

1 SB206  
2 180922-1  
3 By Senator Singleton  
4 RFD: Governmental Affairs  
5 First Read: 16-FEB-17

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8 SYNOPSIS: Under existing law, an employee of the  
9 Alabama State Law Enforcement Agency who is  
10 certified by the Alabama Peace Officers' Standards  
11 and Training Commission and performs law  
12 enforcement duties and is hired after January 1,  
13 2015, is classified as a law enforcement officer  
14 and is ineligible to participate as a state  
15 policeman in the State Employees' Retirement  
16 System.

17 This bill would reclassify new employees  
18 hired by the Alabama State Law Enforcement Agency  
19 to allow them to participate as a state policeman  
20 in the State Employees' Retirement System as a Tier  
21 II state policeman member.

22 This bill would also provide that an  
23 employee classified as a law enforcement officer  
24 beginning January 1, 2015, would automatically  
25 become a participant as a Tier II state policeman  
26 and would allow the employee to elect to convert  
27 prior service credit earned as a law enforcement

1 officer with the Alabama State Law Enforcement  
2 Agency to service as a state policeman for the time  
3 period from January 1, 2015, to the effective date  
4 of the act.

5  
6 A BILL  
7 TO BE ENTITLED  
8 AN ACT  
9

10 To amend Section 41-27-7, Code of Alabama 1975,  
11 relating to the State Employees' Retirement System; to provide  
12 for the reclassification of certain law enforcement employees  
13 of the Alabama State Law Enforcement Agency to allow them to  
14 participate in the State Employees' Retirement System as a  
15 Tier II state policeman member; and to provide that certain  
16 employees hired by the agency beginning January 1, 2015, would  
17 become participants in the State Employees' Retirement System  
18 as state policeman members.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. Section 41-27-7, Code of Alabama 1975, is  
21 amended to read as follows:

22 "§41-27-7.

23 "(a) For the purposes of this chapter, the term  
24 "legacy agency" means an existing agency, department, or  
25 division that is being reorganized or abolished under this  
26 chapter.

1           "(b) Unless otherwise provided in this chapter, all  
2 positions created by this chapter shall be in the classified  
3 service of the state Merit System.

4           "(c) All persons employed on January 1, 2015, with a  
5 legacy agency and transferred to the Alabama State Law  
6 Enforcement Agency, Department of Public Safety, or State  
7 Bureau of Investigations shall maintain his or her  
8 classification and benefits under the legacy agency. A person  
9 employed by a legacy agency on January 1, 2015, shall not  
10 receive a decrease in salary, benefits, or seniority or  
11 otherwise receive a decrease in classification as a result of  
12 the transfer to the Alabama State Law Enforcement Agency,  
13 Department of Public Safety, or State Bureau of  
14 Investigations.

15           "(d) Any future change in classification shall not  
16 result in any change in benefits an employee previously had at  
17 a legacy agency.

18           "(e) An employee of a legacy agency transferred to  
19 the Alabama State Law Enforcement Agency, Department of Public  
20 Safety, or State Bureau of Investigations under this chapter  
21 shall remain in his or her current classification unless  
22 appointed to the appropriate classification within the newly  
23 created department according to state Merit System procedures.

24           "(f) (1) Any employee hired in the Alabama State Law  
25 Enforcement Agency after January 1, 2015, who is certified by  
26 the Alabama Peace Officers' Standards and Training Commission  
27 and performs law enforcement duties shall be considered a law

1 enforcement officer, as defined by Section 36-27-59(a) (3), but  
2 is not eligible for the benefits specified in Section  
3 36-26-35(d).

4 "(2) Beginning on the effective date of the act  
5 adding this amendatory language, a new employee of the Alabama  
6 State Law Enforcement Agency who is certified by the Alabama  
7 Peace Officers' Standards and Training Commission and performs  
8 law enforcement duties shall be classified as a state  
9 policeman who shall enroll and participate in the State  
10 Employees' Retirement System as a Tier II state policeman  
11 member, as provided in Chapter 27 of Title 36.

12 "(3) An employee under subdivision (1) shall be  
13 classified as a state policeman on the effective date of the  
14 act adding this amendatory language. The employee may elect to  
15 convert prior service credit earned as a law enforcement  
16 officer with the Alabama State Law Enforcement Agency to  
17 service as a state policemen for the time period from January  
18 1, 2015, to the effective date of the act adding this  
19 amendatory language by paying the difference in the employee  
20 contributions as a law enforcement officer and a state  
21 policeman during the applicable time period, plus interest as  
22 calculated by the State Employees' Retirement System."

23 Section 2. This act shall become effective  
24 immediately following its passage and approval by the  
25 Governor, or its otherwise becoming law.