 Geological Survey of Alabama.

112 p. The Director of the Association of County



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113 Commissions of Alabama.

114 q. The Director of the Alabama League of
115 Municipalities.

116 r. Any additional member appointed by the Governor.

117 (2) Appointments to the Executive Council shall be
118 coordinated to assure that council membership is inclusive and
119 reflects the racial, gender, geographic, urban, rural, and
120 economic diversity of the state.

121 (3) Members shall serve terms that coincide with their
122 respective offices or appointments. No individual shall
123 continue to serve on the Executive Council when he or she, or
124 if applicable, the designating officer, no longer serves in
125 the office to which he or she was elected or appointed.

126 (4) The Governor shall designate a Chair from the
127 membership.

128 (5) The Executive Council shall meet at the call of the
129 Chair and proceedings shall be subject to state law and
130 administrative procedure.

131 (6) The Executive Council may subdivide itself into
132 standing committees and work groups to accomplish its
133 responsibilities.

134 (7) Members shall serve without compensation and be
135 reimbursed by their respective departments or agencies or, if
136 applicable, according to the policy of their respective
137 organizations.

138 §41-27A-3

139 (a) The Alabama Geographic Information Program Office
140 (GIS Office) is established to be the operating arm of the



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141 Executive Council. Except as provided in Section 41-27A-5, the
142 GIS Office shall be the sole instrumentality of the state for
143 coordination of geographic information, GIS, and other
144 geospatial-related technologies by all state departments and
145 agencies or state-funded entities.

146 (b) The GIS Office shall be a division in the Alabama
147 State Law Enforcement Agency (ALEA), which shall provide
148 administrative services for the GIS office.

149 (c) (1) The GIS Office shall be managed by a director,
150 who shall be the Geographic Information Officer (GIO), who
151 shall be appointed by the Secretary of the Alabama State Law
152 Enforcement Agency and employed in the classified service of
153 the Merit System.

154 (2) The GIO shall be assisted by a deputy, who shall be
155 appointed by the Secretary of the Alabama State Law
156 Enforcement Agency and employed in the classified service of
157 the Merit System.

158 (3) The GIO shall manage the GIS Office subject to the
159 policies, standards, guidance, and instruction of the
160 Executive Council.

161 (d) The GIS Office shall identify, plan, and implement
162 the most efficient and effective means to use and integrate
163 geographic information as a strategic management resource, to
164 include all of the following duties:

165 (1) Identify duplicative geospatial acquisitions,
166 initiatives, and operations across state government and
167 recommend efforts to minimize duplication of such activities.

168 (2) Maintain a master index of all geographic



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169 information maintained by any political subdivision of the
170 state or other state-funded entity.

171 (3) Maintain a central repository and data services for
172 the storage of, or access to, any geographic information that
173 may be lawfully used for state or for local government
174 geospatial-related operations or for any lawful private sector
175 activity.

176 (4) Assist government operations with implementation of
177 state geospatial standards as adopted by the Executive
178 Council.

179 (5) Through ALEA, coordinate procurements, pool funds,
180 negotiate and enter into contracts or memoranda of
181 understanding in furtherance of GIS Office duties.

182 (6) Provide administrative and technical support to the
183 Executive Council.

184 (e)(1) The GIS Office may receive funds from the State
185 General Fund or Education Trust Fund which are appropriated by
186 the Legislature for the purposes provided in this chapter,
187 subject to any law governing any expenditure of appropriations
188 from the State General Fund or Education Trust Fund.

189 (2) The GIS Office may receive gifts, grants, and any
190 other funding available by law and may recoup costs for
191 services rendered or other expenditures directly related to
192 the duties enumerated in subsection (d).

193 (3) The GIS Office shall provide, upon request, an
194 accounting to ALEA of all funds expended, available,
195 committed, or encumbered.

196 §41-27A-4



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197 (a) (1) An Advisory Committee is established to ensure
198 that state and local interests are considered by the GIS
199 Executive Council.

200 (2) The Advisory Committee shall have all of the
201 following purposes:

202 a. Foster communication and cooperation among state,
203 local, and federal agencies, educational institutions, private
204 industry, and others concerning GIS.

205 b. Provide guidance and advice to the Executive Council
206 in the fulfillment of the council's responsibilities.

207 c. Promote discussion among stakeholders of GIS issues
208 relevant to the state and provide advice to the GIS community.

209 (b) The GIO shall serve as the Chair of the Advisory
210 Committee.

211 (c) The GIO shall select advisory committee members who
212 shall serve at the pleasure of the GIO. The GIO shall ensure
213 that the committee has a statewide representation of
214 stakeholders who are familiar with water resources, air
215 resources, agricultural resources, energy resources, cultural
216 resources, land resources, mineral resources, environmental
217 management, forestry, geology, health, local government,
218 planning, public safety, criminal justice, social services,
219 transportation, utilities, waste management, homeland
220 security, and wildlife management.

221 (d) The GIO may create subcommittees with defined
222 tasks, appoint, replace, or remove members of the
223 subcommittees, and abolish subcommittees.

224 §41-27A-5



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225 (a) In aid of the role and duties of the GIS Office as
226 the statewide coordinator and central repository for
227 geographic information pursuant to Section 41-27A-3, the 911
228 Board is recognized as the sole authority for the gathering,
229 remediation, and maintenance of geographic information for the
230 provision of emergency 911 services to the residents of
231 Alabama, pursuant to Section 11-98-4.1.

232 (b) The 911 Board shall regularly inform the Executive
233 Council and the GIO on its GIS data gathering and remediation
234 activities, GIS auditing and monitoring protocols, and
235 operational policies to ensure the utmost coordination between
236 the GIS Office and the 911 Board in similar or parallel tasks
237 and responsibilities to avoid duplication and enhance
238 uniformity in protocols, standards, data gathering,
239 maintenance, and storage wherever possible and efficient.

240 (c) Pursuant to its duties, the GIS Office shall
241 recognize the unique competence of the 911 Board and the local
242 emergency communication districts due to the critical function
243 of emergency response for which the 911 Board and the local
244 emergency communication districts are responsible.

245 Section 2. Section 11-98-4.1, Code of Alabama 1975, is
246 amended to read as follows:

247 "§11-98-4.1

248 (a) There is created a statewide 911 Board. The board
249 shall be comprised of 13 members. All appointing authorities
250 shall coordinate their appointments to assure the board
251 membership is inclusive and reflects the racial, gender,
252 geographic, urban, rural, and economic diversity of the state.



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253 The 911 Board shall be created effective July 1, 2012, and
254 until the effective date of the statewide 911 charge pursuant
255 to Section 11-98-5, with cooperation of the CMRS Board, shall
256 plan for the implementation of the statewide 911 charge and
257 the distribution of the revenues as provided ~~herein~~ in this
258 chapter. The reasonable administrative expenses incurred by
259 the 911 Board prior to the implementation of the statewide 911
260 charge may be deducted from the existing CMRS Fund. Upon the
261 effective date of the new statewide 911 charge, the 911 Board
262 shall replace and supersede the CMRS Board formerly created
263 pursuant to this chapter, and the CMRS Fund shall be
264 incorporated into, and considered part of, the 911 Fund.

265 (b) The 13 members of the 911 Board, each of whom shall
266 serve for a term of four years, shall be appointed by the
267 Governor as follows:

268 (1) Seven members recommended by the Alabama
269 Association of 911 Districts, one from each of the seven
270 congressional districts, with each recommended district
271 representative ~~recommended~~ selected by vote of the Alabama
272 Association of 911 Districts members from that congressional
273 district. The initial appointments shall include the three
274 district representatives on the CMRS Board who shall serve
275 through March 31, 2014, and a member from the first, third,
276 fifth, and seventh congressional districts as provided
277 ~~herein~~ in this section. Following the March 31, 2014,
278 expiration of the terms of the district representatives drawn
279 from the CMRS Board, the Governor shall appoint a member
280 recommended by the Association of 911 Districts from each of



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281 the second, fourth, and sixth congressional districts, it
282 being the intent of this section that each of the seven
283 district representatives on the board be from a different
284 congressional district, as such districts exist on May 8,
285 2012.

286 (2) Two members recommended by CMRS providers licensed
287 to do business in Alabama.

288 (3) Two members recommended by incumbent local exchange
289 carriers operating in Alabama, who shall not be from the same
290 local exchange carrier.

291 (4) Two members recommended by cable companies that
292 provide interconnected VoIP services in Alabama, who shall not
293 be from the same cable company.

294 (c) For purposes of the initial board appointments, ~~7~~:
295 ~~(1)~~ (i) five members of the board shall be appointed for a
296 four-year term; ~~(2)~~ (ii) four members for a three-year term;
297 ~~(3)~~ (iii) the three members of the CMRS Board who are appointed
298 pursuant to subdivision (b)(1) to terms ending on March 31,
299 2014; and ~~(4)~~ (iv) the remaining member for a two-year term.
300 Thereafter, board members shall serve staggered terms of four
301 years. In the event of a vacancy, the vacancy shall be filled
302 for the balance of the unexpired term in the same manner as
303 the original appointment. Any vacancy occurring on the 911
304 Board, whether for an expired or unexpired term, shall be
305 filled by appointment as soon as practicable after the vacancy
306 occurs, whether for an expired or unexpired term.

307 (d) For all terms expiring after June 1, 2014, the
308 governmental entities or industry groups identified in



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309 subsection (b) shall recommend at least two different
310 individuals for each board position for which they are charged
311 with making a recommendation, with the Governor appointing a
312 member from among ~~such~~the recommended candidates. For all
313 terms expiring after July 1, 2015, appointments made by the
314 Governor shall be subject to confirmation by the Senate as
315 provided in this subsection. Appointments made at times when
316 the Senate is not in session shall be effective immediately ad
317 interim and shall serve until the Senate acts on the
318 appointment as provided herein. Any appointment made while the
319 Senate is not in session shall be submitted to the Senate not
320 later than the third legislative day following the reconvening
321 of the Legislature. ~~In the event~~If the Senate fails or refuses
322 to act on the appointment, the individual whose name was
323 submitted shall continue to serve until action is taken on the
324 appointment by the Senate.

325 (e) The statewide 911 Board shall have the following
326 powers and duties:

327 (1) To develop and publish a 911 Annual Report. In
328 fulfilling this duty, the 911 Board shall monitor trends in
329 voice communications service technology and in enhanced 911
330 service technology, investigate, and incorporate Geographical
331 Information Systems (GIS) mapping and other resources into the
332 report, and include recommended strategies for the efficient
333 and effective delivery of enhanced 911 service. In addition,
334 the board shall study the rates charged for 911 services and
335 make adjustments to the rates as provided in this chapter;
336 recommend any statutory changes necessary to ensure the most



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337 efficient and effective delivery of 911 services in Alabama
338 over both the ~~long~~-long-term and short-term; and provide a
339 copy of its 911 Annual Report to members of the boards of the
340 districts in the state through the Alabama Association of 911
341 Districts.

342 (2) To administer the 911 Fund and the monthly
343 statewide 911 charge authorized by Section 11-98-5-

344 ~~(3) To~~; to accept gifts, grants, or other monies for
345 the 911 Fund; and to distribute revenue in the 911 Fund in
346 accordance with this chapter.

347 ~~(4)~~ (3) To establish policies and procedures, ~~adopted in~~
348 ~~accordance with the Alabama Administrative Procedure Act, to~~
349 ~~fund~~ for the funding of advisory services, grants, and
350 training for districts; and to provide funds ~~in accordance~~
351 ~~with these policies and procedures~~ to the extent funds are
352 available.

353 ~~(5)~~ (4) To ~~make and~~ enter into contracts ~~and agreements~~
354 necessary or incidental to the performance of its powers and
355 duties under this chapter and to use revenue available to the
356 911 Board under Section 11-98-5 for administrative expenses to
357 pay its obligations under the contracts ~~and agreements~~.

358 ~~(6) To accept gifts, grants, or other money for the 911~~
359 ~~Fund.~~

360 ~~(7)~~ (5) To undertake its duties in a manner that is
361 competitively and technologically neutral as to all voice
362 communications service providers.

363 ~~(8)~~ (6) To administer the deployment and operation of a
364 statewide 911 voice and data system that ~~utilizes~~uses emerging



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365 communication technologies that are capable of connecting to a
366 911 system and delivering 911 and emergency information to
367 districts. The board shall use its available revenue to pay
368 obligations under the contracts and agreements for a statewide
369 911 voice and data system.

370 ~~(9)~~ (7) To the extent funds are available to cover all
371 costs, ~~To~~ establish a ~~certification~~ program to train and
372 certify public safety telecommunicators employed by a primary
373 PSAP receiving 911 calls~~r~~. The board shall including
374 ~~establishing~~ establish minimum core competency topics and
375 minimum number of training hours, ~~deciding~~ decide whether a
376 written examination is required, and ~~establishing~~ establish any
377 necessary certification requirements, ~~to the extent funds are~~
378 ~~available to cover all costs for the training established by~~
379 ~~the board~~. The board may establish rules ~~for enforcement of~~ to
380 enforce this subdivision as it concerns those PSAPs that fail
381 to participate in the certification program. Notwithstanding
382 the foregoing, the training and certification requirements of
383 this ~~sections~~ subdivision shall not apply to any public safety
384 telecommunicator employed by the state or an agency or
385 department thereof.

386 ~~(10)~~ (8) ~~To adopt rules in accordance with the~~
387 ~~Administrative Procedure Act to implement this chapter; to~~
388 establish the statewide 911 charge; and, in response to
389 technological changes, apply, collect, and remit the statewide
390 911 charge, without duplication, to the active service
391 connections of other originating service providers that are
392 technically capable of accessing a 911 system, subject to the



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393 provisions applicable to voice communications service
394 providers under this chapter.

395 (9) Consistent with Chapter 27A of Title 41, to
396 exercise responsibility and control over the implementation,
397 use, and maintenance of geographic information system (GIS)
398 data for the statewide E-911 system. The board shall ensure
399 timely submission of accurate GIS data from communication
400 districts and other political subdivisions; reconcile
401 conflicting data; develop and implement protocols for
402 real-time auditing or monitoring of GIS data accuracy and
403 quality; ensure that all PSAPs comply with Next Generation 911
404 (NG911) services for location, accuracy, and routing; and
405 allocate funding and set operational policies for GIS data as
406 necessary to serve the effective delivery of NG911 services.

407 ~~(11)~~ (10) To take other necessary and proper action,
408 including the adoption of rules in accordance with the APA, to
409 implement this chapter."

410 Section 3. This act shall become effective on October
411 1, 2026.