

1 SB60
2 115723-1
3 By Senator Means (Constitutional Amendment)
4 RFD: Local Legislation No. 1
5 First Read: 12-JAN-10
6 PFD: 12/17/2009

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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 Etowah 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 Etowah 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 Etowah 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 Etowah 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. Etowah County officials, including the sheriff,
17 holding office at the time of ratification of this amendment
18 shall be 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 Etowah 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.

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

17 "Proposed by Act _____."

18 This description shall be followed by the following
19 language:

20 "Yes () No ()."