

1 HB211
2 197257-2
3 By Representative Pettus
4 RFD: Ways and Means General Fund
5 First Read: 19-MAR-19

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

8 To amend Section 36-21-2 of the Code of Alabama
9 1975, relating to the subsistence pay of certain law
10 enforcement officers, to define a work day as working four or
11 more hours within a consecutive 24-hour period of time.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. Section 36-21-2 of the Code of Alabama
14 1975, is amended to read as follows:

15 "§36-21-2.

16 "(a) (1) Any law enforcement officer of the State of
17 Alabama who is employed by the ~~Department of Public Safety~~
18 Alabama State Law Enforcement Agency, ~~Department of Industrial~~
19 ~~Relations~~ ~~Department of Labor~~, Department of Conservation and
20 Natural Resources, ~~Alabama Alcoholic Beverage Control Board~~,
21 ~~Department of Agriculture and Industries~~, Alabama Department
22 of Forensic Sciences, ~~the Transportation Enforcement Division~~
23 ~~of the Alabama Public Service Commission~~, Alabama Liquefied
24 Petroleum Gas Board, ~~the Alabama Criminal Justice Information~~
25 ~~Center~~, the Alabama Peace Officers' Standards and Training
26 Commission, the Alabama Securities Commission, the State Port
27 Authority, probation and parole officers of the Alabama Board

1 of Pardons and Paroles, fire marshals of the Department of
2 Insurance, ~~revenue enforcement officers of the Department of~~
3 ~~Revenue, law enforcement officers of the State Capitol Police,~~
4 any investigator employed by the Alabama Ethics Commission,
5 any investigator employed by a district attorney on a
6 full-time basis, any investigator employed by the Office of
7 the Attorney General, the marshal or any deputy marshal of the
8 state appellate court, or correctional officers of the
9 Department of Corrections shall receive a subsistence
10 allowance of twelve dollars (\$12) for each working day of a
11 pay period while engaged in the performance of the duties as a
12 law enforcement officer. This allowance shall be in addition
13 to all other compensation, expenses, and allowances provided
14 those officers.

15 "(2) Beginning on October 1, 2019, subsistence pay
16 shall be paid to each law enforcement officer engaged in the
17 performance of the duties as a law enforcement officer for a
18 period of four or more hours within a consecutive 24-hour
19 period of time.

20 "(b) The subsistence allowance shall not be subject
21 to any income or other taxes levied by the State of Alabama ~~or~~
22 ~~the federal government.~~

23 ~~"(c) The act adding this amendatory language~~
24 ~~regarding the Department of Corrections correctional officers~~
25 ~~shall be phased in in the amount of one dollar (\$1) per fiscal~~
26 ~~year for the 12 years beginning October 1, 1995. In any year~~
27 ~~that it is determined by Senate Joint Resolution or House~~

1 ~~Joint Resolution enacted by both houses and signed by the~~
2 ~~Governor that because of fiscal emergency the implementation~~
3 ~~of the one dollar (\$1) per fiscal year shall be suspended for~~
4 ~~that year only, this subsistence allowance, or any portion~~
5 ~~thereof, may be suspended.~~

6 ~~"(d) (c) The subsistence allowance to law~~
7 ~~enforcement officers at the Alabama Criminal Justice~~
8 ~~Information Center shall be paid from its Special Revenue Fund~~
9 ~~and not from General Fund appropriations to the center. The~~
10 ~~subsistence allowance to law enforcement officers at the Peace~~
11 ~~Officers' Standards and Training Commission shall be paid from~~
12 ~~the Peace Officers' Standards and Training Fund and the~~
13 ~~subsistence allowance paid to Securities Commission Officers~~
14 ~~shall be paid from the Securities Commission Fund.~~

15 ~~"(e) The subsistence allowance for law enforcement~~
16 ~~officers employed by the State Port Authority provided in~~
17 ~~subsection (a) shall be phased in as follows:~~

18 ~~(1) For the remainder of the fiscal year ending~~
19 ~~September 30, 2006, the subsistence allowance shall be six~~
20 ~~dollars (\$6) per day.~~

21 ~~"(2) For the fiscal year commencing October 1, 2006,~~
22 ~~the subsistence allowance shall be nine dollars (\$9) per day.~~

23 ~~"(3) For the fiscal year commencing October 1, 2007,~~
24 ~~and thereafter, the subsistence allowance shall be the amount~~
25 ~~provided in subsection (a)."~~

1 Section 2. This act shall become effective
2 ~~immediately~~ October 1, 2019, following its passage and
3 approval by the 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 Ways and Means
General Fund..... 19-MAR-19

Read for the second time and placed
on the calendar 1 amendment 11-APR-19

Read for the third time and passed
as amended..... 23-MAY-19

Yeas 100, Nays 0, Abstains 0

Jeff Woodard
Clerk