

1 HB714
2 140149-2
3 By Representatives Warren and Forte (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 19-APR-12

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ENROLLED, An Act,

Proposing an amendment to the Constitution of Alabama of 1901, to provide that certain elected or appointed public officials in Bullock County, including the sheriff, may participate in the Employees' Retirement System in lieu of participating in a supernumerary program or system, to provide an effective date, and to repeal Amendment No. 676 to the Constitution of Alabama of 1901, now appearing as Section 4, Local Amendments, Bullock County, Official ReCompilation of the Constitution of Alabama of 1901, as amended.

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

(a) No elected or appointed Bullock County official, including the sheriff, may assume a supernumerary office after the effective date of this amendment. Any person who, on the effective 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

1 elected or appointed Bullock County official, including the
2 sheriff, may participate in the Employees' Retirement System
3 of Alabama upon the same terms and conditions as may be
4 specified by law for any other employee in the same retirement
5 system, and shall be treated as an employee of the county.

6 Bullock County officials, including the sheriff, holding
7 office at the time of the ratification of this amendment shall
8 be eligible to purchase service credit in the Employees'
9 Retirement System for the time the official has served in the
10 current office. No person may participate in both a
11 supernumerary program and the Employees' Retirement System
12 based on the same service. For the purpose of this amendment,
13 the words "elected or appointed Bullock County official,
14 including the sheriff," shall include, subject only to express
15 limitation, any person elected to represent Bullock County in
16 any representative body of the state and includes any person
17 appointed to serve the remaining term of an elected or
18 appointed Bullock County official, including the sheriff. The
19 words do not include a judge, district attorney, constable,
20 school board member, legislator, or any official elected from
21 a judicial circuit.

22 (b) Amendment No. 676 of the Constitution of Alabama
23 of 1901, now appearing as Section 4, Local Amendments, Bullock
24 County, Official Recompilation of the Constitution of Alabama
25 of 1901, as amended, is repealed.

1 Section 2. An election upon the proposed amendment
2 shall be held in accordance with Amendment 555 to the
3 Constitution of Alabama of 1901, now appearing as Section
4 284.01 of the Official Recompilation of the Constitution of
5 Alabama of 1901, as amended, and the election laws of this
6 state.

7 Section 3. The appropriate election official shall
8 assign a ballot number for the proposed constitutional
9 amendment on the election ballot and shall set forth the
10 following description of the substance or subject matter of
11 the proposed constitutional amendment:

12 "Relating to Bullock County, proposing an amendment
13 to the Constitution of Alabama of 1901, to phase out the
14 supernumerary system for certain public officials, including
15 the sheriff, and allow elected or appointed county officials
16 and the sheriff, as defined, to participate in the Employees'
17 Retirement System, with the effective date retroactive to
18 March 1, 2003, and to repeal Amendment No. 676 to the
19 Constitution of Alabama of 1901, now appearing as Section 4,
20 Local Amendments, Bullock County, Official Recompilation of
21 the Constitution of Alabama of 1901, as amended.

22 "Proposed by Act _____."

23 This description shall be followed by the following
24 language:

25 "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 26-APR-12.

Greg Pappas
Clerk

Senate

03-MAY-12

Passed