

1 SB35
2 164200-1
3 By Senator Allen (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 03-MAR-15
6 PFD: 02/18/2015

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8 SYNOPSIS: This bill would propose an amendment to the
9 Constitution of Alabama of 1901, to allow certain
10 elected or appointed officials in Lamar County to
11 participate in the Employees' Retirement System in
12 lieu of participating in a supernumerary program or
13 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 certain elected or appointed
21 public officials in Lamar 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 elected or appointed Lamar County official,
5 including the sheriff, may assume a supernumerary office after
6 the effective date of this amendment. Any person who, on the
7 effective date of this amendment, is entitled to participate
8 in a supernumerary program may continue to participate in that
9 supernumerary program, which shall include the assumption of a
10 supernumerary office according to the terms and conditions of
11 the law which established that supernumerary program. Every
12 elected or appointed Lamar County official, including the
13 sheriff, may participate in the Employees' Retirement System
14 of Alabama upon the same terms and conditions as may be
15 specified by law for any other employee in the same retirement
16 system. Lamar County officials, including the sheriff, holding
17 office at the time of ratification of this amendment shall be
18 eligible to purchase service credit in the Employees'
19 Retirement System for the time the official has served in the
20 current office. No person may participate in both a
21 supernumerary program and the Employees' Retirement System
22 based on the same service. For purposes of this amendment, the
23 words "elected or appointed Lamar County official," do not
24 include a judge, district attorney, legislator, constable,
25 school board member, or any official elected from a judicial
26 circuit. The effective date or ratification date of this

1 amendment is the date this amendment is officially proclaimed
2 ratified in the proclamation register.

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

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

14 "Relating to Lamar County, proposing an amendment to
15 the Constitution of Alabama of 1901, to provide that certain
16 elected or appointed public officials in Lamar County may
17 participate in the Employees' Retirement System in lieu of
18 participating in a supernumerary program or system.

19 "Proposed by Act _____"

20 This description shall be followed by the following
21 language:

22 "Yes () No ()."

23 Section 4. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.