

1 HB80
2 207548-6
3 By Representative Pettus
4 RFD: Ways and Means General Fund
5 First Read: 02-FEB-21
6 PFD: 11/30/2020

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2 ENROLLED, An Act,

3 Relating to the Department of Revenue and the
4 Department of Mental Health; to amend Section 36-21-2, Code of
5 Alabama 1975, as last amended by Act 2019-451, 2019 Regular
6 Session, to provide subsistence pay for law enforcement
7 officers employed by the Investigations Division of the
8 Department of Revenue and the Department of Mental Health; and
9 to provide retroactive effect.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

14 "§36-21-2.

15 "(a) (1) Any law enforcement officer of the State of
16 Alabama who is employed by the Alabama State Law Enforcement
17 Agency, Department of Conservation and Natural Resources,
18 Alabama Department of Forensic Sciences, Alabama Liquefied
19 Petroleum Gas Board, the Alabama Peace Officers' Standards and
20 Training Commission, the Alabama Securities Commission, the
21 State Port Authority and probation, and parole officers of the
22 Alabama Board of Pardons and Paroles, fire marshals of the
23 Department of Insurance, any investigator employed by the
24 Alabama Ethics Commission, any investigator employed by a
25 district attorney on a full-time basis, any investigator

1 employed by the Office of the Attorney General, the marshal or
2 any deputy marshal of the state appellate court, ~~or~~
3 correctional officers of the Department of Corrections, and
4 any law enforcement officer assigned to the Investigations
5 Division of the Department of Revenue or to the Department of
6 Mental Health shall receive a subsistence allowance of twelve
7 dollars (\$12) for each working day of a pay period while
8 engaged in the performance of the duties as a law enforcement
9 officer. This allowance shall be in addition to all other
10 compensation, expenses, and allowances provided those
11 officers.

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

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

19 "(c) The subsistence allowance to law enforcement
20 officers at the Peace Officers' Standards and Training
21 Commission shall be paid from the Peace Officers' Standards
22 and Training Fund and the subsistence allowance paid to
23 Securities Commission Officers shall be paid from the
24 Securities Commission Fund."

1 Section 2. ~~The subsistence allowance provided for in~~
2 ~~this act shall apply retroactively beginning October 1, 2019,~~
3 ~~the effective date of Act 2019-451, 2019 Regular Session, to~~
4 ~~employees in good standing on the effective date of this act.~~

5 The subsistence allowance provided for in this act
6 paid to any law enforcement officer assigned to the
7 Investigations Division of the Department of Revenue between
8 October 1, 2019, and February 1, 2020, shall be deemed to have
9 been paid in accordance with this act.

10 Section 3. This act shall become effective
11 immediately following its passage and approval by the
12 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 09-FEB-21, as amended.

Jeff Woodard
Clerk

Senate	08-APR-21	Amended and Passed
House	15-APR-21	Concurred in Senate Amendment