

1 HB373
2 217826-1
3 By Representative Alexander (Constitutional Amendment)
4 RFD: Jefferson County Legislation
5 First Read: 16-FEB-22

8 SYNOPSIS: This bill would propose a local
9 constitutional amendment to the Constitution of
10 Alabama of 1901, that would allow an elected
11 official of the City of Bessemer in Jefferson
12 County to participate in the Employees' Retirement
13 System, and upon the ratification of this
14 amendment, would repeal any conflicting local act.

16 A BILL
17 TO BE ENTITLED
18 AN ACT

20 To propose an amendment to the Constitution of
21 Alabama of 1901, to allow an elected official of the City of
22 Bessemer in Jefferson County to participate in the Employees'
23 Retirement System; and to repeal any conflicting local act.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. The following amendment to the
26 Constitution of Alabama of 1901, is proposed and shall become

1 valid as a part of the constitution when all requirements of
2 this act are fulfilled:

3 PROPOSED AMENDMENT

4 (a) An elected official of the City of Bessemer in
5 Jefferson County may participate in the Employees' Retirement
6 System of Alabama upon the same terms and conditions as may be
7 specified by law for any other employee in the system.

8 (b) An elected official of the City of Bessemer
9 holding office at the time of the ratification of this
10 amendment may purchase service credit in the Employees'
11 Retirement System for the time the elected official has served
12 in the current office.

13 (c) No person may participate in both a
14 supernumerary program and the Employees' Retirement System
15 based on the same service.

16 (d) Upon the ratification of this amendment, any
17 local act in conflict with this amendment is repealed.

18 Upon ratification of this constitutional amendment
19 and contingent upon the ratification of the Constitution of
20 Alabama of 2022, the Code Commissioner shall number and place
21 this amendment as appropriate in the constitution based upon a
22 logical sequence and the particular subject or topic of the
23 amendment. In this amendment, the Code Commissioner may change
24 capitalization, spelling, and punctuation for the purpose of
25 style and uniformity; correct manifest grammatical, clerical,
26 and typographical errors; and correct incorrect
27 cross-references. When publishing the Constitution of Alabama

1 of 2022, the Code Commissioner may omit this instructional
2 paragraph.

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

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

14 "Relating to the City of Bessemer in Jefferson
15 County, proposing an amendment to the Constitution of Alabama
16 of 1901, as amended, to allow a municipal elected official to
17 participate in the Employees' Retirement System of Alabama,
18 and to repeal any conflicting local act.

19 "Proposed by Act _____"

20 This description shall be followed by the following
21 language:

22 "Yes () No ()."