

HB158 ENROLLED



1 HB158
2 3LA6ZZZ-2
3 By Representatives Clouse, Reynolds
4 RFD: Fiscal Responsibility
5 First Read: 04-Feb-25



HB158 Enrolled

Enrolled, An Act,

Relating to the Retirement Systems of Alabama; to provide for an annualized benefit increase procedure for the funding of future benefit increases to state and education retirees of the Employees' Retirement System and the Teachers' Retirement System in a manner that does not increase the unfunded liability of either system; and to provide for legislative findings.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Commencing in the fiscal year beginning October 1, 2026, no benefit increase provided to retirees and beneficiaries under the Employees' Retirement System, except for retirees and beneficiaries whose employers participate pursuant to Sections 36-27-6, 36-27-7, and 36-27-7.1, Code of Alabama 1975, shall be paid unless the increase is granted by a separate legislative act conforming to the requirements of this section. The separate legislative act shall set the amount of the increase and the class of eligible retirees and beneficiaries. Any other benefit increases may be granted by an additional separate legislative act. The Employees' Retirement System shall pay the benefit increase to the eligible retirees and beneficiaries, except those whose employer participates in the Employees' Retirement System pursuant to Sections 36-27-6, 36-27-7, and 36-27-7.1, Code of Alabama 1975, only if the annual cost of the increase as estimated by the actuary of the system is included and appropriated in the State General Fund appropriation act for



HB158 Enrolled

that fiscal year by a separate employer rate. Participating employers, except those whose employer participates in the Employees' Retirement System pursuant to Sections 36-27-6, 36-27-7, and 36-27-7.1, Code of Alabama 1975, shall pay the separate employer rate to pay the benefit increase included in the State General Fund appropriation act in the same manner and from the same source of funds as salaries of active members are paid. In any fiscal year in which the required separate employer rate is not identified and appropriated in the appropriation act, eligible retirees and beneficiaries shall not receive, and the Employees' Retirement System shall not be required to pay, the increase in that fiscal year. The benefit increase may be resumed in any subsequent fiscal year if included in that year's appropriation act.

Section 2. Commencing in the fiscal year that beginning October 1, 2026, no benefit increase provided to retirees and beneficiaries under the Teachers' Retirement System shall be paid unless the increase is granted by separate legislative act conforming to this section. The separate legislative act shall set the amount of the increase and the class of eligible retirees and beneficiaries. Any other benefit increases shall be granted by an additional separate legislative act. The Teachers' Retirement System shall pay the benefit increase to the eligible retirees and beneficiaries only if the annual cost of the increase as estimated by the actuary of the system is included and appropriated in the Education Trust Fund appropriation act for that fiscal year by a separate employer rate. Participating employers shall pay the separate employer



HB158 Enrolled

rate to pay the benefit increase included in the Education Trust Fund appropriation act in the same manner and from the same source of funds as salaries of active members are paid. In any fiscal year in which the required separate employer rate is not identified and appropriated in the appropriation act, eligible retirees and beneficiaries shall not receive and the Teachers' Retirement System shall not be required to pay the increase in that fiscal year. The benefit increase may be resumed in any subsequent fiscal year if included in that year's appropriation act.

Section 3. (a) The Legislature finds and declares that any benefit increase provided for the retirees and beneficiaries of the Employees' Retirement System and the Teachers' Retirement System pursuant to this act shall not increase the unfunded liability of those retirement systems due to the annual authorization and full annual funding required by this act.

(b) Any accounting standards that may imply otherwise and that do not recognize the clear language of this act, declaring that no future liability shall be attributed to the Retirement Systems of Alabama pursuant to this act, shall be disregarded and any audits conducted of the finances of the Retirement Systems of Alabama shall clearly note that those accounting standards do not apply to a benefit increase granted under this act.

Section 4. This act is not applicable to and shall not affect any previous cost-of-living increase or one-time bonus provided to retirees under acts previously passed by the



HB158 Enrolled

85 Legislature.

86 Section 5. Commencing on November 4, 2026, only one
87 retiree and beneficiary increase may be granted per
88 legislative quadrennium pursuant to this act.

89 Section 6. This act shall become effective on October
90 1, 2026.



HB158 Enrolled

Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and
was passed by the House 27-Feb-25, as amended.

John Treadwell
Clerk

Senate	_____ 06-May-25	Amended and Passed
House	_____ 06-May-25	Concurred in Senate Amendment