

1 HB216
2 204416-2
3 By Representatives Lovvorn and Wood (D)
4 RFD: State Government
5 First Read: 11-FEB-20

SYNOPSIS: This bill would require the state Emergency Management Agency to adopt guidelines for individuals and entities throughout the state to volunteer to have property designated as safer place facilities during severe weather events.

A BILL
TO BE ENTITLED
AN ACT

Relating to the state Emergency Management Agency; to require the agency to develop guidelines for the volunteer designation of safer place facilities throughout the state to protect individuals during severe weather events.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) Before December 31, 2020, the state Emergency Management Agency, in cooperation with the Alabama Association of Emergency Managers and the Association of County Commissions of Alabama, shall develop uniform guidelines for use in identifying and volunteering safer place

1 facilities throughout the state. At a minimum, the guidelines
2 shall do all of the following:

3 (1) Provide local emergency management agencies with
4 methods for notifying the community about safer places.

5 (2) Provide an application process, through the
6 local emergency management agency, for those individuals and
7 entities that own or control a structure for offering all or
8 part of the structure for designation as a safer place
9 facility. At a minimum, the application shall require the
10 applicant to make a good faith determination that the
11 structure meets all criteria identified by the guidelines and
12 that the applicant will not discriminate when making the
13 structure available to the public. The application may be
14 provided through the website of the local emergency management
15 agency.

16 (3) Describe the circumstances and conditions of
17 appropriate use and length of availability of a safer place
18 facility.

19 (4) Require that the availability of a safer place
20 will be nondiscriminatory on the basis of race, color,
21 national origin, age, disability, sex, or religion.

22 (5) Provide that a designated safer place facility
23 is not required to be available to the public at all times or
24 to provide staff, food, water, medicine, electricity, air
25 conditioning, first aid, telecommunication services, toilet
26 facilities, or any other life or health preserving goods or
27 services before, during, or after a severe weather event.

1 (6) Provide a procedure for the withdrawal of a
2 safer place designation.

3 (7) Establish other procedures, criteria, and
4 guidelines as necessary to further the purposes of this
5 section.

6 (b) No state or local governmental entity shall
7 provide, or offer to provide, compensation or financial
8 support of any kind to any individual or entity relating to
9 the designation or operation of a safer place facility.

10 (c) Due to the patent and obvious dangers associated
11 with severe weather events, an individual who uses a safer
12 place facility does not acquire the status of an invitee or
13 licensee, and the individual who uses a designated safer place
14 facility does so at his or her own risk, with full knowledge
15 and appreciation of the associated risks.

16 (d) A local emergency management agency, pursuant to
17 its emergency management functions may perform any task
18 provided in the guidelines. Any individual or entity who
19 volunteers a structure as a safer place facility pursuant to
20 this section is a volunteer for purposes of the Volunteer
21 Service Act, Section 6-5-336, Code of Alabama 1975, during the
22 time the structure is designated as a safer place.

23 Section 2. This act shall become effective
24 immediately following its passage and approval by the
25 Governor, or its otherwise becoming law.