

SB56 ENROLLED



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



SB56 Enrolled

1 Enrolled, An Act,

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

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

13 "§36-27D-1

14 (a) On and after May 15, 2012, any ~~person~~ individual
15 who is an active or inactive member of the Employees'
16 Retirement System, the Teachers' Retirement System, or the
17 Judicial Retirement Fund who has an accrued benefit shall
18 forfeit retirement benefits upon a guilty plea, a plea of no
19 contest, or a final ~~conviction~~ judgment by the trial court of
20 a felony offense if that offense is related to or arises out
21 of, or in connection with, his or her service in that public
22 position, ~~as declared by the presiding judge of the court in a~~
23 ~~United States federal court, an Alabama court, or the court of~~
24 ~~any other state of the United States,~~ and the ~~person~~
25 individual shall be entitled to a refund of his or her
26 retirement contributions and applicable interest.

27 (b) On and after July 1, 2024, any individual who is an
28 active or inactive member of the Employees' Retirement System,



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29 the Teachers' Retirement System, or the Judicial Retirement
30 Fund who has an accrued benefit shall forfeit retirement
31 benefits upon a guilty plea, a plea of no contest, or a final
32 judgment by the trial court of any offense set forth in
33 Article 4A of Chapter 6 or Division 4 of Article 4 of Chapter
34 12 of Title 13A, and the individual shall be entitled to a
35 refund of his or her retirement contributions and applicable
36 interest.

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

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

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



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57 Section 2. This act shall become effective on July 1,
58 2024.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB56

Senate 19-Mar-24

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives

Passed: 02-May-24

By: Senator Orr