

1 SB136
2 118167-3
3 By Senators Dixon, Barron, Little (T), and Figures
4 RFD: Governmental Affairs
5 First Read: 12-JAN-10

1 SB136

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4 ENROLLED, An Act,

5 Relating to the Alabama Sunset Law; to continue the
6 existence and functioning of the State Radiation Control
7 Agency with certain modifications; to amend Section 22-14-6,
8 Code of Alabama 1975, so as to require that applicants for
9 licensure be United States citizens or legally present in the
10 United States.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. Pursuant to the Alabama Sunset Law, the
13 Sunset Committee recommends the continuance of the State
14 Radiation Control Agency, with the additional recommendation
15 for statutory change as set out in Section 3.

16 Section 2. The existence and functioning of the
17 State Radiation Control Agency, created and functioning
18 pursuant to Sections 22-14-1 to 22-14-35, inclusive, Code of
19 Alabama 1975, is continued, and those code sections are
20 expressly preserved.

21 Section 3. Section 22-14-6 of the Code of Alabama
22 1975, is amended to read as follows:

23 "§22-14-6.

24 "(a) The agency shall provide, by rule or
25 regulation, for general or specific licensing of persons to

1 receive, possess or transfer by-product, source, special
2 nuclear materials, devices or equipment utilizing such
3 materials, or any other radioactive materials occurring
4 naturally or produced artificially. Such rule or regulation
5 shall provide for amendment, suspension, or revocation of
6 licenses and shall require that each applicant for licensure
7 be a citizen of the United States or, if not a citizen of the
8 United States, a person who is legally present in the United
9 States with appropriate documentation from the federal
10 government.

11 "(b) The agency is authorized to require
12 registration and inspection of persons dealing with ionizing
13 radiation which does not require a specific license and may
14 require compliance with specific safety standards to be
15 promulgated by the agency.

16 "(c) The agency is authorized to exempt certain
17 sources of ionizing radiation or kinds of uses or users from
18 the licensing or registration requirements set forth in this
19 section when the agency makes a finding that the exemption of
20 such sources of ionizing radiation or kinds of uses or users
21 will not constitute a significant risk to the health and
22 safety of the public.

23 "(d) Any report of investigation or inspection or
24 any information concerning trade secrets or secret industrial

1 processes obtained under this article shall not be disclosed
2 or opened to public inspection by the agency.

3 "(e) Rules and regulations promulgated pursuant to
4 this chapter may provide for recognition of other state or
5 federal licenses as the agency may deem desirable, subject to
6 such registration requirements as the agency may prescribe.

7 "(f) It shall be unlawful for any person to use,
8 manufacture, produce, knowingly transport, transfer, receive,
9 acquire, own, or possess any source of ionizing radiation
10 unless licensed by or registered with the agency in accordance
11 with this article and the rules and regulations issued
12 thereunder."

13 Section 4. The Legislature concurs in the
14 recommendations of the Sunset Committee as provided in
15 Sections 1, 2, and 3.

16 Section 5. This act shall become effective
17 immediately upon its passage and approval by the Governor, or
18 its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB136
Senate 11-FEB-10
I hereby certify that the within Act originated in and passed
the Senate, as amended.

McDowell Lee
Secretary

House of Representatives
Passed: 23-FEB-10

By: Senator Dixon