

1 HB330  
2 135808-1  
3 By Representatives Sessions, Fincher, Williams (P), Clouse,  
4 Shiver, Merrill, Love, Ison, McClurkin, Ball, Wood, Weaver,  
5 Greer, Sanderford, Patterson, Davis, Johnson (W), Beech,  
6 Barton, Johnson (K) and Henry  
7 RFD: Judiciary  
8 First Read: 14-FEB-12

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8 SYNOPSIS: Under existing law, there is no specific  
9 provision which provides civil immunity to  
10 suppliers of water who comply with or obtain an  
11 exemption from the regulations established by the  
12 Alabama Department of Environmental Management.

13 This bill would provide civil immunity to  
14 suppliers of water who have complied with or  
15 obtained an exemption from the regulations  
16 established by the Alabama Department of  
17 Environmental Management.

18  
19 A BILL  
20 TO BE ENTITLED  
21 AN ACT  
22

23 Relating to suppliers of water; to add a new section  
24 to the Code of Alabama 1975, to provide civil immunity to  
25 suppliers of water who have complied with or obtained an  
26 exemption from the regulations established by the Alabama  
27 Department of Environmental Management.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 22-23-35.1 is added to the Code  
3 of Alabama 1975, to read as follows:

4 §22-23-35.1.

5 Any supplier of water, and its officers, directors,  
6 and employees, who the board determines is in compliance with  
7 the regulations established pursuant to Sections 22-23-33 and  
8 22-23-34, or who has obtained and is in compliance with any  
9 variance or exception authorized by the board pursuant to  
10 Section 22-23-35, or who is operating under a Consent Decree  
11 or Consent Order, shall have immunity from civil suit for  
12 injuries to person or property, whether real or personal,  
13 tangible or intangible, direct or consequential, claimed on  
14 account of the quality, purity, wholesomeness, chemistry,  
15 and/or physical make-up of the water supplied. This section  
16 shall not be read to impair in any way the enforcement  
17 authority of the Alabama Department of Environmental  
18 Management under this chapter.

19 Section 2. This act shall become effective on the  
20 first day of the third month following its passage and  
21 approval by the Governor, or its otherwise becoming law.