

1 HB412
2 205902-2
3 By Representative Pettus
4 RFD: Ways and Means General Fund
5 First Read: 05-MAR-20

SYNOPSIS: Under existing law, a law enforcement officer of the state who is employed by certain agencies is paid subsistence pay for each working day of a pay period while engaged in the performance of the duties as a law enforcement officer.

This bill would include the law enforcement officers employed by the Investigations Division of the Department of Revenue as individuals who may receive subsistence pay.

A BILL
TO BE ENTITLED
AN ACT

Relating to the Department of Revenue; to amend Section 36-21-2, Code of Alabama 1975, as last amended by Act 2019-451, 2019 Regular Session, to provide subsistence pay for law enforcement officers employed by the Department of Revenue; and to provide retroactive effect.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 36-21-2, Code of Alabama 1975, as
3 last amended by Act 2019-451, 2019 Regular Session, is amended
4 to read as follows:

5 "§36-21-2.

6 "(a) (1) Any law enforcement officer of the State of
7 Alabama who is employed by the Alabama State Law Enforcement
8 Agency, Department of Conservation and Natural Resources,
9 Alabama Department of Forensic Sciences, Alabama Liquefied
10 Petroleum Gas Board, the Alabama Peace Officers' Standards and
11 Training Commission, the Alabama Securities Commission, the
12 State Port Authority and probation, and parole officers of the
13 Alabama Board of Pardons and Paroles, fire marshals of the
14 Department of Insurance, any investigator employed by the
15 Alabama Ethics Commission, any investigator employed by a
16 district attorney on a full-time basis, any investigator
17 employed by the Office of the Attorney General, the marshal or
18 any deputy marshal of the state appellate court, ~~or~~
19 correctional officers of the Department of Corrections, and
20 any law enforcement officer assigned to the Investigations
21 Division of the Department of Revenue shall receive a
22 subsistence allowance of twelve dollars (\$12) for each working
23 day of a pay period while engaged in the performance of the
24 duties as a law enforcement officer. This allowance shall be
25 in addition to all other compensation, expenses, and
26 allowances provided those officers.

1 "(2) Beginning on October 1, 2019, subsistence pay
2 shall be paid to each law enforcement officer engaged in the
3 performance of the duties as a law enforcement officer for a
4 period of four or more hours within a consecutive 24-hour
5 period of time.

6 "(b) The subsistence allowance shall not be subject
7 to any income or other taxes levied by the State of Alabama.

8 "(c) The subsistence allowance to law enforcement
9 officers at the Peace Officers' Standards and Training
10 Commission shall be paid from the Peace Officers' Standards
11 and Training Fund and the subsistence allowance paid to
12 Securities Commission Officers shall be paid from the
13 Securities Commission Fund."

14 Section 2. The subsistence allowance provided for in
15 this act shall apply retroactively beginning October 1, 2019,
16 the effective date of Act 2019-451, 2019 Regular Session.

17 Section 3. This act shall become effective
18 immediately following its passage and approval by the
19 Governor, or its otherwise becoming law.