

SYNOPSIS: This bill would authorize radio stations, cable operators, and television stations, in cooperation with the Department of Homeland Security, to develop plans to prepare and respond to emergencies or disasters. The bill would authorize broadcasters to be certified by the Department of Homeland Security as emergency response broadcasters and would authorize emergency response broadcasters to have access to areas affected by emergencies or disasters in order to restore broadcasting capability and provide information related to an emergency or disaster to the public.

A BILL
TO BE ENTITLED
AN ACT

Relating to radio and television stations and cable operators; to authorize planning for responding to emergencies or disasters by broadcasters and the certifying of trained emergency response broadcasters by the Department of Homeland

Security; and to authorize access to emergency or disaster areas by emergency response broadcasters to restore broadcasting capability and to transmit emergency public information.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act may be cited as the Emergency Response Broadcasters Act.

Section 2. For the purposes of this act, the following words have the following meanings:

(1) BROADCASTER. A radio broadcasting station, cable operator, or television broadcasting station primarily engaged in, and deriving income from, the business of facilitating speech via over-the-air communications, both as to pure speech and commercial speech.

(2) EMERGENCY. A state of emergency declared by the Governor pursuant to Section 31-9-8, Code of Alabama 1975.

(3) EMERGENCY RESPONSE BROADCASTER. A person who has been certified as an emergency response broadcaster pursuant to this act.

Section 3. Broadcasters in this state, in cooperation with the Department of Homeland Security and the Alabama Broadcasters Association, or its successor organization, may develop comprehensive, coordinated plans for preparing for and responding appropriately to an emergency or disaster.

Section 4. (a) Any statewide organization, or any member of a statewide organization, that represents broadcasters, cable television communications, or any other provider that uses emerging technologies may establish a program for training and certifying broadcast engineers and technical personnel as

emergency response broadcasters. Each program established pursuant to this subsection shall meet all of the following criteria:

(1) Be consistent with federal law and guidelines.

(2) Provide training and education concerning restoring, repairing, and resupplying any facilities and equipment of a broadcaster in an area affected by an emergency.

(3) Provide training and education concerning the personal safety of an emergency response broadcaster in an area affected by an emergency.

(b) To the extent practicable and consistent with not endangering public safety or inhibiting recovery efforts, state and local governmental agencies shall allow an emergency response broadcaster access to an area affected by an emergency for the purpose of restoring, repairing, or resupplying any facility or equipment critical to the ability of a broadcaster to acquire, produce, and transmit essential emergency public information programming, including, without limitation, repairing and maintaining transmitters and generators and transporting fuel for generators.

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