

HB119 INTRODUCED



1 F4B2D5-1

2 By Representatives Mooney, Bedsole, Ellis, Carns, DuBose,

3 Hulsey, Paschal (Constitutional Amendment)

4 RFD: Shelby County Legislation

5 First Read: 21-Mar-23

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SYNOPSIS:

This bill would propose an amendment to the Constitution of Alabama of 2022, relating to Shelby County, that would allow county commissioners in the county to participate in the Employees' Retirement System under certain conditions.

A BILL
TO BE ENTITLED
AN ACT

This bill would propose an amendment to the Constitution of Alabama of 2022, relating to Shelby County, to allow county commissioners in the county to participate in the Employees' Retirement System under certain conditions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 2022, is proposed and shall become valid as a part of the constitution when all requirements of this act are fulfilled:

PROPOSED AMENDMENT

Section 58-8.00 of the Constitution of Alabama of 2022, is amended to read as follows:

"§58-8.00



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29 No elected or appointed Shelby County official or
30 sheriff may assume a supernumerary office after the effective
31 date of this amendment. Any person who, on the effective date
32 of this amendment, is entitled to participate in a
33 supernumerary program may continue to participate in that
34 supernumerary program, which shall include the assumption of a
35 supernumerary office according to the terms and conditions of
36 the law which established that supernumerary program. Every
37 elected or appointed Shelby County official may participate in
38 the Employees' Retirement System of Alabama upon the same
39 terms and conditions as may be specified by law for any other
40 employee in the same retirement system, and shall be treated
41 as an employee of the county. Shelby County officials holding
42 office at the time of the ratification of this amendment shall
43 be eligible to purchase service credit in the Employees'
44 Retirement System for the time the official has served in the
45 current office. No person may participate in both a
46 supernumerary program and the Employees' Retirement System
47 based on the same service. For the purposes of this amendment,
48 the words "elected or appointed Shelby County official" shall
49 include any person appointed to serve the remaining term of an
50 elected or appointed Shelby County official. The words do not
51 include a judge, ~~county commissioner~~, district attorney,
52 legislator, constable, school board member, or any official
53 elected from a judicial circuit. Any Shelby County
54 Commissioner holding office as a member of the Shelby County
55 Commission at the time of ratification of the amendment of
56 this amendment shall be eligible to purchase service credit in



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57 the Employees' Retirement System for the time the official has
58 served in the current office."

59 Upon ratification of this constitutional amendment, the
60 Code Commissioner shall number and place this amendment as
61 appropriate in the constitution omitting this instructional
62 paragraph and may make the following nonsubstantive revisions:
63 change capitalization, spelling, and punctuation for purposes
64 of style and uniformity; correct manifest grammatical,
65 clerical, and typographical errors; and correct incorrect
66 cross-references.

67 Section 2. An election upon the proposed amendment
68 shall be held in accordance with Sections 284 and 284.01 of
69 the Constitution of Alabama of 2022, and the election laws of
70 this state.

71 Section 3. The appropriate election official shall
72 assign a ballot number for the proposed constitutional
73 amendment on the election ballot and shall set forth the
74 following description of the substance or subject matter of
75 the proposed constitutional amendment:

76 "Relating to Shelby County, proposing an amendment to
77 the Constitution of Alabama of 2022, to allow county
78 commissioners in the county to participate in the Employees'
79 Retirement System under certain conditions.

80 "Proposed by Act ____."

81 This description shall be followed by the following
82 language:

83 "Yes () No()."