

1 HB380  
2 209907-2  
3 By Representative Warren (Constitutional Amendment)  
4 RFD: Local Legislation  
5 First Read: 09-FEB-21

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ENROLLED, An Act,

Proposing an amendment to Amendment 693 to the Constitution of Alabama of 1901, now appearing as Section 6, Local Amendments, Macon County, Official ReCompilation of the Constitution of Alabama of 1901, as amended, to prohibit the Sheriff of Macon County from participating in the supernumerary program of the county and to allow the sheriff to elect to participate in the Employees' Retirement System; and to provide for retroactive effect.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, is proposed and shall become valid as a part of the Constitution when all requirements of this act are fulfilled:

PROPOSED AMENDMENT

Amendment 693 to the Constitution of Alabama of 1901, now appearing as Section 6, Local Amendments, Macon County, Official ReCompilation of the Constitution of Alabama of 1901, as amended, is amended to read as follows:

"Amendment 693.

"(a) An elected or appointed Macon County official not currently serving as such an official who is elected or appointed after the effective date of this amendment may not assume a supernumerary office. Any person who, on the

1 ratification of this amendment, is entitled to participate in  
2 a supernumerary program may continue to participate in that  
3 supernumerary program, which shall include the assumption of a  
4 supernumerary office according to the terms and conditions of  
5 the law which established that supernumerary program. Every  
6 elected or appointed Macon County official may participate in  
7 the Employees' Retirement System of Alabama upon the same  
8 terms and conditions as may be specified by law for any other  
9 employee in the same retirement system. Macon County officials  
10 holding office at the time of the ratification of this  
11 amendment shall be eligible to purchase service credit in the  
12 Employees' Retirement System for the time the official has  
13 served as a county official. For the purposes of this  
14 amendment, the words "elected or appointed county official"  
15 shall include any person appointed to serve the remaining term  
16 of an elected or appointed county official, including the  
17 county coroner, but shall not include a judge, district  
18 attorney, legislator, constable, school board member, or any  
19 official elected from a judicial circuit.

20 "(b) Beginning December 13, 2000, a Sheriff of Macon  
21 County may not participate in a supernumerary program, may  
22 participate in the Employees' Retirement System of Alabama  
23 upon the same terms and conditions as may be specified by law  
24 for any other employee in the same retirement system, and  
25 shall be eligible to purchase service credit in the Employees'

1 Retirement System for the time he or she has served as  
2 sheriff. A Sheriff of Macon County holding office on or before  
3 the date of ratification of the amendment adding this  
4 subsection shall forego the assumption of a supernumerary  
5 office and shall make the election within one year after the  
6 ratification date of the amendment adding this subsection."

7           Section 2. An election upon the proposed amendment  
8 shall be held in accordance with Section 284.01 of the  
9 Constitution of Alabama of 1901, now appearing as Section  
10 284.01 of the Official Recompilation of the Constitution of  
11 Alabama of 1901, as amended, and the election laws of this  
12 state.

13           Section 3. The appropriate election official shall  
14 assign a ballot number for the proposed constitutional  
15 amendment on the election ballot and shall set forth the  
16 following description of the substance or subject matter of  
17 the proposed constitutional amendment:

18           "Relating to Macon County, proposing an amendment to  
19 Amendment 693 to the Constitution of Alabama of 1901, now  
20 appearing as Section 6, Local Amendments, Macon County,  
21 Official Recompilation of the Constitution of Alabama of 1901,  
22 as amended, to prohibit the Sheriff of Macon County from  
23 participating in the supernumerary program of the county and  
24 to allow the sheriff to elect to participate in the Employees'  
25 Retirement System; and to provide for retroactive effect.

1 "Proposed by Act \_\_\_\_\_"

2 This description shall be followed by the following

3 language:

4 "Yes ( ) No ( )."

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 24-FEB-21.

Jeff Woodard  
Clerk

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Senate

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06-APR-21

Passed