

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 460

Department or Agency: Alabama Historical Commission

Rule No.: Chapter 460-X-24

Rule Title: Fees

Intended Action Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? Yes

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Lisa D. Jones
Lisa Jones

Date

Wednesday, July 17, 2024

REC'D & FILED

JUL 17, 2024

LEGISLATIVE SVC AGENCY

ALABAMA HISTORICAL COMMISSION

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Historical Commission

RULE NO. & TITLE: Chapter 460-X-24 Fees

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

To amend the Fees Appendix to remove the fee for beach parking at Fort Morgan.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

This notice will publish July 31. Public comments will be accepted by email at Stacey.mills@ahc.alabama.gov, or in writing to the office of the Alabama Historical Commission at 468 South Perry Street, Montgomery, AL 36130, until 9/4/2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, September 4, 2024

CONTACT PERSON AT AGENCY:

Stacey Mills

Lisa D. Jones

Lisa Jones

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

**ALABAMA HISTORICAL COMMISSION
ADMINISTRATIVE CODE**

**CHAPTER 460-X-24
FEES**

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460-X-24-.01

**Category Of
Fees In This
Rule
Table Of Fees
Appendix A**

460-X-24-.02

460-X-24-A

460-X-24-.01

**Category Of Fees In
This Rule.**

Fees and other charges that are not found elsewhere in the agency's rules.

Author: John Powell, Mark Driscoll, Stephen McNair

Statutory Authority: Code of Ala. 1975, §41-9-249(5) (15).

History: New Rule: Filed December 13, 2013; effective January 17, 2014.

460-X-24-.02

Table Of Fees.

(1) Properties Operated by the Alabama Historical Commission. The Table of Fees in Appendix A shall be applicable to historic sites, properties and facilities owned and operated by the Alabama Historical Commission and shall be adhered to by The Alabama Historical Commission when collecting fees from persons or groups as indicated. There will be no exceptions, reductions or increases for persons or groups who make use of the agency's facilities or are admitted to the historic sites.

(2) Properties Operated by Other Entities. For the properties: Belle Mont, Fendall Hall, Gaineswood and Magnolia Grove owned by the Alabama Historical Commission, but which are operated by entities other than the Alabama Historical Commission, all fees charged to the public by such entities shall be posted at the site in a conspicuous place visible to the public. Posted fees charged shall be adhered to in a consistent and fair manner to all persons or groups who make use of the facilities or are admitted to the historic site. The Alabama Historical Commission Annual Pass shall be honored by such entities for standard

admission to the historic site. Such entities are not required to accept the Annual Pass for discounts, special events, tours or additional services beyond a standard admission.

Author: John Powell, Mark Driscoll, Stephen McNair

Statutory Authority: Code of Ala. 1975, §41-9-249(5) (15).

History: New Rule: Filed December 13, 2013; effective January 17, 2014. **Amended:** Filed June 23, 2014; effective July 28, 2014. **Amended:** Filed December 12, 2014; effective January 16, 2015. **Amended:** Filed February 4, 2016; effective March 20, 2016.

460-X-24-A

Historical Commission

Appendix A.

Chapter 460-X-24/Appendix A

ALABAMA HISTORICAL COMMISSION
ADMINISTRATIVE CODE

APPENDIX A
TABLE OF FEES

HISTORIC SITES OWNED AND OPERATED BY THE ALABAMA HISTORICAL COMMISSION		Fee
Blue Star Museums		
Active duty military and families from Memorial Day to Labor Day (national program)		Free
Annual Passes:		
Regular admission to all AHC sites for up to 2 adults and 2 children, good for one year		\$99
Each additional child		\$15
Unlimited access to every site, excluding special events. Does not include tours and additional services beyond a standard admission. Includes a 10% discount off the regular price for retail sales at each site and special events. Good for one calendar year from date of purchase.		
Individual		\$45
Travel Packages:		
Sites may participate in programs where discounted tickets are sold as part of a package.— The discount will apply to single admissions only, not to already discounted admission or group rates.		
Special Use Coupon		
Sites can offer an admission discount to participate in a local short-term promotion—		
AAA Member		\$1 off regular admission
Special Events, Programs, and Exhibitions		
In addition to programs listed by site below, site directors may develop new programs during the year. Based on complexity and cost, such programs will fall into one of the following categories. For all programs below, a child under 6 years old will be free		
Category I		\$5 increments up to \$75
Category II		\$10 increments up to \$100
Category —III		over \$100
The site director may develop special events, programs, and exhibitions and define a class of individuals that will be admitted on complimentary basis for a single event, program or exhibition. Examples would include:— "school teachers", "classroom students", "study group", "garden club", <u>"school teachers" "classroom students" "study group" "garden club"</u> and any other class of individuals that the site director		Free

defines so long as it is reasonable and in the best interest of the historic site. <u> </u>	
Location Fees	
The site director can set reasonable fees for on-site filming/photography or use of <u> </u> photographs held in the sites collection.	
Category I (using photos)	\$5 increments; no maximum; dependent on number of images used
Category II (filming/photography using minimal site resources)	\$50 increments up to \$500
Category <u> </u> III (major filming/photography)	Over <u>over</u> \$500
Application fee	\$25
Group Tours	
Nonrefundable deposit	\$1 per person
Rentals	
All sites can collect a non-refundable booking deposit for rental events. Events	—
Insurance <u>Event insurance</u> may be required.	
Refunds	
Refunds will be given at the discretion of the Site Director.	
—	—
ALABAMA STATE CAPITOL	<u> </u> Fee
Admissions	
All visitors	Free
Visitors booked through private tour companies	\$1
Events & Programs	
Special Programming Events - such as, speakers, special tours, history and exhibit highlight tours.	\$10
Behind-the-Scenes Capitol Tours	\$50
—	— <u>Fee</u>

CONFEDERATE MEMORIAL PARK	
Admissions	
Visitors to grounds	Free
Visitors to Museum	
Adult	\$4
Senior (65 years old and above), College, Retired Military	\$3
Military, active & reserve	Free
Child (6-18 years old) with Parent	\$1
Child (6-18 years old) without Parent	\$3
Child under 6 years old	Free
Group (minimum 10 persons)	\$2
Events & Programs	
Special programs inside Museum	\$2
Civil War Living History	\$2 for museum visit/ \$2 for outdoor activities
Rentals	
Church wedding	\$325
Outdoor wedding	
Up to 25 people	\$100
Up to 50 people	\$200
Up to 100 people	\$300
Over 100 people	\$500
Pavilion rental	\$25 (up to 25 people)
Pavilion rental	\$50 (25+ people)
Overnight lodging in the barracks per person (no charge for living history participants)	\$3
Overnight camping on grounds per person (no charge for living history participants)	\$2

FORT MORGAN	Fee
Admissions	
Adult	\$8
Senior (65 years old and above), College	\$5
Child (6-12 years old)	\$5
Family (2 Adults, 2 Children)	\$20
Military (active, reserve or retired) with ID	Free
Group (minimum 10 people)	\$4
School groups per person	\$3
Beach access Parking	\$2/day
Rentals	
Wedding ceremony only	\$1000
Wedding wedding ceremony with reception	\$2500
After after hours events other than weddings	\$1000
Camping	
Scouts	\$4 / night
Adult	\$15 / night
- Scout Masters (up to 2 per group)	- Free

FORT TOULOUSE - FORT JACKSON	Fee
Admissions	
Adult	\$2
Child (6-18 years old)	\$1
Child under 6 years old	Free
Boat Ramp Pass (per vehicle)	\$2
Annual individual pass	\$25
Annual family pass	\$35
Events & Programs	
Guided tours (per person)	\$3 adult/ \$2 student
Alabama Frontier Days/major event	
Adult	\$15
Student	\$10
French & Indian War Encampment/ minor event	
Adult	\$4
Student	\$2
Major Event / Program	

Adult	\$8
Child (6-18 years old)	\$4
Minor Event / Program	
Adult	\$4
— FORT-TOULOUSE — FORT JACKSON	
	Fee
Child (6-18 years old)	\$2
Events with partner organizations	\$2 / person plus partner admission
Rentals and Camping	
Daily Pavilion Rental	\$150
Base rate for RVs	\$20
Senior (65 years old and over), Active & Retired Military, Peace Officer, and Red Card Fire Fighter [DISCOUNTS]	\$18
Base rate for tents	\$16
With DISCOUNTS	\$14
Additional tents	\$10
Group camping per tent	\$7
R.V. Weekly rate	\$130
With DISCOUNTS	\$115
Sanitary dump fee	\$10

	Fee
FREEDOM RIDES MUSEUM	
Admissions	
Adult	\$5
Senior (65 years old and above), College, Military (Active, Retired, Reserves, with ID)	\$4
Child (6-18 years old)	\$3
Child under 6 years old	Free
Group (minimum 10 people)	\$1 off regular admission; 1 teacher per class comp
Family (2 adults, 2 children)	\$12
OLD CAHAWBA	Fee

Admissions	
Adult	\$2
Child (6 - 18 years old)	\$1
Annual pass---individual	\$25
Annual pass---family	\$35
Events & Programs	
Walking tours (1 hour)	\$8
Step on Bus Tours	\$8
Basic Wagon tour (group for 2 hours)	
Adult	\$10
Child (under 18 years old)	\$8
Extended Tour (2 hours)	\$15
Workshops or Classes per day	\$25
Rentals	
Group rental - picnic area (4 hours)	\$75
<div> <div></div> <div>Fee</div> </div>	
OLD CAHAWBA	
Group rental - Church <u>(8 hours, up to 5</u> -(8 hours, up to 5 pm) for weddings, etc.	\$450
Group rental ---Church (4 hours) for meetings. <u>Church (4 hours) - for meetings</u>	\$250
Rental --- extending past 5 pm	\$50 per additional hour
Shuttle fee for canoeists to Hwy 22	\$15
Shuttle fee for canoeists to Hwy 80	\$25
Canoe rental with shuttle - weekends only	\$40
POND SPRING, THE GENERAL JOE WHEELER HOME	
Admissions	
Adult	\$8
Senior (65 years old and above), College, Military	\$5
Child (6-18 years old)	\$3
Child (under 6 years old)	Free
Group (minimum 10 people)	\$1 off above
Special Use Coupon	\$1 off

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Rentals	
Facility Use (grounds) and Sherrod House event space	\$100 / _ hour
Sherrod House meeting room	\$25 / _ hour
ADMINISTRATIVE OFFICES OF THE ALABAMA HISTORICAL COMMISSION	
Photocopies	\$. 25 50 / _ page
Public Records Request	
The agency may charge the requester a standard, minimum fee of \$20 for time spent locating, retrieving, and preparing records for production.	\$20
The agency may charge the requester \$20/hour for time spent locating, retrieving, and preparing documents for production.	\$20/hour
Easement Stewardship Fee Schedule	
General Preservation Easements	
Application Fee	\$250
Base fee for easement administration	\$10,000
Additional fee based on Fair Market Value (FMV)* of the property rights being surrendered	
Properties ≤ \$200,000 FMV	\$5,000
	\$10,000

___ Properties \$200,001 to \$400,000 FMV	
___ Properties \$400,001 to \$600,000 FMV	\$15,000
___ Properties \$600,001 + FMV	\$20,000
Federally Funded Grants Requiring a Preservation Easement (non-HPF)	
Fee equal to 2% of the federal grant award	
Alabama Historical Commission reserves the right to waive or reduce fees in certain circumstances	—
* ___ An appraisal performed by a qualified appraiser that meets the standards of 26 U.S. Code §170(f)(11)(E)I must be completed prior to the donation of the easement	

Author: John Powell, Mark Driscoll, Stephen McNair, Clara Nobles, Eleanor Cunningham, Lee Anne ~~Wofford~~[Hewett](#)
Statutory Authority: Code of Ala. 1975, §41-9-249(5)(15) ~~—~~
History: **New Rule:** Filed December 13, 2013; effective January 17, 2014. **Amended:** Filed June 23, 2014; effective July 28, 2014. ~~___~~ **Amended:** Filed December 12, 2014; effective January 16, 2015. ~~___~~ **Amended:** Filed February 4, 2016; effective March 20, 2016. ~~___~~ **Amended:** Filed February 7, 2019; effective March 24, 2019. ~~___~~ **Amended:** ~~Published May 29, 2020; effective July 13~~[Filed March 10, 2020; effective July 15, 2020.](#) ~~___~~ **Amended:** ~~Published December 30, 2021; effective February 13, 2022.~~[Filed December 14, 2021; effective February 12, 2022.](#) ~~___~~ **Amended:** ~~Published June 3~~[Filed June 20, 2023; effective August 14, 2023.](#)

**ECONOMIC IMPACT STATEMENT
FOR APA RULE
(Section 41-22-23(f))**

Control No: 460

Department or Agency: Alabama Historical Commission

Rule No: Chapter 460-X-24

Rule Title: Fees

Intended Action: Amend

 This rule has no economic impact.

 Yes This rule has an economic impact, as explained below:

1. NEED/EXPECTED BENEFIT OF RULE:

Entrance fees and usage fees are to provide access to the agency's properties for the use and benefit of the users of the agency's historic sites and facilities. Easement stewardship fees are for the benefit of the owner and aid in the protecting and interpreting of Alabama's historic properties.

2. COSTS/BENEFITS OF RULE AND WHY RULES IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE:

By charging user fees and easement stewardship fees, the public is afforded the opportunity to make use of the historic sites, facilities, and services of the agency while not imposing a burden on those who do not receive direct benefit.

3. EFFECT OF THIS RULE ON COMPETITION:

No competition exists for the Alabama Historical Commission's sites.

4. EFFECT OF THIS RULE ON COST-OF-LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

It is not anticipated these costs will increase as a result of the rule.

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5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

None.

6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE:

The fee itself is expected to produce revenue and implementation of the fee will not increase costs to the agency which will use existing employees in conjunction with their normal duties.

7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON EFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:

There does not appear to be an economic impact of the rule to the fact it is a nominal charge for the convenience of the public to make use of the agency's facilities and services.

8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:

None.

9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:

None.

10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED:

None.

Signature of certifying officer

Lisa D. Jones

Lisa Jones

Date

Wednesday, July 17, 2024