

HB455 ENROLLED



1 508NM3-3
2 By Representatives Standridge, Lovvorn, Shedd, Harbison,
3 Shaver, Smith, Sorrells, Hammett, Robertson, Crawford,
4 Chestnut, Travis, Pringle, Reynolds, Hill
5 RFD: Urban and Rural Development
6 First Read: 09-May-23
7 2023 Regular Session



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1 Enrolled, An Act,

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4 Relating to volunteer fire departments; to amend
5 Sections 9-3-11, 9-3-12, and 9-3-13, Code of Alabama 1975, to
6 create and provide duties and procedures for the Rural and
7 Community Fire Protection Advisory Committee; and to add
8 Section 9-3-21 to the Code of Alabama 1975, to create and
9 provide procedures for administration of the Rural and
10 Community Fire Protection Development and Improvement Grant
11 Program.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. Sections 9-3-11, 9-3-12, and 9-3-13, Code of
14 Alabama 1975, are amended to read as follows:

15 "§9-3-11

16 The State Forester ~~is hereby authorized and required to~~
17 shall create ~~a steering committee~~ the Rural and Community
18 Fire Protection Advisory Committee to represent ~~rural~~
19 ~~community~~ certified volunteer fire departments and to support
20 the development and improvement of rural and community fire
21 protection throughout the state."

22 "§9-3-12

23 ~~Said steering committee shall be composed of 13~~
24 ~~members; one from each of the 10 administrative districts of~~
25 ~~the Alabama Forestry Commission, one member from the Alabama~~
26 ~~Association of Volunteer Fire Departments, one member from the~~
27 ~~Alabama Association of Fire Chiefs and one member from the~~
28 ~~Alabama Firemen's Association. The President of the Alabama~~



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29 ~~Association of Fire Chiefs shall appoint one member of his~~
30 ~~association to serve on the committee, the President of the~~
31 ~~Alabama Association of Volunteer Fire Departments shall~~
32 ~~appoint one member of his association to serve on the~~
33 ~~committee, and the President of the Alabama Firemen's~~
34 ~~Association shall appoint a member of his association to serve~~
35 ~~on the committee. The State Forester shall appoint the~~
36 ~~remaining committee members from each administrative district~~
37 ~~of the Alabama Forestry Commission, with each such member~~
38 ~~being a volunteer fireman. All members shall serve at the~~
39 ~~pleasure of their appointing authority. Vacancies on the~~
40 ~~committee shall be filled by the same appointing authority who~~
41 ~~appointed the vacating member.~~

42 (a) The Rural and Community Fire Protection Advisory
43 Committee shall be composed of 13 members, all of whom must be
44 volunteer firefighters, to be appointed as follows:

45 (1) One member of the Alabama Association of Fire
46 Chiefs, who is an active chief of a volunteer fire department,
47 shall be appointed by the president of that association.

48 (2) One member of the Alabama Association of Volunteer
49 Fire Departments shall be appointed by the president of that
50 association.

51 (3) One member of the Alabama Firefighter's Association
52 shall be appointed by the president of that association.

53 (4) One member from each of the following districts,
54 all of whom must ~~be volunteer firefighters and~~ reside in the
55 district they represent, shall be appointed by the State
56 Forester:



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57 a. District 1: Calhoun, Cherokee, DeKalb, Etowah,
58 Jackson, Madison, and Marshall counties.

59 b. District 2: Blount, Cullman, Jefferson, Shelby, St.
60 Clair, Walker, and Winston counties.

61 c. District 3: Fayette, Greene, Hale, Lamar, Pickens,
62 Sumter, and Tuscaloosa counties.

63 d. District 4: Chambers, Clay, Cleburne, Coosa,
64 Randolph, Talladega, and Tallapoosa counties.

65 e. District 5: Autauga, Bibb, Chilton, Dallas, Marengo,
66 Perry, and Wilcox counties.

67 f. District 6: Barbour, Coffee, Dale, Geneva, Henry,
68 Houston, and Pike counties.

69 g. District 7: Butler, Conecuh, Covington, Crenshaw,
70 Escambia, and Monroe counties.

71 h. District 8: Baldwin, Choctaw, Clarke, Mobile, and
72 Washington counties.

73 i. District 9: Colbert, Franklin, Lauderdale, Lawrence,
74 Limestone, Marion, and Morgan counties.

75 j. District 10: Bullock, Elmore, Lee, Lowndes, Macon,
76 Montgomery, and Russell counties.

77 (b) All members shall serve at the pleasure of their
78 appointing authority. Any vacancy on the committee shall be
79 appointed by the appointing authority of the vacating member.
80 All appointing authorities shall coordinate their appointments
81 to assure the committee's membership is inclusive and reflects
82 the racial, gender, geographic, urban and rural, and economic
83 diversity of the state."

84 "§9-3-13



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85 The ~~steering~~ advisory committee shall make
86 recommendations to the State Forester regarding ~~how to improve~~
87 ~~the rural community fire program and how to solve immediate~~
88 ~~problems including parts exchange, training and financial~~
89 ~~assistance through federal grants~~ the development and
90 improvement of rural and community fire protection throughout
91 this state. The advisory committee shall also make
92 recommendations to the Alabama Forestry Commission regarding
93 rural and community fire protection grants awarded pursuant to
94 Section 9-3-21."

95 Section 2. Section 9-3-21 is added to the Code of
96 Alabama 1975 to read as follows:

97 §9-3-21

98 (a) The Alabama Forestry Commission shall establish and
99 administer the Rural and Community Fire Protection Development
100 and Improvement grant program to aid volunteer fire
101 departments in providing rural and community fire protection
102 in this state.

103 (b) There is established the Rural and Community Fire
104 Protection Development and Improvement Fund in the State
105 Treasury. The fund shall be subject to appropriations by the
106 Legislature and any gifts, grants, or other donations received
107 by the commission on behalf of the fund. This fund shall be
108 administered by the commission and all monies disbursed from
109 the fund shall be under the supervision of the State Forester.
110 To defray costs of administering the fund, the commission may
111 retain five percent of all monies appropriated to the fund
112 each fiscal year to be used for any purpose. Any unexpended or



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113 unencumbered funds remaining in the fund at the end of the
114 fiscal year shall not revert but shall be retained for
115 continued use in accordance with this section.

116 (c) Grants awarded from the fund shall only be to
117 volunteer fire departments certified in accordance with
118 Section 9-3-17, including nonprofit corporations,
119 municipalities, and fire districts which have formed or have
120 otherwise authorized such certified volunteer fire
121 departments, county volunteer fire associations organized and
122 incorporated in this state, or other nonprofit entities
123 established for the provision or support of rural and
124 community fire protection in this state.

125 (d) Each fiscal year in which funds are appropriated or
126 otherwise made available for the grant program, the commission
127 shall only award grants that address one or more of the
128 following goals:

129 (1) To increase volunteer fire service recruitment and
130 encourage existing firefighters to remain in the volunteer
131 fire service.

132 (2) To provide compensation or other benefits to
133 increase staffing by departments.

134 (3) To form new volunteer fire departments in areas of
135 this state without sufficient fire protection.

136 (4) To build, expand, or maintain structures having the
137 primary purpose of housing certified volunteer fire
138 departments and their equipment.

139 (5) To enable or improve communication capabilities for
140 certified volunteer fire departments, including creating or



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141 expanding broadband Internet access, erecting or maintaining
142 communication towers and equipment, and acquiring real
143 property upon which to place communication towers having the
144 primary purpose of serving a department.

145 (6) To acquire real property to be used as sites for
146 fire stations for certified volunteer fire departments.

147 (7) To provide firefighting apparatus and equipment for
148 certified volunteer fire departments.

149 (8) To provide training of all types to certified
150 volunteer fire departments.

151 (9) To increase the availability of water supplies for
152 certified volunteer fire departments, including installing wet
153 or dry fire hydrants.

154 (e) All grant proposals shall first be reviewed by the
155 Rural and Community Fire Protection Advisory Committee who
156 shall then recommend to the commission which proposals should
157 be given priority for funding. The commission shall give
158 consideration to the advisory committee's recommendations but
159 shall retain full discretion in determining which proposals
160 are funded.

161 (f) Proposals may be fully funded as submitted or
162 awarded in a different amount than proposed, as determined by
163 the commission. When awarding funding pursuant to this
164 section, the commission shall consider both the geographic and
165 racial diversity of the state.

166 (g) The commission may also directly expend a portion
167 of the funds in the Rural and Community Fire Protection
168 Development and Improvement Fund in furtherance of any of the



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169 goals stated in subsection (d).

170 (h) (1) The commission shall coordinate and implement a
171 statewide training program for the entities eligible to
172 receive a grant. The program shall provide basic instruction
173 concerning fiscal policies and procedures and any other legal
174 requirements regarding receiving, accounting for, and
175 disbursing grant funds. The costs of administering this
176 program shall be paid from the Rural and Community Fire
177 Protection Development and Improvement Fund.

178 (2) No entity shall receive any funding pursuant to
179 this section unless at least two of its current officers,
180 including its chief fiscal officer, have received training in
181 accordance with this subsection.

182 (3) All agencies of the state are hereby authorized and
183 directed to extend their cooperation and give assistance to
184 the commission in providing training required by this
185 subsection.

186 (i) No compensation or benefits paid or provided to
187 volunteer firefighters in furtherance of this section shall
188 affect the minimum percentage of unsalaried membership of a
189 certified volunteer fire department as required by Section
190 9-3-17(a) (2).

191 (j) The Alabama Forestry Commission may adopt rules as
192 necessary to implement and administer this section.

193 (k) Notwithstanding any other provision of law to the
194 contrary, the powers, authority, and jurisdiction of the
195 Division of Construction Management within the Department of
196 Finance shall not extend to any property or construction



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197 project purchased or funded, in whole or in part, with monies
198 derived from the Rural and Community Fire Protection
199 Development and Improvement Fund; provided, that the Division
200 of Construction Management shall retain its authority to adopt
201 a uniform minimum building standards code that will apply to
202 such properties and construction projects.

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



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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 16-May-23 as amended.

John Treadwell
Clerk

Senate

24-May-23

Passed