

1 HB80  
2 207548-1  
3 By Representative Pettus  
4 RFD: Ways and Means General Fund  
5 First Read: 02-FEB-21  
6 PFD: 11/30/2020

SYNOPSIS: Under existing law, certain agencies are required to pay to certain law enforcement officers subsistence pay of \$12 for each working day of a pay period the officers are engaged in the performance of the duties of a law enforcement officer.

This bill would require the Investigations Division of the Department of Revenue to pay the subsistence pay to its officers.

This bill would take effect retroactively beginning October 1, 2019.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the Department of Revenue; to amend Section 36-21-2, Code of Alabama 1975, as last amended by Act 2019-451, 2019 Regular Session, to provide subsistence pay for law enforcement officers employed by the Investigations

1 Division of the Department of Revenue; and to provide  
2 retroactive effect.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 36-21-2, Code of Alabama 1975, as  
5 last amended by Act 2019-451, 2019 Regular Session, is amended  
6 to read as follows:

7 "§36-21-2.

8 "(a) (1) Any law enforcement officer of the State of  
9 Alabama who is employed by the Alabama State Law Enforcement  
10 Agency, Department of Conservation and Natural Resources,  
11 Alabama Department of Forensic Sciences, Alabama Liquefied  
12 Petroleum Gas Board, the Alabama Peace Officers' Standards and  
13 Training Commission, the Alabama Securities Commission, the  
14 State Port Authority and probation, and parole officers of the  
15 Alabama Board of Pardons and Paroles, fire marshals of the  
16 Department of Insurance, any investigator employed by the  
17 Alabama Ethics Commission, any investigator employed by a  
18 district attorney on a full-time basis, any investigator  
19 employed by the Office of the Attorney General, the marshal or  
20 any deputy marshal of the state appellate court, ~~or~~  
21 correctional officers of the Department of Corrections, and  
22 any law enforcement officer assigned to the Investigations  
23 Division of the Department of Revenue shall receive a  
24 subsistence allowance of twelve dollars (\$12) for each working  
25 day of a pay period while engaged in the performance of the  
26 duties as a law enforcement officer. This allowance shall be

1 in addition to all other compensation, expenses, and  
2 allowances provided those officers.

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

8 "(b) The subsistence allowance shall not be subject  
9 to any income or other taxes levied by the State of Alabama.

10 "(c) The subsistence allowance to law enforcement  
11 officers at the Peace Officers' Standards and Training  
12 Commission shall be paid from the Peace Officers' Standards  
13 and Training Fund and the subsistence allowance paid to  
14 Securities Commission Officers shall be paid from the  
15 Securities Commission Fund."

16 Section 2. The subsistence allowance provided for in  
17 this act shall apply retroactively beginning October 1, 2019,  
18 the effective date of Act 2019-451, 2019 Regular Session.

19 Section 3. This act shall become effective  
20 immediately following its passage and approval by the  
21 Governor, or its otherwise becoming law.