

1 HB583
2 211084-3
3 By Representative Chestnut (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 01-APR-21

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ENROLLED, An Act,

Proposing an amendment to the Constitution of Alabama of 1901, pertaining to Dallas County, to allow certain elected or appointed Dallas County officials to elect to participate in the Employees' Retirement System of Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

PROPOSED AMENDMENT

No elected or appointed Dallas County official may assume a supernumerary office after the ratification date of this amendment. Any person who, on the ratification date of this amendment, is entitled to participate in a supernumerary program may continue to participate in that supernumerary program, which shall include the assumption of a supernumerary office according to the terms and conditions of the law which established that supernumerary program. Every elected or appointed Dallas County official may participate in the Employees' Retirement System of Alabama upon the same terms and conditions as may be specified by law for any other employee in the same retirement system and shall be treated as an employee of the county. Upon ratification of this

1 amendment, Dallas County officials holding office on or after
2 the date of legislative approval of this amendment, shall be
3 eligible to purchase service credit in the Employees'
4 Retirement System for the time the official has served in that
5 office. No person may participate in both a supernumerary
6 program and the Employees' Retirement System based on the same
7 service. For the purposes of this amendment, the term "elected
8 or appointed Dallas County official" includes the sheriff and
9 any person appointed to serve the remaining term of an elected
10 or appointed Dallas County official. The term does not include
11 a judge, county commissioner, district attorney, legislator,
12 constable, school board member, or any official elected from a
13 judicial circuit.

14 Section 2. An election upon the proposed amendment
15 shall be held in accordance with Section 284.01 of the
16 Constitution of Alabama of 1901, now appearing as Section
17 284.01 of the Official ReCompilation of the Constitution of
18 Alabama of 1901, as amended, and the election laws of this
19 state.

20 Section 3. The appropriate election official shall
21 assign a ballot number for the proposed constitutional
22 amendment on the election ballot and shall set forth the
23 following description of the substance or subject matter of
24 the proposed constitutional amendment:

1 "Relating to Dallas County, proposing an amendment
2 to the Constitution of Alabama of 1901, to allow certain
3 elected or appointed Dallas County officials to elect to
4 participate in the Employees' Retirement System of Alabama.

5 "Proposed by Act _____"

6 This description shall be followed by the following
7 language:

8 "Yes () No ()."

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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 13-APR-21.

Jeff Woodard
Clerk

Senate 22-APR-21 Passed