

HB311 ENROLLED



1 HB311
2 7BXH3EV-3
3 By Representative Underwood
4 RFD: Ways and Means General Fund
5 First Read: 22-Jan-26



HB311 Enrolled

1 Enrolled, An Act,

2
3 Relating to retirement benefits; to amend Section
4 36-22-64, Code of Alabama 1975, to authorize qualifying
5 sheriffs to participate in both a supernumerary sheriff
6 program and the Employees' Retirement System.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

10 "§36-22-64

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

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

18 (c) If any sheriff is eligible for retirement benefits
19 under any other county, state, or municipal retirement plan or
20 act, then, in that event, he or she shall elect the ~~plan~~ plans
21 or ~~act~~ acts in which he or she desires to participate and
22 shall so notify the proper authority ~~within~~ not later than 60
23 days after he or she becomes eligible for any payments under
24 this article. ~~It is further~~; provided, however that such
25 election shall not affect any such ~~person's~~ individual's
26 entitlement to benefits under the provisions of Article 4 of
27 Chapter 21 ~~of this title.~~"

28 Section 2. This act shall become effective on October



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29 1, 2026.

