

1 SB146
2 216768-1
3 By Senator Marsh
4 RFD: Finance and Taxation Education
5 First Read: 01-FEB-22

8 SYNOPSIS: This bill provides that any individual
9 retired under the Judicial Retirement Fund may not
10 accrue membership service in the Teachers'
11 Retirement System, Employees' Retirement System, or
12 the Judicial Retirement Fund, including the Judges'
13 and Clerks' Plan and the District Attorneys' Plan,
14 while drawing his or her retirement allowance from
15 the Judicial Retirement Fund.

17 A BILL
18 TO BE ENTITLED
19 AN ACT

21 To amend Section 12-1-15, Code of Alabama 1975, to
22 prohibit any individual retired under the Judicial Retirement
23 Fund from accruing membership service in the Teachers'
24 Retirement System, Employees' Retirement System, or the
25 Judicial Retirement Fund, while drawing his or her retirement
26 allowance from the Judicial Retirement Fund.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 12-1-15 of the Code of Alabama
2 1975, is amended to read as follows:

3 "§12-1-15.

4 "(a) Any justice, judge, officer, official or
5 employee of the judicial branch of government, including
6 retired and supernumerary justices, judges or employees, other
7 than probate and municipal court judges and employees, shall
8 be entitled to any and all employee benefits to which other
9 state employees, officers or officials on active duty status
10 are entitled, including, but not limited to, group hospital,
11 medical and surgical insurance, regardless of whether such
12 officer, official or employee is receiving his or her
13 compensation from grant funds or otherwise.

14 "(b) All supernumerary justices and judges and
15 retired justices and judges shall fall within the retirement
16 category and there shall be no differences between the same in
17 regard to social security, tax benefits or advantages and
18 employee benefits, and uniformity of treatment shall be given
19 and accorded unless statutes specifically otherwise provide.

20 "(c) Any justice or judge who is eligible or who
21 will become eligible in the future for supernumerary benefits
22 or retirement benefits shall not forfeit any right by failing
23 to apply for such status at the time that he or she left or
24 leaves active state service ~~but shall be entitled to all such~~
25 ~~rights whenever he applies for the same.~~

26 "(d) Any individual retired under the Judicial
27 Retirement Fund may not accrue membership service in the

1 Teachers' Retirement System, Employees' Retirement System, or
2 the Judicial Retirement Fund, including the Judges' and
3 Clerks' Plan and the District Attorneys' Plan, while drawing
4 his or her retirement allowance from the Judicial Retirement
5 Fund."

6 Section 2. This act shall become effective on the
7 first day of the third month following its passage and
8 approval by the Governor, or its otherwise becoming law.