

1 HB3  
2 214103-2  
3 By Representative Treadaway  
4 RFD: Public Safety and Homeland Security  
5 First Read: 11-JAN-22  
6 PFD: 06/28/2021

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

ENROLLED, An Act,

Relating to emergency management; to amend Section 31-9-3, Code of Alabama 1975; to clarify that emergency management personnel provide public safety services.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 31-9-3, Code of Alabama 1975, is amended to read as follows:

"§31-9-3.

"As used in this article, these terms shall have the following meanings:

"(1) EMERGENCY MANAGEMENT. The preparation for and the carrying out of all emergency functions, other than functions for which military forces or other federal agencies are primarily responsible, to prevent, minimize, and repair injury and damage resulting from disasters caused by enemy attack, sabotage, or other hostile action, or by fire, flood, earthquake, or other natural cause. These functions include, without limitation, public safety services including, fire-fighting services; police services; medical and health services; rescue, engineering, air raid warning services; communications; radiological, chemical, and other special weapons of defense; evacuation of persons from stricken areas; emergency welfare services (civilian war aid); emergency transportation; plant protection; temporary restoration of

1 public utility services; and other functions related to  
2 civilian protection, together with all other activities  
3 necessary or incidental to the preparation for and carrying  
4 out of the foregoing functions.

5 "(2) LOCAL ORGANIZATION. The organization of local  
6 emergency management forces designed principally for operation  
7 within their own community but capable of moving to other  
8 areas.

9 "(3) POLITICAL SUBDIVISION. Any county or  
10 municipality created pursuant to law.

11 "~~(4)~~(5) STATE PUBLIC HEALTH EMERGENCY. An occurrence  
12 or imminent threat of an illness or health condition that does  
13 all of the following:

14 "a. Is believed to be caused by any of the  
15 following:

16 "1. Bioterrorism.

17 "2. The appearance of a novel or previously  
18 controlled or eradicated infectious agent or biological toxin.

19 "3. A natural disaster.

20 "4. A chemical attack or accidental release.

21 "5. A nuclear or radiological attack or accident.

22 "b. Poses a high probability of any of the following  
23 harms:

24 "1. A large number of deaths in the affected  
25 population.

1           "2. A large number of serious or long-term  
2 disabilities in the affected population.

3           "3. Widespread exposure to an infectious or toxic  
4 agent that poses a significant risk of substantial future harm  
5 to a large number of people in the affected population.

6           "~~(5)~~(4) STATE OF EMERGENCY. When the Governor duly  
7 proclaims the existence of conditions of disaster or of  
8 extreme peril to the safety of persons and property within the  
9 state caused by fire, flood, storm, epidemic, technological  
10 failure or accident, riot, drought, sudden and severe energy  
11 shortage, plant or animal infestation or disease, earthquake,  
12 explosion, terrorism, or man-made disaster, or other  
13 conditions, other than conditions resulting from a labor  
14 controversy or conditions causing a state of war emergency,  
15 which, by reason of their magnitude, are or are likely to be  
16 beyond the control of the services, personnel, equipment, and  
17 facilities of any single county, city and county, or city, and  
18 require the combined forces of a mutual aid region or regions  
19 to combat, or energy shortage requires extraordinary measures  
20 beyond the authority vested in the Alabama Public Service  
21 Commission.

22           "(6) STATE TECHNOLOGICAL EMERGENCY. An emergency  
23 caused by a technological failure or accident, including, but  
24 not limited to, an explosion, transportation accident,

1 radiological accident, or chemical or other hazardous material  
2 incident."

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17

---

Speaker of the House of Representatives

---

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 10-FEB-22.

Jeff Woodard  
Clerk

---

Senate	15-MAR-22	Passed
--------	-----------	--------