

1 SB210
2 217098-1
3 By Senator Marsh
4 RFD: Finance and Taxation Education
5 First Read: 10-FEB-22

SYNOPSIS: This bill would prohibit future retirees drawing a benefit from a retirement plan within the Retirement Systems of Alabama from also accruing a benefit from another retirement plan within the Retirement Systems of Alabama for which they participated.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 12-1-15, Code of Alabama 1975, to prohibit future retirees drawing a benefit from a retirement plan within the Retirement Systems of Alabama from also accruing a benefit from another retirement plan within the system for which they participated.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 12-1-15 of the Code of Alabama 1975, is amended to read as follows:

"§12-1-15.

1 "(a) Any justice, judge, officer, official, or
2 employee of the judicial branch of government, including
3 retired and supernumerary justices, judges, or employees,
4 other than probate and municipal court judges and employees,
5 shall be entitled to any and all employee benefits to which
6 other state employees, officers, or officials on active duty
7 status are entitled, including, but not limited to, group
8 hospital, medical and surgical insurance, regardless of
9 whether ~~such~~ the officer, official, or employee is receiving
10 his or her compensation from grant funds or otherwise.

11 "(b) All supernumerary justices and judges and
12 retired justices and judges shall fall within the retirement
13 category and there shall be no differences between the same in
14 regard to social security, tax benefits or advantages, and
15 employee benefits, and uniformity of treatment shall be given
16 and accorded unless statutes specifically otherwise provide.

17 "(c) Any justice or judge who is eligible or who
18 will become eligible in the future for supernumerary benefits
19 or retirement benefits shall not forfeit any right by failing
20 to apply for such status at the time that he or she left or
21 leaves active state service ~~but shall be entitled to all such~~
22 ~~rights whenever he applies for the same.~~

23 "(d) With the exception of any individual drawing a
24 retirement allowance from the Teachers' Retirement System,
25 Employees' Retirement System, or Judicial Retirement Fund on
26 the effective date of the act adding this subsection:

1 "(1) No individual retired under the Judicial
2 Retirement Fund may accrue membership service in the Teachers'
3 Retirement System, Employees' Retirement System, or the
4 Judicial Retirement Fund, including the Judges' and Clerks'
5 Plan and the District Attorneys' Plan, while drawing his or
6 her retirement allowance from the Judicial Retirement Fund.

7 "(2) No individual retired under the Teachers'
8 Retirement System or the Employees' Retirement System may
9 accrue membership service in the Judicial Retirement Fund,
10 including the Judges' and Clerks' Plan and the District
11 Attorneys' Plan, while drawing a retirement allowance from the
12 Teachers' Retirement System, Employees' Retirement System, or
13 the Judicial Retirement Fund."

14 Section 2. This act shall become effective on the
15 first day of the third month following its passage and
16 approval by the Governor, or its otherwise becoming law.