

1 HB193  
2 209296-2  
3 By Representative Alexander (Constitutional Amendment)  
4 RFD: Ways and Means General Fund  
5 First Read: 02-FEB-21  
6 PFD: 01/28/2021

1 ENGROSSED

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4 A BILL  
5 TO BE ENTITLED  
6 AN ACT  
7

8 To propose an amendment to the Constitution of  
9 Alabama of 1901, to allow an elected official of the City of  
10 Bessemer in Jefferson County to participate in the Employees'  
11 Retirement System; and to repeal any conflicting local act.  
12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. The following amendment to the  
14 Constitution of Alabama of 1901, is proposed and shall become  
15 valid as a part of the Constitution when all requirements of  
16 this act are fulfilled:

17 PROPOSED AMENDMENT

18 (a) An elected official of the City of Bessemer in  
19 Jefferson County may participate in the Employees' Retirement  
20 System of Alabama upon the same terms and conditions as may be  
21 specified by law for any other employee in the system.

22 (b) An elected official of the City of Bessemer  
23 holding office at the time of the ratification of this  
24 amendment may purchase service credit in the Employees'  
25 Retirement System for the time the elected official has served  
26 in the current office.

1 (c) No person may participate in both a  
2 supernumerary program and the Employees' Retirement System  
3 based on the same service.

4 (d) ~~(1)~~ Upon the ratification of this amendment, any  
5 local act in conflict with this amendment is repealed.

6 ~~(2) On and after the ratification of this amendment,  
7 an elected official of the City of Bessemer who elects to  
8 participate in the Employees' Retirement System may not  
9 participate in the retirement system for the City of Bessemer.~~

10 Section 2. An election upon the proposed amendment  
11 shall be held in accordance with Section 284.01 of the  
12 Constitution of Alabama of 1901, now appearing as Section  
13 284.01 of the Official ReCompilation of the Constitution of  
14 Alabama of 1901, as amended, and the election laws of this  
15 state.

16 Section 3. The appropriate election official shall  
17 assign a ballot number for the proposed constitutional  
18 amendment on the election ballot and shall set forth the  
19 following description of the substance or subject matter of  
20 the proposed constitutional amendment:

21 "Relating to the City of Bessemer in Jefferson  
22 County, proposing an amendment to the Constitution of Alabama  
23 of 1901, as amended, to allow a municipal elected official to  
24 participate in the Employees' Retirement System of Alabama,  
25 and to repeal any conflicting local act.

26 "Proposed by Act \_\_\_\_\_"

1                    This description shall be followed by the following  
2       language:  
3                    "Yes ( ) No ( )."

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Ways and Means  
General Fund..... 02-FEB-21

Read for the second time and placed  
on the calendar 1 amendment ..... 03-FEB-21

Read for the third time and passed  
as amended..... 29-APR-21

Yeas 67, Nays 0, Abstains 3

Jeff Woodard  
Clerk