

1 SB136
2 140725-2
3 By Senators Bussman and Allen
4 RFD: Governmental Affairs
5 First Read: 07-FEB-12
6 PFD: 02/02/2012

1 SB136

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4 ENROLLED, An Act,

5 To exclude certain prefabricated storm shelters from
6 the provisions of Title 24, Code of Alabama 1975, and to
7 require resident and nonresident prefabricated storm shelter
8 manufacturers to post a bond with the Alabama Emergency
9 Management Agency.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. (a) Title 24, Code of Alabama 1975, shall
12 not apply to prefabricated storm shelters not equipped with
13 electrical, plumbing, heating, or utility service lines, and
14 which meet all of the following:

15 (1) Is a temporary safe place during storms as
16 stated in Federal Emergency Management Agency Publication 320
17 or 361 or their successors.

18 (2) Includes plans for the construction of the
19 shelter that are stamped, dated, and signed by a licensed
20 engineer or a registered architect.

21 (3) States in a conspicuous place on the first
22 blueprint page: "This shelter design complies with applicable
23 standards as provided in the current Federal Emergency
24 Management Agency (FEMA) publication and International Code
25 Council (ICC-500) Codes."

1 (4) Includes shelter occupancy information on the
2 notes page of the shelter blueprints stating: "According to
3 the current FEMA and ICC-500 standards, this shelter will
4 accommodate (X) standing adults (5 SF/Person), (Y) people in
5 wheelchairs (10 SF/Person), and (Z) bedridden people."

6 (b) All resident and nonresident manufacturers of
7 prefabricated storm shelters selling prefabricated storm
8 shelters in this state shall annually deliver to the Alabama
9 Emergency Management Agency a good and sufficient surety bond,
10 executed by the applicant as principal and by a corporate
11 surety company qualified to do business in the state as
12 surety, in the sum of twenty thousand dollars (\$20,000). The
13 bond shall be in a form to be approved by the agency, and
14 shall be conditioned upon the manufacturer's compliance with
15 the requirements for prefabricated storm shelters provided in
16 subsection (a).

17 Section 2. The Alabama Emergency Management Agency
18 shall have oversight authority on all storm shelters, both
19 community and residential. The Alabama Emergency Management
20 Agency may adopt administrative rules to carry out the intent
21 of this act and to ensure that all prefabricated storm
22 shelters funded in whole or in part by state or federal funds
23 or eligible for reimbursement from the state or federal funds
24 meet appropriate standards and guidelines prior to any payment
25 or reimbursement from state or federal funds. In regards to

1 residential storm shelters with capacity of not more than 16
2 people, the Alabama Emergency Management Agency shall perform
3 random inspections of the manufacturers of those residential
4 storm shelters and the installation of those residential storm
5 shelters. There shall be no additional cost to the
6 manufacturer or consumer for these random inspections.

7 Section 3. This act shall become effective upon its
8 passage and approval by the Governor or its otherwise becoming
9 law, and is retroactive to January 1, 2012.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB136

Senate 23-FEB-12

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

Senate 17-APR-12

I hereby certify that the within Act originated in and passed the Senate, as amended by Conference Committee Report.

Patrick Harris
Secretary

House of Representatives

Passed: 22-MAR-12, as amended

House of Representatives

Passed: 17-APR-2012, as amended by Conference Committee Report.

By: Senator Bussman