



**House Ways and Means General Fund Reported
Substitute for HB311**

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A BILL
TO BE ENTITLED
AN ACT

Relating to retirement benefits; to amend Section 36-22-64, Code of Alabama 1975, to authorize qualifying sheriffs to participate in both a supernumerary sheriff program and the Employees' Retirement System.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 36-22-64, Code of Alabama 1975, is amended to read as follows:

"§36-22-64

(a) No individual may participate in both a supernumerary sheriff program and the Employees' Retirement System based on the same service.

(b) An individual who independently qualifies for a supernumerary sheriff program and the Employees' Retirement System based on separate years of service may participate in both programs.

(c) If any sheriff is eligible for retirement benefits under any other county, state, or municipal retirement plan or act, then, in that event, he or she shall elect the ~~plan~~ plans or ~~act~~ acts in which he or she desires to participate and shall so notify the proper authority ~~within~~ not later than 60



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29 days after he or she becomes eligible for any payments under
30 this article. ~~It is further;~~ provided, however that such
31 election shall not affect any such ~~person's individual's~~
32 entitlement to benefits under the provisions of Article 4 of
33 Chapter 21 ~~of this title."~~

34 Section 2. This act shall become effective on October
35 1, 2026.