

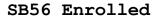
- 1 SB56
- 2 PFU5RGG-3
- 3 By Senator Orr
- 4 RFD: Finance and Taxation Education
- 5 First Read: 06-Feb-24



1 Enrolled, An Act,

$\sim$
/
_

3 Relating to crimes committed by school employees; to 4 5 amend Section 36-27D-1, Code of Alabama 1975, to terminate the 6 right to state retirement benefits for teachers and school employees convicted of certain sex offenses involving a 7 8 student or minor; and to provide further for the forfeiture 9 process. BE IT ENACTED BY THE LEGISLATURE OF ALABAMA: 10 Section 1. Section 36-27D-1, Code of Alabama 1975, is 11 amended to read as follows: 12 "§36-27D-1 13 14 (a) On and after May 15, 2012, any person-individual who is an active or inactive member of the Employees' 15 16 Retirement System, the Teachers' Retirement System, or the Judicial Retirement Fund who has an accrued benefit shall 17 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 of, or in connection with, his or her service in that public 21 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,





0.0	
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	<del>(b)</del> (c) A retired member receiving benefits, upon <del>such</del> a
38	plea or <del>conviction</del> 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	(c) (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."



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



SB56 Enrolled

59							
60							
61							
62							
63							
64							
65							_
66	-	Preside	nt and	Presiding	Officer of the	Senate	•
67				_			
68							
69							
70	_						_
71	_	Speal	ker of	the House	of Representat	ives	-
72							
73							
74	SB56						
75	Senate 1	19-Mar-24					
76	I hereby	y certify	that	the within	Act originated	d in and	passed
77	the Sena	ate, as a	mended	l.			
78							
79					Patrick Harri	s,	
80					Secretary.		
81							
82		-				-	
83							
84							
85		E Represe		res			
86	Passed:	02-May-2	4				
87							
88		-				-	
89							
90							
91	By: Sena	ator Orr					