

1 HB33
2 172412-1
3 By Representative Ingram (Constitutional Amendment)
4 RFD: Montgomery County Legislation
5 First Read: 02-FEB-16
6 PFD: 01/29/2016

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8 SYNOPSIS: This bill would propose an amendment to the
9 Constitution of Alabama of 1901, to allow the
10 Montgomery County Sheriff to participate in the
11 Employees' Retirement System in lieu of
12 participating in a supernumerary program.

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14 A BILL
15 TO BE ENTITLED
16 AN ACT

17
18 Proposing an amendment to the Constitution of
19 Alabama of 1901, to allow the Montgomery County Sheriff to
20 participate in the Employees' Retirement System in lieu of
21 participating in a supernumerary program.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

27 PROPOSED AMENDMENT

1 No elected or appointed sheriff in Montgomery County
2 may assume a supernumerary office after the effective date of
3 this amendment except as provided herein. Any person who, on
4 the effective date of this amendment, is entitled to
5 participate in a supernumerary program may continue to
6 participate in that supernumerary program, which shall include
7 the assumption of a supernumerary office according to the
8 terms and conditions of the law which established that
9 supernumerary program. The Sheriff of Montgomery County may
10 participate in the Employees' Retirement System of Alabama
11 upon the same terms and conditions as may be specified by law
12 for any other employee in the same retirement system. The
13 sheriff holding office at the time of the ratification of this
14 amendment shall be eligible to purchase service credit in the
15 Employees' Retirement System for the time the official has
16 served in the current office; provided, however, the official
17 shall forego the assumption of a supernumerary office.

18 Section 2. An election upon the proposed amendment
19 shall be held in accordance with Amendment 555 to the
20 Constitution of Alabama of 1901, now appearing as Section
21 284.01 of the Official Recompilation of the Constitution of
22 Alabama of 1901, as amended, and the election laws of this
23 state.

24 Section 3. The appropriate election official shall
25 assign a ballot number for the proposed constitutional
26 amendment on the election ballot and shall set forth the

1 following description of the substance or subject matter of
2 the proposed constitutional amendment:

3 "Relating to Montgomery County, proposing an
4 amendment to the Constitution of Alabama of 1901, to allow the
5 Montgomery County Sheriff to participate in the Employees'
6 Retirement System in lieu of participating in a supernumerary
7 program.

8 "Proposed by Act _____."

9 This description shall be followed by the following
10 language:

11 "Yes () No ()."