

1 HB661
2 150837-2
3 By Representative Poole (N & P)
4 RFD: Tuscaloosa County Legislation
5 First Read: 23-APR-13

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ENROLLED, An Act,

Relating to the City of Tuscaloosa; to amend Act 99-568 of the 1999 Regular Session (Acts 1999, p. 1220), as last amended by Act 2012-450 of the 2012 Regular Session, providing a retirement system for police officers and firefighters of the city; to amend Section 7.04, relating to the duties of the board; to further provide for the investments of the board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 7.04 of Act 99-568 of the 1999 Regular Session (Acts 1999, p. 1220), as amended, is amended to read as follows:

"Section 7.04. Duties of the Board.

"(a) The members of the board shall annually elect a chairperson from their number; may appoint from their number such subcommittees with such powers as they shall determine; may authorize one or more of their number or any agent to execute or deliver any instrument or make any payment on their behalf; may retain counsel, employ agents and provide for such clerical, accounting, actuarial, financial, and consulting services as they may require in carrying out the provisions of the plan; and may allocate among themselves or delegate to other persons all or such portion of their functions under the plan subject to proper supervision and accountability, as

1 they, in their sole discretion, shall decide. The board shall
2 authorize an audit of the fund to be made by an independent
3 accountant at least once every year. The board shall authorize
4 an actuarial study to be made of the fund at least once every
5 other year by the plan actuary, where such study is based upon
6 reasonable actuarial assumptions and methods as determined by
7 the plan actuary.

8 "(b) The board shall appoint a financial institution
9 (which may be a bank or trust company or other financial
10 institution) as a depository and the treasurer of the fund
11 shall promptly deposit all money belonging to the fund or
12 coming into his or her hands as treasurer thereof in the
13 depository. If any of the funds are dissipated or lost by
14 reason of the insolvency or failure of the financial
15 institution appointed as the depository as provided herein,
16 the dissipation or loss shall not constitute a liability on
17 the official bond of the chief financial officer of the city
18 and/or the treasurer of the fund nor a liability against the
19 sureties thereon. All interest received on the deposits shall
20 become a part of the fund.

21 "(c) The board after considering the probable
22 demands upon the fund, may invest such portion of it as may be
23 safely withdrawn for the purpose. The board may employ
24 investment counselors and agents to invest and manage such
25 portions of the fund as the board may direct. Of that portion

1 of the fund which the board has determined to be available for
2 investment, not less than ~~forty percent (%40)~~ 30 percent shall
3 be invested, or held for investment, in interest bearing bonds
4 or securities of the United States of America, bonds of any
5 state in the United States, any bonds lawfully issued by
6 municipalities in the United States, or invested in any
7 insured savings and loan association to the extent that such
8 investment is insured by the Federal Savings and Loan
9 Insurance Corporation; or invested in any commercial bank to
10 the extent such investment is insured by the Federal Deposit
11 Insurance Corporation; not exceeding ~~sixty percent (60%)~~ 70
12 percent of the money deemed available for investment may be
13 invested in corporate stocks and bonds. All income from
14 investments shall be and become a part of the fund. All
15 securities belonging to the fund shall be deposited with the
16 treasurer of the fund, or in the event that a financial agent
17 has been employed, may be held by the financial agent and
18 shall be subject to the direction and control of the board.

19 "(d) On or before the first day of February of each
20 year, the board shall make a written report to the mayor and
21 city council, and to the fire department and the police
22 department in the city, of the condition of the fund as of
23 December 31st of the preceding year."

1 Section 2. This act shall become effective
2 immediately following its passage and approval by the
3 Governor, or its otherwise becoming law.

