- 1 HB233
- 2 139808-4
- 3 By Representatives Buttram and Henry (Constitutional
- 4 Amendment)
- 5 RFD: State Government
- 6 First Read: 12-FEB-13

1	<u>ENGROSSED</u>
2	
3	
4	A BILL
5	TO BE ENTITLED
6	AN ACT
7	
8	Proposing an amendment to the Constitution of
9	Alabama of 1901, to provide that certain elected or appointed
10	public officials in Cullman County may participate in the
11	Employees' Retirement System in lieu of participating in a
12	supernumerary program or system.
13	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
14	Section 1. The following amendment to the
15	Constitution of Alabama of 1901, is proposed and shall become
16	valid as a part of the Constitution when all requirements of
17	this act are fulfilled:
18	PROPOSED AMENDMENT
19	No elected or appointed Cullman County official or
20	sheriff may assume a supernumerary office after the effective
21	date of this amendment. Any person who, on the effective date
22	of this amendment, is entitled to participate in a
23	supernumerary program may continue to participate in that
24	supernumerary program, which shall include the assumption of a
25	supernumerary office according to the terms and conditions of
26	the law which established that supernumerary program. Every

elected or appointed Cullman County official or sheriff may

27

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. Cullman County officials or sheriff holding office at the time of the ratification of this amendment shall be eligible to purchase service credit in the Employees' Retirement System for the time the official has served in the current office. No person may participate in both a supernumerary program and the Employees' Retirement System based on the same service. For the purposes of this amendment, the words "elected or appointed Cullman County official" shall include any person appointed to serve the remaining term of an elected or appointed Cullman County official. The words do not include a judge, county commissioner, district attorney, legislator, constable, school board member, or any official elected from a judicial circuit.

1

2

3

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

Section 2. An election upon the proposed amendment shall be held at the 2014 General Election in accordance with Amendment 555 to the Constitution of Alabama of 1901, now appearing as Section 284.01 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and the election laws of this state.

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

following description of the substance or subject matter of 1 2 the proposed constitutional amendment: "Relating to Cullman County, proposing an amendment 3 to the Constitution of Alabama of 1901, to phase out the 4 5 supernumerary system for certain public officials and allow elected or appointed county officials, as defined, to 6 participate in the Employees' Retirement System. 7 "Proposed by Act ____ " 8 This description shall be followed by the following 9 10 language: "Yes () No ()." 11

1	
2	
3	House of Representatives
4 5 6 7 8	Read for the first time and referred to the House of Representatives committee on State Government
9 10 11	Read for the second time and placed on the calendar 1 amendment 07-MAR-13
12 13 14	Read for the third time and passed as amended
15 16 17 18	Jeff Woodard Clerk