

1 HB583
2 211084-2
3 By Representative Chestnut (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 01-APR-21

SYNOPSIS: This bill would propose an amendment to the Constitution of Alabama of 1901, to allow certain elected or appointed Dallas County officials to elect to participate in the Employees' Retirement System of Alabama.

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama of 1901, pertaining to Dallas County, to allow certain elected or appointed Dallas County officials to elect to participate in the Employees' Retirement System of Alabama.

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

1 No elected or appointed Dallas County official may
2 assume a supernumerary office after the ratification date of
3 this amendment. Any person who, on the ratification date of
4 this amendment, is entitled to participate in a supernumerary
5 program may continue to participate in that supernumerary
6 program, which shall include the assumption of a supernumerary
7 office according to the terms and conditions of the law which
8 established that supernumerary program. Every elected or
9 appointed Dallas County official may participate in the
10 Employees' Retirement System of Alabama upon the same terms
11 and conditions as may be specified by law for any other
12 employee in the same retirement system and shall be treated as
13 an employee of the county. Upon ratification of this
14 amendment, Dallas County officials holding office on or after
15 the date of legislative approval of this amendment, shall be
16 eligible to purchase service credit in the Employees'
17 Retirement System for the time the official has served in that
18 office. No person may participate in both a supernumerary
19 program and the Employees' Retirement System based on the same
20 service. For the purposes of this amendment, the term "elected
21 or appointed Dallas County official" includes the sheriff and
22 any person appointed to serve the remaining term of an elected
23 or appointed Dallas County official. The term does not include
24 a judge, county commissioner, district attorney, legislator,
25 constable, school board member, or any official elected from a
26 judicial circuit.

1 Section 2. An election upon the proposed amendment
2 shall be held in accordance with Section 284.01 of the
3 Constitution of Alabama of 1901, now appearing as Section
4 284.01 of the Official Recompilation of the Constitution of
5 Alabama of 1901, as amended, and the election laws of this
6 state.

7 Section 3. The appropriate election official shall
8 assign a ballot number for the proposed constitutional
9 amendment on the election ballot and shall set forth the
10 following description of the substance or subject matter of
11 the proposed constitutional amendment:

12 "Relating to Dallas County, proposing an amendment
13 to the Constitution of Alabama of 1901, to allow certain
14 elected or appointed Dallas County officials to elect to
15 participate in the Employees' Retirement System of Alabama.

16 "Proposed by Act _____"

17 This description shall be followed by the following
18 language:

19 "Yes () No ()."