

1 HB521  
2 117492-1  
3 By Representatives Fields, Grantland and Oden (Constitutional  
4 Amendment)  
5 RFD: Local Legislation  
6 First Read: 09-FEB-10

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8 SYNOPSIS: This bill would propose an amendment to the  
9 Constitution of Alabama of 1901, to allow the  
10 sheriff and revenue commissioner in Cullman County  
11 to participate in the Employees' Retirement System  
12 in lieu of participating in a supernumerary program  
13 or system.

14  
15 A BILL  
16 TO BE ENTITLED  
17 AN ACT  
18

19 Proposing an amendment to the Constitution of  
20 Alabama of 1901, to provide that the sheriff and revenue  
21 commissioner in Cullman County may participate in the  
22 Employees' Retirement System in lieu of participating in a  
23 supernumerary program or system.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. The following amendment to the  
26 Constitution of Alabama of 1901, is proposed and shall become

1 valid as a part of the Constitution when all requirements of  
2 this act are fulfilled:

3 PROPOSED AMENDMENT

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

22 Section 2. An election upon the proposed amendment  
23 shall be held in accordance with Amendment 555 to the  
24 Constitution of Alabama of 1901, now appearing as Section  
25 284.01 of the Official ReCompilation of the Constitution of  
26 Alabama of 1901, as amended, and the election laws of this  
27 state.

1           Section 3. The appropriate election official shall  
2       assign a ballot number for the proposed constitutional  
3       amendment on the election ballot and shall set forth the  
4       following description of the substance or subject matter of  
5       the proposed constitutional amendment:

6           "Relating to Cullman County, proposing an amendment  
7       to the Constitution of Alabama of 1901, to provide that the  
8       sheriff and revenue commissioner in Cullman County may  
9       participate in the Employees' Retirement System in lieu of  
10      participating in a supernumerary program or system.

11           "Proposed by Act \_\_\_\_\_."

12           This description shall be followed by the following  
13      language:

14           "Yes ( ) No ( )."