1   SB238

2   217834-1

3   By Senator Hatcher (Constitutional Amendment)

4   RFD: Local Legislation

5   First Read: 17-FEB-22

1   217834-1:n:02/17/2022:KMS/cr LSA2022-715

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8   SYNOPSIS: This bill would propose a local

9   constitutional amendment that would allow mayors of

10   municipalities located in Montgomery County to

11   participate in the Employees' Retirement System.

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13   A BILL

14   TO BE ENTITLED

15   AN ACT

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17   Relating to Montgomery County; to propose an

18   amendment to the Constitution of Alabama of 1901, to allow

19   mayors in Montgomery County to participate in the Employees'

20   Retirement System.

21   BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22   Section 1. The following amendment to the

23   Constitution of Alabama of 1901, is proposed and shall become

24   valid as a part of the Constitution when all requirements of

25   this act are fulfilled:

26   PROPOSED AMENDMENT

In Montgomery County, mayors of municipalities that participate in the Employees' Retirement System of Alabama may participate in the Employees' Retirement System of Alabama upon the same terms and conditions as may be specified by law for any other employee in the same retirement system. A mayor holding office at the time of the ratification of this amendment shall be eligible to purchase service credit in the Employees' Retirement System for the time the official has served in the current office. No person may participate in both a supernumerary program and the Employees' Retirement System based on the same service.

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

Section 2. An election upon the proposed amendment shall be held in accordance with Section 284.01 of the Constitution of Alabama of 1901, now appearing as Section 284.01 of the Official Recompilation of the Constitution of

1   Alabama of 1901, as amended, and the election laws of this

2   state.

3   Section 3. The appropriate election official shall

4   assign a ballot number for the proposed constitutional

5   amendment on the election ballot and shall set forth the

6   following description of the substance or subject matter of

7   the proposed constitutional amendment:

8   "Relating to Montgomery County, proposing an

9   amendment to the Constitution of Alabama of 1901, to allow

10   mayors to participate in the Employees' Retirement System.

11   "Proposed by Act _____"

12   This description shall be followed by the following

13   language:

14   "Yes ( ) No ( )."