

SB56 ENGROSSED



1 SB56
2 PFU5RGG-2
3 By Senator Orr
4 RFD: Finance and Taxation Education
5 First Read: 06-Feb-24



SB56 Engrossed

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A BILL
TO BE ENTITLED
AN ACT

Relating to crimes committed by school employees; to amend Section 36-27D-1, Code of Alabama 1975, to terminate the right to state retirement benefits for teachers and school employees convicted of certain sex offenses involving a student or minor; and to provide further for the forfeiture process.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 36-27D-1, Code of Alabama 1975, is amended to read as follows:

"§36-27D-1

(a) On and after May 15, 2012, any ~~person~~ individual who is an active or inactive member of the Employees' Retirement System, the Teachers' Retirement System, or the Judicial Retirement Fund who has an accrued benefit shall forfeit retirement benefits upon a guilty plea, a plea of no contest, or a final ~~conviction~~ judgment by the trial court of a felony offense if that offense is related to or arises out of, or in connection with, his or her service in that public position, ~~as declared by the presiding judge of the court in a United States federal court, an Alabama court, or the court of~~



SB56 Engrossed

29 ~~any other state of the United States,~~ and the ~~person~~
30 individual shall be entitled to a refund of his or her
31 retirement contributions and applicable interest.

32 (b) On and after July 1, 2024, any individual who is an
33 active or inactive member of the Employees' Retirement System,
34 the Teachers' Retirement System, or the Judicial Retirement
35 Fund who has an accrued benefit shall forfeit retirement
36 benefits upon a guilty plea, a plea of no contest, or a final
37 judgment by the trial court of any offense set forth in
38 Article 4A of Chapter 6 or Division 4 of Article 4 of Chapter
39 12 of Title 13A, and the individual shall be entitled to a
40 refund of his or her retirement contributions and applicable
41 interest.

42 ~~(b)~~ (c) A retired member receiving benefits, upon ~~such a~~
43 plea or ~~conviction~~ judgment set forth in subsection (a) or (b),
44 shall have his or her retirement benefit suspended. In the
45 event a retired member receiving benefits has not received
46 retirement benefits exceeding the amount of his or her
47 contributions and interest, he or she shall receive a refund
48 of his or her remaining contributions and interest.

49 (d) Upon conviction of a crime as described in
50 subsection (a) or (b), the trial court shall promptly provide
51 written notice of the conviction to the Board of Control of
52 the Employees' Retirement System, the Board of Control of the
53 Teachers' Retirement System, or the Judicial Retirement Fund,
54 or any combination thereof, as applicable. Any failure by the
55 convicting court to provide notice pursuant to this subsection
56 shall not affect or delay any forfeiture provision set forth



SB56 Engrossed

57 in this section.

58 ~~(e)~~ (e) Officers and employees of the Employees'
59 Retirement System, the Teachers' Retirement System, and the
60 Judicial Retirement Fund are immune from any civil or criminal
61 liability for any action taken pursuant to this section."

62 Section 2. This act shall become effective on July 1,
63 2024.



SB56 Engrossed

64
65
66 Senate

67 Read for the first time and referred06-Feb-24
68 to the Senate committee on Finance
69 and Taxation Education
70
71 Read for the second time and placed28-Feb-24
72 on the calendar:
73 0 amendments
74
75 Read for the third time and passed19-Mar-24
76 as amended
77 Yeas 33
78 Nays 0
79 Abstains 0

80
81
82 Patrick Harris,
83 Secretary.
84