

1 SB283  
2 174072-1  
3 By Senators Whatley, Scofield, Shelnut, Stutts, Hightower,  
4 Waggoner, Marsh, Sanford, Albritton, Pittman, McClendon,  
5 Williams, Melson and Livingston  
6 RFD: Finance and Taxation Education  
7 First Read: 23-FEB-16

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8 SYNOPSIS: This bill would prohibit officers and  
9 employees of the Alabama Education Association,  
10 Alabama High School Athletic Association, Alabama  
11 Association of School Boards, Alabama Council for  
12 School Administration and Supervision, Alabama  
13 Vocational Association, Alabama Congress of Parents  
14 and Teachers, Alabama Opportunities  
15 Industrialization Center, Developing Alabama Youth  
16 Foundation, Tennessee Valley Rehabilitation Center,  
17 Inc., American Federation of Teachers, School  
18 Superintendents of Alabama, Alabama Higher  
19 Education Partnership, Inc., Alabama State  
20 Employees' Association, Alabama Retired State  
21 Employees' Association, State Employees' Credit  
22 Union, and certain community action agencies, hired  
23 on or after January 1, 2017, and any elected local  
24 superintendent of education elected to office on or  
25 after January 1, 2017, from participating in the  
26 Teachers' Retirement System and the Public  
27 Education Employees' Health Insurance Plan.

1  
2 A BILL  
3 TO BE ENTITLED  
4 AN ACT

5  
6 To amend Sections 16-25-1, 16-25-10.1, 16-25-10.2,  
7 16-25-10.3, 16-25-10.4, 16-25-10.5, 16-25-10.6, 16-25-10.7,  
8 16-25-10.8, 16-25-10.9, 16-25-10.10, 16-25-10.11, 16-25-10.12,  
9 16-25-32, 16-25A-11, and 36-29-14, Code of Alabama 1975,  
10 relating to the Teachers' Retirement System and the Public  
11 Education Employees' Health Insurance Plan, to prohibit any  
12 officer or employee of the Alabama Education Association,  
13 Alabama High School Athletic Association, Alabama Association  
14 of School Boards, Alabama Council for School Administration  
15 and Supervision, Alabama Vocational Association, Alabama  
16 Congress of Parents and Teachers, Alabama Opportunities  
17 Industrialization Center, Developing Alabama Youth Foundation,  
18 Tennessee Valley Rehabilitation Center, Inc., American  
19 Federation of Teachers, School Superintendents of Alabama,  
20 Alabama Higher Education Partnership, Inc., Alabama State  
21 Employees' Association, Alabama Retired State Employees'  
22 Association, State Employees' Credit Union, and certain  
23 community action agencies, hired on or after January 1, 2017,  
24 and any elected local superintendent of education elected to  
25 office on or after January 1, 2017, from participating in the  
26 system and the plan.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1                   Section 1. Sections 16-25-1, 16-25-10.1, 16-25-10.2,  
2                   16-25-10.3, 16-25-10.4, 16-25-10.5, 16-25-10.6, 16-25-10.7,  
3                   16-25-10.8, 16-25-10.9, 16-25-10.10, 16-25-10.11, 16-25-10.12,  
4                   16-25-32, 16-25A-11, and 36-29-14 of the Code of Alabama 1975,  
5                   are amended to read as follows:

6                   "§16-25-1.

7                   "For the purposes of this chapter the following  
8                   terms, unless a different meaning is plainly required by the  
9                   context, shall have the following respective meanings:

10                  "(1) RETIREMENT SYSTEM. The Teachers' Retirement  
11                  System of Alabama as defined in Section 16-25-2.

12                  "(2) PUBLIC SCHOOL. Any day school conducted within  
13                  the state under the authority and supervision of a duly  
14                  elected or appointed county or city board of education and any  
15                  educational institution supported by and under the control of  
16                  the state or any private nondenominational school operated  
17                  nonprofit for the education of children of school age residing  
18                  within a district where no public school is available for the  
19                  children.

20                  "(3) TEACHER. Any teacher, principal,  
21                  superintendent, supervisor, college professor, administrative  
22                  officer, or clerk employed in any public school or public  
23                  college within the state or employed in any private  
24                  nondenominational school operated nonprofit for the education  
25                  of children of school age residing within a district where no  
26                  public school is available for the children or any similar  
27                  employee or officer of the Department of Education ~~or of the~~

1 ~~Alabama Education Association,~~ or any attendance worker 50  
2 percent or more of whose salary is paid from public school  
3 funds or any employee receiving a regular stated compensation  
4 from the retirement system. In all cases of doubt, the Board  
5 of Control shall determine whether any person is a teacher as  
6 defined in this chapter. An employee or officer of the Alabama  
7 Education Association who is serving in that position before  
8 January 1, 2017, is considered a teacher for purposes of this  
9 chapter. An employee or officer of the Alabama Education  
10 Association who begins serving in that position on or after  
11 January 1, 2017, is not a teacher for purposes of this  
12 chapter.

13 "(4) SUPPORT PERSONNEL or EMPLOYEE. Any maid,  
14 custodian, adult bus driver, lunchroom or cafeteria worker,  
15 secretary, clerk, clerical assistant, maintenance worker, or  
16 other non-certificated employee who works an average of 20  
17 hours weekly.

18 "(5) EMPLOYER. The State of Alabama, the county  
19 school board, the city school board, the State Board of  
20 Education, or any governing body of any private  
21 nondenominational school operated nonprofit for education of  
22 children of school age residing within a district where no  
23 public school is available for the children or any other  
24 agency of and within the state by which a teacher is paid.

25 "(6) MEMBER. Any teacher included in the membership  
26 of the system as provided in Section 16-25-3.

1           "(7) BOARD OF CONTROL. The board provided for in  
2 Section 16-25-19 to administer the retirement system.

3           "(8) MEDICAL BOARD. The board of physicians provided  
4 for in Section 16-25-19.

5           "(9) TRUSTEES. The members of the Board of Control  
6 to administer the trust funds.

7           "(10) SERVICE. Service as a teacher.

8           "(11) PRIOR SERVICE. Service rendered prior to the  
9 date of establishment of the retirement system for which  
10 credit is allowable under Section 16-25-11.

11           "(12) MEMBERSHIP SERVICE. Service as a teacher  
12 rendered while a member of the retirement system and on  
13 account of which contributions are made.

14           "(13) CREDITABLE SERVICE. "Prior service" plus  
15 "membership service" rendered since last becoming a member.

16           "(14) BENEFICIARY. Any person in receipt of a  
17 pension, an annuity, a retirement allowance, or other benefit  
18 as provided by this chapter.

19           "(15) REGULAR INTEREST. Interest compounded annually  
20 at the rate determined by the Board of Control in accordance  
21 with subsection (b) of Section 16-25-20.

22           "(16) ACCUMULATED CONTRIBUTIONS. The sum of all the  
23 amounts deducted from the compensation of a member and  
24 credited to his or her individual account in the annuity  
25 savings fund together with regular interest thereon as  
26 provided in Section 16-25-21.

1           "(17) EARNABLE COMPENSATION. The full rate of the  
2           compensation that would be payable to a teacher if he or she  
3           worked the full normal working time. In cases where  
4           compensation includes maintenance, the Board of Control shall  
5           fix the value of that part of the compensation not paid in  
6           money. Earnable compensation shall not exceed the limitations  
7           imposed by Section 401(a) (17) of the Internal Revenue Code for  
8           public pension funds except that any employee who was a member  
9           of the Teachers' Retirement System before the first plan year  
10          beginning after December 31, 1995, shall not be subject to the  
11          earning limitations set forth in Section 401(a) (17). For Tier  
12          I plan members, the term earnable compensation for retirement  
13          purposes shall include overtime payments that are made to a  
14          member; however, earnable compensation shall not exceed 120  
15          percent of any member's annual base compensation as certified  
16          by the employer. For Tier II plan members, earnable  
17          compensation shall include overtime payments that are made to  
18          the member but shall not include subsistence payments that are  
19          made to the member and shall not exceed one hundred  
20          twenty-five percent (125%) of the member's annual base  
21          compensation, as certified by the employer.

22          "(18) AVERAGE FINAL COMPENSATION. For any Tier I  
23          Plan member, the average annual compensation of a teacher,  
24          with respect to which he or she has made contributions  
25          pursuant to paragraph b. of subdivision (1) of Section  
26          16-25-21 during the three years in his or her last 10 years of  
27          creditable service for which the average is highest or during

1 his or her entire period of creditable service if less than  
2 three years; except, that for any period prior to October 1,  
3 1959, the compensation used in computing the average shall  
4 include compensation in excess of the maximum amount with  
5 respect to which members were required to contribute. For any  
6 Tier II Plan member, the average annual compensation of the  
7 member, with respect to which he or she has made contributions  
8 pursuant to paragraph b. of subdivision (1) of Section  
9 16-25-21 during the five years in his or her last ten years of  
10 creditable service for which the average is highest or during  
11 his or her entire period of creditable service if less than  
12 five years.

13 "(19) ANNUITY. Payments for life derived from the  
14 "accumulated contributions" of a member. All annuities shall  
15 be payable in equal monthly installments.

16 "(20) PENSION. Payments for life derived from money  
17 provided by the employer. All pensions shall be payable in  
18 equal monthly installments.

19 "(21) RETIREMENT ALLOWANCE. The sum of the "annuity"  
20 and the "pension."

21 "(22) RETIREMENT. Withdrawal from active service  
22 with a retirement allowance or optional benefit in lieu  
23 thereof granted under this chapter.

24 "(23) ANNUITY RESERVE. The present value of all  
25 payments to be made on account of any annuity or benefit in  
26 lieu of any annuity, computed upon the basis of the mortality

1 tables as shall be adopted by the Board of Control, and  
2 regular interest.

3 "(24) PENSION RESERVE. The present value of all  
4 payments to be made on account of any pension or benefit in  
5 lieu of any pension, computed upon the basis of the mortality  
6 tables as shall be adopted by the Board of Control, and  
7 regular interest.

8 "(25) ACTUARIAL EQUIVALENT. A benefit of equal  
9 value, when computed upon the basis of the mortality tables as  
10 shall be adopted by the Board of Control, and regular  
11 interest.

12 "(26) NORMAL CONTRIBUTION. The contributions of the  
13 state necessary to provide a pension equal to the annuity  
14 which the member's contribution made prior to age 65 with  
15 interest will provide at age of retirement not to exceed 65.

16 "(27) TIER I PLAN. The defined benefit pension plan  
17 provided by the Retirement System to Tier I plan members.

18 "(28) TIER II PLAN. The defined benefit pension plan  
19 provided by the Retirement System to Tier II plan members.

20 "(29) TIER I PLAN MEMBER. Any member of the  
21 Retirement System who had service for which he or she received  
22 credit in the Teachers' Retirement System or in the Employees'  
23 Retirement System prior to January 1, 2013.

24 "(30) TIER II PLAN MEMBER. Any member of the  
25 Retirement System who first began eligible employment with a  
26 Teachers' Retirement System or an Employees' Retirement System  
27 participating employer on or after January 1, 2013, and who

1 had no eligible service in the Teachers' Retirement System or  
2 the Employees' Retirement System prior to January 1, 2013.

3 "§16-25-7.

4 "~~(a) All persons now employed on a full-time basis~~  
5 ~~in an administrative or clerical capacity by the Alabama High~~  
6 ~~School Athletic Association, may become members of the~~  
7 ~~Teachers' Retirement System of Alabama within 90 days after~~  
8 ~~October 1, 1967, subject to such rules and regulations as may~~  
9 ~~be promulgated by the Board of Control of the Teachers'~~  
10 ~~Retirement System of Alabama. Any person hereafter employed in~~  
11 ~~an administrative or clerical capacity by the Alabama High~~  
12 ~~School Athletic Association shall be deemed to be a "teacher"~~  
13 ~~as defined in Section 16-25-1 and shall be entitled to the~~  
14 ~~benefits thereof. Notwithstanding the provisions of this~~  
15 ~~section and other sections of the Teachers' Retirement System~~  
16 ~~law, it is provided that the The Alabama High School Athletic~~  
17 ~~Association shall pay to the retirement system the employer~~  
18 ~~cost for coverage of its employees who began participating in~~  
19 ~~the Teachers' Retirement System before January 1, 2017, such~~  
20 ~~cost to be determined by an actuary employed by the Board of~~  
21 ~~Control and under rules and regulations established by ~~said~~~~  
22 ~~the board.~~

23 "(b) Any person ~~now~~ employed by the Alabama High  
24 School Athletic Association and participating in the Teachers'  
25 Retirement System pursuant to ~~as set out in~~ subsection (a) ~~of~~  
26 ~~this section shall be entitled to~~ may receive credit for all  
27 service as a "teacher" or as an employee of the Alabama High

1 School Athletic Association rendered by him or her prior to  
2 October 1, 1967; provided, that a sum equal to the total  
3 contributions which he or she would have made as a member  
4 during the period of such employment plus regular interest at  
5 four percent is paid within 90 days after October 1, 1967.

6 "(c) No employee of the Alabama High School Athletic  
7 Association hired on or after January 1, 2017, may participate  
8 in the Teachers' Retirement System based upon that employment.

9 "§16-25-10.1.

10 "(a) ~~The~~ Before January 1, 2017, the governing body  
11 of the Alabama Association of School Boards ~~may~~, by resolution  
12 legally adopted to conform to the rules prescribed by the  
13 Board of Control of the Teachers' Retirement System, may elect  
14 to have its executive officers and employees, from whatever  
15 source and in whatever manner paid, become eligible to  
16 participate in the Teachers' Retirement System of Alabama,  
17 subject to all rules, regulations, and conditions thereof.

18 "(b) The governing body of the Alabama Association  
19 of School Boards having made an election through a resolution  
20 as provided in subsection (a) ~~of this section~~, its employees  
21 and executive officers employed before January 1, 2017, may  
22 participate in and be entitled to all benefits of the  
23 Teachers' Retirement System of Alabama; provided, that where  
24 member contributions are made from salaries paid by the  
25 Alabama Association of School Boards, the Alabama Association  
26 of School Boards shall pay the employer costs calculated as a  
27 percentage of the salaries of those employees to be

1 contributed as employer in accordance with subdivisions (3)  
2 and (5) of Section 16-25-21. ~~Such~~ The amounts shall be paid  
3 monthly and at the same time as the member contributions are  
4 made to the Teachers' Retirement System.

5 "(c) The governing body of the Alabama Association  
6 of School Boards may provide in its resolution to the  
7 Teachers' Retirement System's Board of Control that all  
8 service rendered by an eligible employee or executive officer  
9 to ~~said~~ the association previous to the effective date of ~~said~~  
10 the association's election to come under the Teachers'  
11 Retirement System shall be creditable service to ~~such~~ the  
12 employee or executive officer; provided, that any such  
13 provision shall apply only to those employees and officers who  
14 were in the active service of the association on the effective  
15 date of ~~said~~ the association's election to be covered under  
16 the Teachers' Retirement System; provided further, that the  
17 ~~said~~ resolution shall also state that the Alabama Association  
18 of School Boards shall assume and pay, as required, all costs  
19 necessary to fund the crediting of ~~such~~ the previous service,  
20 ~~such~~ with costs to be determined by the actuary employed by  
21 the Teachers' Retirement System's Board of Control.

22 "(d) No executive officer or employee of the Alabama  
23 Association of School Boards hired on or after January 1,  
24 2017, may participate in the Teachers' Retirement System based  
25 upon that employment.

26 "§16-25-10.2.

1           "(a) ~~The~~ Before January 1, 2017, the governing body  
2 of the Alabama Council for School Administration and  
3 Supervision ~~may~~, by resolution legally adopted to conform to  
4 the rules prescribed by the Board of Control of the Teachers'  
5 Retirement System, may elect to have its executive officers  
6 and employees, from whatever source and in whatever manner  
7 paid, become eligible to participate in the Teachers'  
8 Retirement System of Alabama, subject to all rules,  
9 regulations, and conditions thereof.

10           "(b) The governing body of the Alabama Council for  
11 School Administration and Supervision having made an election  
12 through a resolution as provided in subsection (a) ~~of this~~  
13 ~~section~~, its employees and executive officers employed before  
14 January 1, 2017, may participate in and be entitled to all  
15 benefits of the Teachers' Retirement System of Alabama;  
16 provided, that where contributions are made from salaries paid  
17 by the Alabama Council for School Administration and  
18 Supervision, the Council for School Administration and  
19 Supervision shall pay the employer costs, calculated as a  
20 percentage of the salaries of those employees, to be  
21 contributed as employer in accordance with Section 16-25-21.  
22 ~~Such~~ The amounts shall be paid monthly and at the same time as  
23 the members' contributions are made to the Teachers'  
24 Retirement System.

25           "(c) (1) The governing body of the Alabama Council  
26 for School Administration and Supervision may provide in its  
27 resolution to the Teachers' Retirement System's Board of

1 Control that all service rendered, by an eligible employee or  
2 executive officer, to ~~said~~ the council, previous to the  
3 effective date of ~~said~~ the council's election to come under  
4 the Teachers' Retirement System, shall be creditable service  
5 to ~~such~~ the employee or executive officer; provided, that any  
6 such provision shall apply only to those employees and  
7 officers who were in the active service of the council on the  
8 effective date of ~~said~~ the council's election to be covered  
9 under the Teachers' Retirement System; and provided further,  
10 that the ~~said~~ resolution also states that the Alabama Council  
11 for School Administration and Supervision shall assume and  
12 pay, as required, all costs necessary to fund the crediting of  
13 such previous service, ~~such~~ the costs to be determined by the  
14 actuary employed by the Teachers' Retirement System's Board of  
15 Control.

16 "(2) All benefits that accrue and are payable to any  
17 beneficiary hereunder shall be limited to and shall not exceed  
18 the amount paid in by the beneficiary and the employer plus  
19 his or her portion of the interest earned and the enhancement  
20 of his or her moneys by investing them, less the cost of  
21 administration, at no cost to the State of Alabama.

22 "(d) No executive officer or employee of the Alabama  
23 Council for School Administration and Supervision hired on or  
24 after January 1, 2017, may participate in the Teachers'  
25 Retirement System based upon that employment.

26 "§16-25-10.3.

1           "(a) ~~The~~ Before January 1, 2017, the governing body  
2 of the Alabama Vocational Association ~~may~~, by resolution  
3 legally adopted to conform to the rules prescribed by the  
4 Board of Control of the Teachers' Retirement System, may elect  
5 to have its executive officers and employees, from whatever  
6 source and in whatever manner paid, become eligible to  
7 participate in the Teachers' Retirement System of Alabama,  
8 subject to all rules, regulations, and conditions thereof.

9           "(b) The governing body of the Alabama Vocational  
10 Association having made an election through a resolution as  
11 provided in subsection (a) ~~of this section~~, its employees and  
12 executive officers employed before January 1, 2017, may  
13 participate in and be entitled to all benefits of the  
14 Teachers' Retirement System of Alabama, provided that where  
15 contributions are made from salaries paid by the Alabama  
16 Vocational Association, the Alabama Vocational Association  
17 shall pay the employer costs, calculated as a percentage of  
18 the salaries of those employees, to be contributed as employer  
19 in accordance with Section 16-25-21. ~~Such~~ The amounts shall be  
20 paid monthly and at the same time as the members'  
21 contributions are made to the Teachers' Retirement System.

22           "(c) The governing body of the Alabama Vocational  
23 Association may provide in its resolution to the Teachers'  
24 Retirement System's Board of Control that all service  
25 rendered, by an eligible employee or executive officer, to  
26 ~~said~~ the association, previous to the effective date of ~~said~~  
27 the association's election to come under the Teachers'

1 Retirement System, shall be creditable service to ~~such~~ the  
2 employee or executive officer; provided that any such  
3 provision shall apply only to those employees and officers who  
4 were in the active service of the association on the effective  
5 date of ~~said~~ the association's election to be covered under  
6 the Teachers' Retirement System; and provided further that the  
7 ~~said~~ resolution also states that the Alabama Vocational  
8 Association shall assume and pay, as required, all costs  
9 necessary to fund the crediting of such previous service, ~~such~~  
10 the costs to be determined by the actuary employed by the  
11 Teachers' Retirement System's Board of Control.

12 "(d) No executive officer or employee of the Alabama  
13 Vocational Association hired on or after January 1, 2017, may  
14 participate in the Teachers' Retirement System based upon that  
15 employment.

16 "§16-25-10.4.

17 "(a) ~~The~~ Before January 1, 2017, the governing board  
18 of the Alabama Congress of Parents and Teachers ~~may~~, by  
19 resolution legally adopted to conform to the rules prescribed  
20 by the Board of Control of the Teachers' Retirement System,  
21 may elect to have its executive officers and employees, from  
22 whatever source and in whatever manner paid, become eligible  
23 to participate in the Teachers' Retirement System of Alabama,  
24 subject to all rules, regulations, and conditions thereof.

25 "(b) The governing body of the Alabama Congress of  
26 Parents and Teachers, having made an election through a  
27 resolution as provided in subsection (a), its employees and

1 executive officers employed before January 1, 2017, may  
2 participate in and be entitled to all benefits of the  
3 Teachers' Retirement System of Alabama, provided that where  
4 contributions are made from salaries paid by the Alabama  
5 Congress of Parents and Teachers, the association shall pay  
6 the employer costs calculated as a percentage of the salaries  
7 of those employees, to be contributed as employer costs in  
8 accordance with subdivisions (3) and (5) of Section 16-25-21.  
9 ~~Such~~ The amounts shall be paid monthly and at the same time as  
10 the members' contributions are made to the Teachers'  
11 Retirement System.

12 "(c) The governing body of the Alabama Congress of  
13 Parents and Teachers may provide in its resolution to the  
14 Teachers' Retirement System's Board of Control that all  
15 service rendered, by an eligible employee or executive  
16 officer, to ~~said~~ the association, previous to the effective  
17 date of ~~said~~ the association's election to come under the  
18 Teachers' Retirement System, shall be creditable service to  
19 ~~such~~ the employee or executive officer; provided that any such  
20 provision shall apply only to those employees and officers who  
21 were in the active service of the association on the effective  
22 date of ~~said~~ the association's election to be covered under  
23 the Teachers' Retirement System; and provided further that the  
24 ~~said~~ resolution also states that the Alabama Congress of  
25 Parents and Teachers, shall assume and pay, as required, all  
26 costs necessary to fund the crediting of such previous  
27 service, ~~such~~ the costs to be determined by the actuary

1 employed by the Teachers' Retirement System's Board of  
2 Control.

3 "(d) No executive officer or employee of the Alabama  
4 Congress of Parents and Teachers hired on or after January 1,  
5 2017, may participate in the Teachers' Retirement System based  
6 upon that employment.

7 "§16-25-10.5.

8 "(a) ~~The~~ Before January 1, 2017, the governing board  
9 of the Alabama Opportunities Industrialization Center ~~may~~, by  
10 resolution legally adopted to conform to the rules prescribed  
11 by the Board of Control of the Teachers' Retirement System,  
12 may elect to have its executive officers and employees, from  
13 whatever source and in whatever manner paid, become eligible  
14 to participate in the Teachers' Retirement System of Alabama,  
15 subject to all rules, regulations, and conditions thereof.

16 "(b) The governing body of the Alabama Opportunities  
17 Industrialization Center, having made an election through a  
18 resolution as provided in subsection (a), its employees and  
19 executive officers employed before January 1, 2017, may  
20 participate in and be entitled to all benefits of the  
21 Teachers' Retirement System of Alabama, provided that where  
22 contributions are made from salaries paid by the Alabama  
23 Opportunities Industrialization Center, the center shall pay  
24 the employer costs calculated as a percentage of the salaries  
25 of those employees, to be contributed as employer costs in  
26 accordance with subdivisions (3) and (5) of Section 16-25-21.  
27 ~~Such~~ The amounts shall be paid monthly and at the same time as

1 the members' contributions are made to the Teachers'  
2 Retirement System.

3 "(c) The governing body of the Alabama Opportunities  
4 Industrialization Center may provide in its resolution to the  
5 Teachers' Retirement System's Board of Control that all  
6 service rendered, by an eligible employee or executive  
7 officer, to ~~said~~ the center, previous to the effective date of  
8 ~~said~~ the center's election to come under the Teachers'  
9 Retirement System, shall be creditable service to ~~such~~ the  
10 employee or executive officer; provided that any such  
11 provision shall apply only to those employees and officers who  
12 were in the active service of the center on the effective date  
13 of ~~said~~ the association's election to be covered under the  
14 Teachers' Retirement System; and provided further that the  
15 ~~said~~ resolution also states that the Alabama Opportunities  
16 Industrialization Center, shall assume and pay, as required,  
17 all costs necessary to fund the crediting of such previous  
18 service, ~~such~~ the costs to be determined by the actuary  
19 employed by the Teachers' Retirement System's Board of  
20 Control.

21 "(d) No executive officer or employee of the Alabama  
22 Opportunities Industrialization Center hired on or after  
23 January 1, 2017, may participate in the Teachers' Retirement  
24 System based upon that employment.

25 "§16-25-10.6.

26 "(a) Any person ~~now~~ serving as an elected  
27 superintendent of education in this state before January 1,

1 2017, may become a member of the Teachers' Retirement System  
2 of Alabama within 90 days after the ratification of an  
3 amendment to the Constitution of Alabama 1901 allowing elected  
4 superintendents of education to participate in the Teachers'  
5 Retirement System, subject to ~~such~~ rules and regulations as  
6 may be promulgated by the Board of Control of ~~said~~ the system.  
7 Any person ~~hereafter~~ elected to serve as superintendent of  
8 education before January 1, 2017, shall be deemed to be a  
9 "teacher" as defined in Section 16-25-1 and shall be entitled  
10 to the benefits thereof. The employer cost for coverage of  
11 ~~such~~ elected superintendents shall be paid as for other school  
12 employees. Provided further, that ~~such~~ elected superintendents  
13 shall be entitled to purchase prior service credit as a  
14 teacher or superintendent in ~~such~~ the system under such rules,  
15 regulations, and provisions of law that govern the purchase of  
16 ~~such~~ prior service credit, from time to time, by teachers.

17 "(b) No person elected to serve as a local  
18 superintendent of education in this state on or after January  
19 1, 2017, may participate in the Teachers' Retirement System  
20 based upon that elected position.

21 "§16-25-10.7.

22 "(a) ~~Any~~ Before January 1, 2017, any governing body  
23 of any community action agency organized pursuant to Sections  
24 11-80-4.1, 11-96-3, or 11-96-6, ~~may~~ by resolution legally  
25 adopted to conform to the rules prescribed by the Board of  
26 Control of the Teachers' Retirement System, may elect to have  
27 its executive officers and employees from whatever source and

1 in whatever manner paid become eligible to participate in the  
2 Teachers' Retirement System of Alabama subject to all rules,  
3 regulations, and conditions thereof.

4 "(b) The governing body of any community action  
5 agency eligible under subsection (a) ~~of this section~~ and  
6 having made an election by resolution as provided therein, its  
7 employees and executive officers employed before January 1,  
8 2017, may participate in and be entitled to all benefits of  
9 the Teachers' Retirement System of Alabama, provided that  
10 where contributions are made from salaries paid by a community  
11 action agency the agency shall pay the employer cost  
12 calculated as a percentage of the salaries of those employees  
13 to be contributed as employer cost in accordance with  
14 subdivisions (3) and (5) of Section 16-25-21. ~~Such~~ The amounts  
15 shall be paid monthly and at the same time as the member's  
16 contributions are made to the Teachers' Retirement System.

17 "(c) The governing body of a community action agency  
18 eligible under subsection (a) ~~of this section~~ may provide in  
19 its resolution to the Teachers' Retirement System's Board of  
20 Control that all service rendered by an eligible employee or  
21 executive officer to ~~said~~ the agency previous to the effective  
22 date of ~~said~~ the agency's election to come under the Teachers'  
23 Retirement System shall be creditable service to ~~such~~ the  
24 employee or executive officer, provided that any such  
25 provision shall apply only to those employees and officers who  
26 were in the active service of the agency on the effective date  
27 of ~~said~~ the agency's election to be covered under the

1 Teachers' Retirement System, and provided further that the  
2 ~~said~~ resolution also states that the agency shall assume and  
3 pay as required all costs necessary to fund the crediting of  
4 such previous service, ~~such~~ the costs to be determined by the  
5 actuary employed by the Teachers' Retirement System's Board of  
6 Control.

7 "(d) No executive officer or employee of a community  
8 action agency hired on or after January 1, 2017, may  
9 participate in the Teachers' Retirement System based upon that  
10 employment.

11 "§16-25-10.8.

12 "(a) ~~The~~ Before January 1, 2017, the governing body  
13 of the Developing Alabama Youth Foundation ~~may~~, by resolution  
14 legally adopted to conform to the rules prescribed by the  
15 Board of Control of the Teachers' Retirement System, may elect  
16 to have its executive officers and full-time employees, from  
17 whatever source and in whatever manner paid, become eligible  
18 to participate in the Teachers' Retirement System of Alabama,  
19 subject to all rules, regulations, and conditions thereof.

20 "(b) The governing body of the Developing Alabama  
21 Youth Foundation, having made an election through a resolution  
22 as provided in subsection (a), its employees and executive  
23 officers employed before January 1, 2017, may participate in  
24 and be entitled to all benefits of the Teachers' Retirement  
25 System of Alabama; provided, that where contributions are made  
26 from salaries paid by the Developing Alabama Youth Foundation,  
27 the Developing Alabama Youth Foundation shall pay the employer

1 cost, calculated as a percentage of the salaries of those  
2 employees, to be contributed as employer contributions in  
3 accordance with Section 16-25-21. ~~Such~~ The amount shall be  
4 paid monthly and at the same time as the members'  
5 contributions are made to the Teachers' Retirement System.

6 "(c) The governing body of the Developing Alabama  
7 Youth Foundation may provide in its resolution to the  
8 Teachers' Retirement System's Board of Control that all  
9 service rendered by an eligible employee or executive officer  
10 to ~~said~~ the foundation, previous to the effective date of ~~said~~  
11 the foundation's election to come under the Teachers'  
12 Retirement System, shall be creditable service to ~~such~~ the  
13 employee or executive officer; provided, that any such  
14 provision shall apply only to those employees and officers who  
15 were in the active service of the foundation on the effective  
16 date of ~~said~~ the foundation's election to be covered under the  
17 Teachers' Retirement System; and provided further, that the  
18 ~~said~~ resolution also states that the Developing Alabama Youth  
19 Foundation shall assume and pay, as required, all costs  
20 necessary to fund the crediting of such previous service, ~~such~~  
21 the costs to be determined by the actuary employed by the  
22 Teachers' Retirement System Board of Control. All benefits  
23 that accrue and are payable to any beneficiary hereunder shall  
24 be limited to, and shall not exceed, the amount paid in by the  
25 beneficiary and the employer plus his or her portion of the  
26 interest earned and the enhancement of his or her moneys by

1 investing them, less cost of administration, at no cost to the  
2 State of Alabama.

3 "(d) No executive officer or employee of the  
4 Developing Alabama Youth Foundation hired on or after January  
5 1, 2017, may participate in the Teachers' Retirement System  
6 based upon that employment.

7 "§16-25-10.9.

8 "(a) This section shall apply only to the employees  
9 and executive staff members of the Tennessee Valley  
10 Rehabilitation Center, Inc., who were active and contributing  
11 members of the Teachers' Retirement System on August 1, 1994,  
12 through John C. Calhoun Community College.

13 "(b) ~~The~~ Before January 1, 2017, the Board of  
14 Directors of the Tennessee Valley Rehabilitation Center, Inc.,  
15 ~~may,~~ by resolution legally adopted to conform to the rules  
16 prescribed by the Board of Control of the Teachers' Retirement  
17 System, may elect to have the full-time employees and  
18 executive staff members as defined in subsection (a), from  
19 whatever source and in whatever manner paid, become eligible  
20 to participate in the Teachers' Retirement System, subject to  
21 all rules, regulations, and conditions of the system.

22 "(c) When an election is made to join the Teachers'  
23 Retirement System pursuant to subsection (b), the full-time  
24 employees and executive staff members of the Tennessee Valley  
25 Rehabilitation Center, Inc., as defined in subsection (a) and  
26 employed before January 1, 2017, may participate in and be  
27 entitled to all benefits of the Teachers' Retirement System,

1 provided that where contributions are made from salaries paid  
2 to the employees and staff members by the Tennessee Valley  
3 Rehabilitation Center, Inc., the employer costs as a  
4 percentage of the aforementioned salaries are contributed by  
5 the center as the employer to the Teachers' Retirement System  
6 in accordance with Section 16-25-21. The employer  
7 contributions shall be paid monthly to the system at the same  
8 time as the contributions of the members are made to the  
9 system.

10 "(d) The resolution for membership in the Teachers'  
11 Retirement System adopted pursuant to subsection (b) may also  
12 include a provision for all service rendered by an eligible  
13 employee or executive staff member from September 1, 1994, to  
14 the effective date of the election of the Tennessee Valley  
15 Rehabilitation Center, Inc., to participate in the system to  
16 be creditable service for the full-time employee or executive  
17 staff member in the system. Such a provision shall apply only  
18 to the full-time employees and executive staff members of the  
19 center who are in the active service of the center on the  
20 effective date of the election of the group to be covered  
21 under the system, and the resolution shall also state that the  
22 center, as the employer, shall assume and pay all costs  
23 required to fund the credit for the prior service in the  
24 amount for the costs as determined by the actuary employed by  
25 the board of control of the system.

26 "(e) No employee or executive staff member of the  
27 Tennessee Valley Rehabilitation Center, Inc., hired on or

1 after January 1, 2017, may participate in the Teachers'  
2 Retirement System based upon that employment.

3 "§16-25-10.10.

4 "(a) ~~The~~ Before January 1, 2017, the governing body  
5 of any local union or state organization of the American  
6 Federation of Teachers ~~may~~, by resolution legally adopted to  
7 conform to the rules prescribed by the Board of Control of the  
8 Teachers' Retirement System, may elect to have its officers  
9 and employees, from whatever source and in whatever manner  
10 paid, become eligible to participate in the Teachers'  
11 Retirement System subject to all rules, regulations, and  
12 conditions thereof.

13 "(b) The governing body of any local union or state  
14 organization of the American Federation of Teachers eligible  
15 under subsection (a) to participate in the system, and having  
16 made an election by resolution to participate, may have its  
17 employees and officers employed before January 1, 2017,  
18 participate in, and be entitled to, all benefits of the  
19 Teachers' Retirement System, provided that where contributions  
20 are made from salaries paid by a local union or state  
21 organization of the American Federation of Teachers, the local  
22 union or state organization shall pay the employer cost in  
23 accordance with Section 16-25-21, at the same time as the  
24 member's contributions are paid to the Teachers' Retirement  
25 System.

26 "(c) The governing body of any local union or state  
27 organization of the American Federation of Teachers eligible

1 under subsection (a) to participate in the system, may provide  
2 in its resolution to the Board of Control of the Teachers'  
3 Retirement System that all service rendered by an eligible  
4 employee or officer to the local union or state organization  
5 of the American Federation of Teachers prior to the effective  
6 date of the election of the local union or state organization  
7 to come under the Teachers' Retirement System shall be  
8 creditable service to the employee or officer, provided that  
9 such a provision in the resolution shall apply only to the  
10 local union or state organization of the American Federation  
11 of Teachers on the effective date of the election of the local  
12 union or state organization to be covered under the Teachers'  
13 Retirement System. The resolution also shall state that the  
14 local union or state organization of the American Federation  
15 of Teachers shall assume, and pay as required, all costs  
16 necessary to fund the crediting of the prior service, with the  
17 costs to be determined by the actuary employed by the Board of  
18 Control of the Teachers' Retirement System.

19 "(d) The provisions of this section may not apply to  
20 any person who is not a teacher.

21 "(e) No officer or employee of a local union or  
22 state organization of the American Federation of Teachers  
23 hired on or after January 1, 2017, may participate in the  
24 Teachers' Retirement System based upon that employment.

25 "§16-25-10.11.

26 "(a) ~~The~~ Before January 1, 2017, the governing body  
27 of the School Superintendents of Alabama, by resolution

1       legally adopted to conform to the rules prescribed by the  
2       Board of Control of the Teachers' Retirement System, may elect  
3       to have its executive officers and employees, from whatever  
4       source and in whatever manner paid, continue eligibility to  
5       participate in the Teachers' Retirement System of Alabama,  
6       subject to all rules, regulations, and conditions thereof.

7               "(b) The governing body of the School  
8       Superintendents of Alabama having made an election through a  
9       resolution as provided in subsection (a), its employees and  
10      executive officers employed before January 1, 2017, may  
11      continue to participate in and be entitled to all benefits of  
12      the Teachers' Retirement System of Alabama. Where  
13      contributions are made from salaries paid by the School  
14      Superintendents of Alabama, the School Superintendents of  
15      Alabama shall pay the employer costs, calculated as a  
16      percentage of the salaries of those employees, to be  
17      contributed as employer in accordance with Section 16-25-21.  
18      ~~Such~~ The amounts shall be paid monthly and at the same time as  
19      the members' contributions are made to the Teachers'  
20      Retirement System.

21              "(c) All benefits that accrue and are payable to any  
22      beneficiary under this section shall be limited to and shall  
23      not exceed the amount paid in by the beneficiary and the  
24      employer plus his or her portion of the interest earned and  
25      the enhancement of his or her moneys by investing them, less  
26      the cost of administration, at no cost to the State of  
27      Alabama.

1           "(d) All executive officers and employees of the  
2 School Superintendents of Alabama now covered in the Teachers'  
3 Retirement System of Alabama under Section 16-25-10.2,  
4 pursuant to affiliation with the Alabama Council for School  
5 Administration or its successor organization, the Council for  
6 Leaders in Alabama Schools, may continue to be enrolled in the  
7 Teachers' Retirement System of Alabama by their employer, the  
8 School Superintendents of Alabama, with all credits as have  
9 been established in the Teachers' Retirement System of  
10 Alabama.

11           "(e) No executive officer or employee of the School  
12 Superintendents of Alabama hired on or after January 1, 2017,  
13 may participate in the Teachers' Retirement System based upon  
14 that employment.

15           "§16-25-10.12.

16           "(a) ~~The~~ Before January 1, 2017, the governing body  
17 of the Alabama Higher Education Partnership, Inc., by  
18 resolution legally adopted to conform to the rules prescribed  
19 by the Board of Control of the Teachers' Retirement System,  
20 may elect to have its officers and employees, from whatever  
21 source and in whatever manner paid, become eligible to  
22 participate in the Teachers' Retirement System subject to all  
23 rules, regulations, and conditions thereof.

24           "(b) The governing body of the Alabama Higher  
25 Education Partnership, Inc., having made an election by  
26 resolution pursuant to subsection (a), may have its employees  
27 and officers employed before January 1, 2017, participate in,

1 and be entitled to, all benefits of the Teachers' Retirement  
2 System. Where contributions are made from salaries paid by the  
3 Alabama Higher Education Partnership, Inc., the Alabama Higher  
4 Education Partnership, Inc., shall pay the employer cost,  
5 calculated as a percentage of the salaries of those employees,  
6 to be contributed as employer contributions in accordance with  
7 Section 16-25-21. ~~Such~~ The amount shall be paid monthly and at  
8 the same time as the member's contributions are paid to the  
9 Teachers' Retirement System.

10 "(c) The governing body of the Alabama Higher  
11 Education Partnership, Inc., eligible under subsection (a) to  
12 participate in the system, may provide in its resolution to  
13 the Board of Control of the Teachers' Retirement System that  
14 all service rendered by an eligible employee or officer to the  
15 organization before the effective date of the election of the  
16 organization to come under the Teachers' Retirement System  
17 shall be creditable service to the employee or officer. Such a  
18 provision in the resolution shall apply only to those  
19 employees and officers who were in the active service of the  
20 organization on the effective date of the election of the  
21 organization to be covered under the Teachers' Retirement  
22 System. The resolution shall also state that the organization  
23 shall assume and pay, as required, all costs necessary to fund  
24 the crediting of ~~such~~ the prior service, with the costs to be  
25 determined by the actuary employed by the Board of Control of  
26 the Teachers' Retirement System.

1                   "(d) No officer or employee of the Alabama Higher  
2 Education Partnership, Inc., hired on or after January 1,  
3 2017, may participate in the Teachers' Retirement System based  
4 upon that employment.

5                   "§16-25-32.

6                   "(a) ~~The~~ Before January 1, 2017, the governing body  
7 of the Alabama State Employees' Association, the Alabama  
8 Retired State Employees' Association, and the State Employees'  
9 Credit Union ~~may~~, by resolution legally adopted to conform to  
10 the rules prescribed by the Board of Control of the Teachers'  
11 Retirement System, may elect to have its executive officers  
12 and full-time employees, from whatever source and in whatever  
13 manner paid, become eligible to participate in the Teachers'  
14 Retirement System of Alabama, subject to all rules,  
15 regulations, and conditions thereof.

16                   "(b) The governing body of the Alabama State  
17 Employees' Association, the Alabama Retired State Employees'  
18 Association, and the State Employees' Credit Union having made  
19 an election through a resolution as provided in subsection (a)  
20 ~~hereof~~, their employees and executive officers employed before  
21 January 1, 2017, may participate in and be entitled to all  
22 benefits of the Teachers' Retirement System of Alabama,  
23 provided that where contributions are made from salaries paid  
24 by the Alabama State Employees' Association, the Alabama  
25 Retired State Employees' Association, and the State Employees'  
26 Credit Union the entities shall pay the employer costs as a  
27 percentage of the salaries of those employees, to be

1 contributed as employer in accordance with Section 16-25-21.  
2 ~~Such~~ The amounts shall be paid monthly and at the same time as  
3 the members' contributions are made to the Teachers'  
4 Retirement System.

5 "(c) The governing body of the Alabama State  
6 Employees' Association, the Alabama Retired State Employees'  
7 Association, or the State Employees' Credit Union may provide  
8 in its resolution to the Teachers' Retirement System Board of  
9 Control that all service rendered by an eligible employee or  
10 executive officer previous to the effective date of ~~said~~ the  
11 group's election to come under the Teachers' Retirement  
12 System, shall be creditable service to ~~such~~ the employee or  
13 executive officer; provided, that any such provision shall  
14 apply only to those employees and officers who were in the  
15 active service of the group on the effective date of ~~said~~ the  
16 group's election to be covered under the Teachers' Retirement  
17 System; and provided further, that the ~~said~~ resolution also  
18 states that the Alabama State Employees' Association, the  
19 Alabama Retired State Employees' Association, and the State  
20 Employees' Credit Union shall assume and pay, as required, all  
21 costs necessary to fund the crediting of such previous  
22 service, ~~such~~ the costs to be determined by the actuary  
23 employed by the Teachers' Retirement System Board of Control.

24 "(d) No executive officer or employee of the Alabama  
25 State Employees' Association, the Alabama Retired State  
26 Employees' Association, or the State Employees' Credit Union

1 hired on or after January 1, 2017, may participate in the  
2 Teachers' Retirement System based upon that employment.

3 "§16-25A-11.

4 "(a) Any board, agency, organization, or association  
5 which participates in the Teachers' Retirement System of  
6 Alabama, but whose employees are not included in the  
7 definition of employee in Section 16-25A-1 ~~may~~, by resolution  
8 legally adopted to conform to rules prescribed by the board  
9 and upon a majority vote of its employees, may elect to have  
10 its employees and under certain conditions its retired  
11 employees covered by ~~the provisions of~~ this article, provided  
12 such board, agency, organization, or association shall  
13 contract to pay the full cost of coverage for each such  
14 employee in the amounts set forth by the board and as defined  
15 in Section 16-25A-1 for a full-time employee; participation,  
16 once elected, is irrevocable. Each retired employee shall be  
17 given the option to participate under ~~the provisions of~~  
18 subsection (c) of Section 16-25A-8 ~~(e)~~ provided any employer  
19 electing to have its employees covered by this section, shall  
20 contribute on account of each of its retired employees an  
21 amount equal to any amount appropriated by the state to fund  
22 benefits for retired employees. The board shall develop rules  
23 and regulations governing the operation of this section which  
24 shall contain but not be limited to entry and withdrawal from  
25 the plan.

26 "(b) Subsection (a) to the contrary notwithstanding,  
27 the members of the following entities may not elect to have

1 employees hired on or after January 1, 2017, or retired  
2 employees who were not employed before January 1, 2017,  
3 participate in the Public Employees Health Insurance Plan  
4 pursuant to this chapter:

5 "(1) The Alabama Education Association.

6 "(2) The Alabama High School Athletic Association.

7 "(3) The Alabama Association of School Boards.

8 "(4) The Alabama Council for School Administration  
9 and Supervision.

10 "(5) The Alabama Vocational Association.

11 "(6) The Alabama Congress of Parents and Teachers.

12 "(7) The Alabama Opportunities Industrialization  
13 Center.

14 "(8) The Developing Alabama Youth Foundation.

15 "(9) The Tennessee Valley Rehabilitation Center,  
16 Inc.

17 "(10) The American Federation of Teachers.

18 "(11) The School Superintendents of Alabama.

19 "(12) The Alabama Higher Education Partnership, Inc.

20 "(13) The Alabama State Employees' Association.

21 "(14) Any community action agency organized pursuant  
22 to Section 11-80-4.1, 11-96-3, or 11-96-6.

23 "§36-29-14.

24 "(a) Any agency of the state, or any governmental  
25 entity, body, or subdivision thereto, any county, any  
26 municipality, any municipal foundation, any fire or water  
27 district, authority, or cooperative, any regional planning and

1 development commission established pursuant to Sections  
2 11-85-50 ~~through~~ to 11-85-73, inclusive, that is not and was  
3 not for the 12 months immediately preceding the date of  
4 application to participate in any plan created pursuant to ~~the~~  
5 ~~provisions of~~ this article a member of an existing government  
6 sponsored health insurance program, formed under ~~the~~  
7 ~~provisions of~~ Section 11-26-2, the Association of County  
8 Commissions of Alabama or the Alabama League of  
9 Municipalities, the Alabama Retired State Employees'  
10 Association, the Alabama State Employees Credit Union, Easter  
11 Seals Alabama, Alabama State University, the Alabama Rural  
12 Water Association, Rainbow Omega, Incorporated, The Arc of  
13 Alabama, Incorporated, and any of the affiliated local  
14 chapters of The Arc of Alabama, Incorporated, United Ways of  
15 Alabama and its member United Ways, the Alabama Network of  
16 Children's Advocacy Centers and its member Children's Advocacy  
17 Centers, any railroad authority organized pursuant to Chapter  
18 13, Title 37, or any solid waste disposal authority organized  
19 pursuant to Chapter 89A, Title 11, by resolution legally  
20 adopted to conform to rules prescribed by the State Employees'  
21 Insurance Board, may elect to have its officers, members,  
22 employees, and retired employees become eligible for health  
23 insurance coverage under the State Employees' Insurance Board  
24 without any liability to the state or the State Employees'  
25 Health Insurance Plan.

1           "(b) Acceptance of the employees identified in  
2 subsection (a) shall be optional with the State Employees'  
3 Insurance Board.

4           "(c) Employees, officers, members, and retirees who  
5 are eligible for health insurance pursuant to this section  
6 shall be entitled to coverage and benefits as designated by  
7 the State Employees' Insurance Board.

8           "(d) Any portion of the cost of the insurance  
9 coverage as determined by the State Employees' Insurance Board  
10 for the employees, officers, members, and retirees and their  
11 dependents pursuant to this section may be paid by the  
12 employer.

13           "(e) The chief fiscal officer of each employer shall  
14 remit to the State Employees' Insurance Board the amount of  
15 premiums required for employee and dependent coverage under  
16 this section. The employer shall furnish the necessary  
17 information to the State Employees' Insurance Board.

18           "(f) The agreement of any employer to have its  
19 employees, officers, members, and retirees to be covered under  
20 the health insurance plan provided by the State Employees'  
21 Insurance Board may be revoked only by complying with the  
22 following provisions:

23           "The employer, by resolution of the governing body,  
24 shall signify its intention and desire to withdraw from such  
25 plan in writing and by delivering a copy of such resolution by  
26 certified mail to the State Employees' Insurance Board no  
27 later than six months prior to the effective date of

1 withdrawal. Any employer that withdraws from participation in  
2 such plan shall be responsible for paying its claims incurred  
3 prior to the date of withdrawal, but not reported and paid  
4 prior to the date of withdrawal. The withdrawing employer  
5 shall also be liable for interest which will accrue at a rate  
6 of one and one-half percent per month on any monies due to the  
7 State Employees' Insurance Board which are over 30 days past  
8 due. Any organization which provides or administers health  
9 insurance benefits through the Local Government Health  
10 Insurance Program shall not provide or administer health  
11 insurance benefits to any entity which withdraws from the  
12 Local Government Health Insurance Program for a period of two  
13 years from the effective date of withdrawal.

14 "(g) The State Employees' Insurance Board shall  
15 promulgate such rules and regulations as may be necessary for  
16 the effective administration of the provisions of this  
17 section.

18 "(h) In addition, the State Employees' Insurance  
19 Board shall engage such actuarial and other special services  
20 as shall be required to transact the business of the board.  
21 The compensation of all persons engaged by the board, with the  
22 exception of clerical employees who shall be employed under  
23 the Merit System Act, and all other expenses of the board  
24 necessary for the operation of the board shall be paid at such  
25 rates and in such amounts as the board shall approve.

26 "(i) Subsection (a) to the contrary notwithstanding,  
27 the officers, members, and employees of the Alabama Retired

1       State Employees' Association and the Alabama State Employees'  
2       Credit Union may not elect to have employees hired on or after  
3       January 1, 2017, or retired employees who were not employed  
4       before January 1, 2017, participate in the Public Employees  
5       Health Insurance Plan pursuant to this article."

6                   Section 2. This act shall become effective on the  
7       first day of the third month following its passage and  
8       approval by the Governor, or its otherwise becoming law.