

1 HB471
2 191091-2
3 By Representative Knight (N & P)
4 RFD: Montgomery County Legislation
5 First Read: 01-MAR-18

1 System of Alabama pursuant to Section 36-27-6, Code of Alabama
2 1975, and the remaining provisions of Chapter 27 of Title 36,
3 Code of Alabama 1975, and may transfer any asset and liability
4 of the Employees' Retirement System of the City of Montgomery
5 to the Employees' Retirement System of Alabama, as necessary
6 for the City of Montgomery and the Montgomery Airport
7 Authority to participate in the Employees' Retirement System
8 of Alabama.

9 (b) Upon acceptance of the City of Montgomery in the
10 Employees' Retirement System of Alabama, the Board of the
11 Employees' Retirement System of the City of Montgomery may
12 terminate the retirement system established under Ordinance
13 No. 1659, as amended, according to the terms and conditions as
14 the Board of the Employees' Retirement System of the City of
15 Montgomery shall provide and upon satisfaction of any
16 obligation to any vested member of the system in the manner as
17 the board shall determine necessary.

18 Section 2. (a) (1) Members who began participation in
19 the Employees' Retirement System of the City of Montgomery
20 prior to October 1, 2013, shall have the option to continue to
21 participate in the benefit structure set forth in Act
22 2013-385, 2013 Regular Session (Acts 2013, p. 1447), or to
23 participate in the Tier I plan set forth in Chapter 27 of
24 Title 36, Code of Alabama 1975.

25 (2) The election under subdivision (1) must be made
26 in accordance with the procedures, rules, regulations, and

1 time periods established by the Board of Control of the
2 Employees' Retirement System of Alabama.

3 (b) (1) Members who began participation in the
4 Employees' Retirement System of the City of Montgomery on or
5 after October 1, 2013, shall be Tier II plan members as set
6 forth in Chapter 27 of Title 36, Code of Alabama 1975, except
7 that those members who are police or fire personnel prior to
8 the date that the City of Montgomery begins participation in
9 the Employees' Retirement System of Alabama have the option to
10 continue to participate in the benefit structure set forth in
11 Act 2013-385, 2013 Regular Session (Acts 2013, p. 1447).

12 (2) The election under subdivision (1) must be made
13 in accordance with the procedures, rules, regulations, and
14 time periods established by the Board of Control of the
15 Employees' Retirement System of Alabama.

16 (c) (1) The Employees' Retirement System of Alabama
17 is authorized to maintain and administer the retirement plans
18 set forth in Act 2013-385, 2013 Regular Session (Acts 2013, p.
19 1447), for those employees who elect to continue to
20 participate in the benefit structure under subsection (a) and
21 (b).

22 (2) The participants under subdivision (1) shall be
23 considered members of the Employees' Retirement System of
24 Alabama.

25 (d) Employees who begin employment with the City of
26 Montgomery on or after the date that the City of Montgomery
27 begins participation in the Employees' Retirement System of

1 Alabama and employees who begin employment with the Montgomery
2 Airport Authority on or after the date the Montgomery Airport
3 Authority begins participation in the Employees' Retirement
4 System of Alabama shall participate in the Employees'
5 Retirement System of Alabama in accordance with Section
6 36-27-6, Code of Alabama 1975.

7 Section 3. The amounts certified each year to the
8 chief financial officer of the City of Montgomery and the
9 chief financial officer of the Montgomery Airport Authority
10 pursuant to Section 36-27-6(g), Code of Alabama 1975, shall be
11 included in the respective budget of the city and the
12 authority in accordance with legal budget procedure of each
13 entity.

14 Section 4. The provisions of this act are severable.
15 If any part of this act is declared invalid or
16 unconstitutional, that declaration shall not affect the part
17 which remains.

18 Section 5. All laws or parts of laws which conflict
19 with this act are repealed.

20 Section 6. This act shall become effective
21 immediately following its passage and approval by the
22 Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Montgomery
County Legislation..... 01-MAR-18

Read for the second time and placed
on the calendar 1 amendment 08-MAR-18

Read for the third time and passed
as amended..... 13-MAR-18

Yeas 26, Nays 0, Abstains 67

Jeff Woodard
Clerk