## SB105 ENGROSSED



- 1 MT3BHW-2
- 2 By Senators Coleman-Madison, Smitherman, Jones, Hatcher,
- 3 Stewart
- 4 RFD: Healthcare
- 5 First Read: 21-Mar-23
- 6 2023 Regular Session

## SB105 Engrossed



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5	A BILL
6	TO BE ENTITLED
7	AN ACT
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9	Relating to consumption of fishes; to require the State
10	Health Officer to issue advisories concerning fish consumption
11	and to establish a panel to advise on and discuss this issue;
12	to require the Alabama Department of Environmental Management
13	to test fishes for pollutants and post signage at water bodies
14	notifying of an active fish consumption advisory; and to
15	require the Department of Conservation and Natural Resources
16	to notify fish license purchasers of all active advisories.
17	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
18	Section 1. This act shall be known and may be cited as
19	the Safe and Healthy Outdoor Recreation Act of 2023.
20	Section 2. The Legislature finds and declares the
21	following:
22	(1) That outdoor recreation, including catching,
23	cooking, and eating fish is a fundamental way of life for
24	countless residents of this state.
25	(2) That all Alabamians should have the right to know
26	whether it is safe to consume the fish they catch.
27	(3) That outdoor recreation-related illnesses stemming
28	from contact with polluted waters and contaminated fish pose a

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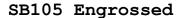


29 severe public health risk to the people of Alabama.

Section 3. (a) The State Health Officer, in consultation with the Director of the Alabama Department of Environmental Management, shall issue a fish consumption advisory when it is reasonable and necessary to protect public health and well-being. The Alabama Department of Public Health shall publish the advisory on its website in a clear and concise manner and maintain a dedicated telephone number to provide information related to the advisory.

(b) The State Health Officer shall establish an advisory panel to analyze, develop, and implement the fish consumption advisory program. The panel shall consist of, in a number to be determined by the State Health Officer, representatives from the Alabama Department of Public Health, the Alabama Department of Environmental Management, the Department of Conservation and Natural Resources, and any other agency, business, nongovernmental organization, or individual the State Health Officer determines appropriate. The panel shall meet at least annually and consider tissue sampling methodologies, water bodies and fish species to be sampled, pollutant toxicity limits, strategies for communicating consumption advisories to the public, and any other subjects relevant to the program.

Section 4. The Alabama Department of Environmental Management, in consultation with the Alabama Department of Public Health, shall conduct regular fish tissue monitoring to evaluate safe consumption levels of fish species. The Alabama Department of Environmental Management shall annually publish

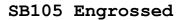




57 a report on its website, which shall be made available for 58 public comment, detailing and identifying the methodology and 59 reasoning for evaluating the species and pollutants chosen. 60 Section 5. The Alabama Department of Environmental Management shall post signage at any public boat ramp adjacent 61 62 to state waters with an active fish consumption advisory 63 notifying the public of this fact. The signage shall include a 64 telephone number for the department, an Internet address, and 65 a quick response code for a website from which to obtain information about fish consumption advisories, water quality, 66 67 and water discharge permits. The Alabama Department of Environmental Management may consult with other state 68 agencies, political subdivisions of the state, nongovernmental 69 70 organizations, private corporations, or any other organization 71 to implement this subsection. Section 6. The Department of Conservation and Natural 72 73 Resources, with each issuance of an electronic fishing 74 license, shall notify the licensee of current fish consumption 75 advisories by providing an Internet address to access all active advisories online. 76 77 Section 7. This act shall become effective immediately 78 following its passage and approval by the Governor, or its

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otherwise becoming law.





80 81 82 Senate Read for the first time and referred ..................21-Mar-23 83 84 to the Senate committee on Healthcare 85 86 87 on the calendar: 88 89 0 amendments 90 Read for the third time and passed ......24-May-23 91 92 as amended Yeas 33 93 Nays 0 94 Abstains 0 95 96 97 Patrick Harris, 98 99 Secretary. 100