

1 HB16  
2 172815-2  
3 By Representative McMillan  
4 RFD: County and Municipal Government  
5 First Read: 02-FEB-16  
6 PFD: 01/14/2016

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8 SYNOPSIS: Under existing law, local elected county  
9 officers with certain exceptions are entitled to  
10 the same uniform increases in compensation granted  
11 to county employees at the time of adoption of the  
12 county budget.

13 This bill would remove the limitation that  
14 local elected county officers only receive  
15 increases granted at the time of the county budget  
16 is adopted and would provide that local elected  
17 county officers would receive uniform compensation  
18 increases granted equally to all county employees  
19 by the county commission. The bill would also  
20 delete certain obsolete language.

21  
22 A BILL  
23 TO BE ENTITLED  
24 AN ACT

25  
26 To amend Section 11-2A-4, Code of Alabama 1975,  
27 relating to compensation increases for local elected county

1 officers; to remove the limitation on granting compensation  
2 increases at time of adoption of the county budget and to  
3 provide for compensation increases when increases are granted  
4 equally to all county employees.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. Section 11-2A-4, Code of Alabama 1975, is  
7 amended to read as follows:

8 "§11-2A-4.

9 "(a) Beginning with the fiscal year commencing on  
10 October 1, 2001, the local officials covered by this chapter  
11 shall be entitled to receive the same uniform increases in  
12 compensation, ~~including cost-of-living increases, longevity~~  
13 ~~increases, merit raises, and bonuses~~ whether the uniform  
14 increases are based on a percentage of compensation or a flat  
15 dollar amount, that are granted equally to all county  
16 employees by the county commission ~~at the time of the approval~~  
17 ~~of the county budget.~~ The increases shall be in the same  
18 amount or percentage, as the case may be, as that amount or  
19 percentage increase provided to the county's employees;  
20 ~~provided, however, no tax assessor, tax collector, revenue~~  
21 ~~commissioner, license commissioner, elected assistant tax~~  
22 ~~assessor, or elected assistant tax collector shall receive an~~  
23 ~~expense allowance as provided in subdivision (3) of Section~~  
24 ~~11-2A-2 and an increase under this subsection in the same~~  
25 ~~fiscal year.~~

26 "Except as otherwise provided herein, officials in  
27 Category 2 shall be eligible for the cost-of-living increases

1 beginning on October 1, 2000. If the implementation of ~~any~~  
2 ~~cost-of-living-adjustment~~ this chapter increases the ~~salary~~  
3 compensation of an incumbent office holder, the increase shall  
4 be paid as provided in subdivision (5) of Section 11-2A-2. The  
5 base compensation for the purposes of implementation of this  
6 subsection shall be that compensation established on October  
7 1, 2000, and shall remain those respective amounts until  
8 increased as provided under the provisions of this chapter.

9 "(b) Any provision of this chapter to the contrary  
10 notwithstanding, the Legislature, by local law, may increase  
11 the compensation for local officials covered under this  
12 chapter. However, if a local law increases the compensation of  
13 a local official, such local official shall not be entitled to  
14 any ~~cost-of-living-adjustments~~ uniform increases pursuant to  
15 the procedure in subsection (a), until such time as the total  
16 compensation he or she would have received under subsection  
17 (a) is equal to or exceeds the increase provided by the local  
18 law."

19 Section 2. This act shall become effective on the  
20 first day of the third month following its passage and  
21 approval by the Governor, or its otherwise becoming law.