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4 SYNOPSIS:

5 Under existing law, individuals who are retired
6 under the Employees' Retirement System are authorized
7 to work in certain capacities and at certain levels of
8 compensation without suspension of their retirement
9 allowance.

10 This bill would authorize any individual who is
11 retired under the Employees' Retirement System or the
12 Teachers' Retirement System with a minimum of 25 years
13 of service, has the applicable Alabama Peace Officers'
14 Standards and Training certification, and was
15 classified as either a law enforcement officer or a
16 state policeman prior to retirement to perform duties
17 as a sheriff's deputy or municipal police officer
18 without suspension of his or her retirement allowance,
19 provided the compensation earned does not exceed
20 \$52,000 per year.

21 This bill would also authorize any individual
22 who is retired under the Employees' Retirement System
23 or the Teachers' Retirement System with a minimum of 25
24 years of service and is licensed to practice law in
25 this state to perform duties as an assistant district
26 attorney without suspension of his or her retirement
27 allowance, provided the compensation earned does not
28 exceed \$52,000 per year.





57 Index for all urban consumers as published by the U.S.
58 Department of Labor, Bureau of Labor Statistics. Any increase
59 in the annual earning limit shall be rounded to the next
60 lowest multiple of one thousand dollars (\$1,000) with any
61 amount in excess of the one thousand dollar (\$1,000) multiple
62 considered in determining the increase for the following year.
63 Each adjustment shall be based on the increase in the index
64 for the preceding 12-month period ending on September 30 and
65 the increase shall be effective for the following calendar
66 year.

67 (b) Any individual serving as an elected official who
68 has retired from the Employees' Retirement System may serve
69 for his or her full compensation in an elected public office
70 with the state, a county, or an incorporated municipality
71 without suspension of retirement benefits~~✓~~^L provided~~✓~~ that
72 under no circumstances shall such an individual participate in
73 or accrue additional benefits under the Teachers' Retirement
74 System or the Employees' Retirement System for that service,
75 and provided that under no circumstances shall an individual
76 whose retirement is based upon service as an elected official
77 continue in or return to the office and receive both pension
78 benefits and salary. Any provision of this subsection to the
79 contrary notwithstanding, a retiree serving as a local elected
80 superintendent of education shall not receive both pension
81 benefits and salary unless his or her compensation as a local
82 elected superintendent of education does not exceed the annual
83 earning limits provided in subsection (a).

84 (c) The responsibility for compliance with this section



85 is placed upon the employing authority, and each retiree
86 performing duties under this section shall certify to the
87 employer any information required in order to carry out this
88 section. The retiree shall provide written notice of the
89 postretirement employment under this section to the Employees'
90 Retirement System and employing authority within 30 days after
91 the date the retiree knows or should know that he or she will
92 be performing duties on a full-time or permanent basis or will
93 earn an amount in excess of the annual earning limit under
94 this section.

95 (d) (1) Any individual who is retired under the
96 Employees' Retirement System or the Teachers' Retirement
97 System with a minimum of 25 years of service on the effective
98 date of this act, has the applicable Alabama Peace Officers'
99 Standards and Training certification, and was classified as
100 either a law enforcement officer, as defined in Section
101 36-27-59, or a state policeman, as defined in Section 36-27-1,
102 prior to retirement, may perform duties as any of the
103 following a school resource officer, as defined in Section
104 16-1-44.1, a correctional officer with the Department of
105 Corrections, or a police officer at any state college or
106 university pursuant to Section 16-22-1 without suspension of
107 his or her retirement allowance, provided that the
108 compensation earned does not exceed fifty-two thousand dollars
109 (\$52,000) per year:

110 a. A school resource officer, as defined in Section
111 16-1-44.1.

112 b. A correctional officer with the Department of



113 Corrections.

114 c. A police officer at any state college or university
115 pursuant to Section 16-22-1.

116 d. A sheriff's deputy.

117 e. A municipal police officer.

118 (2) Any individual who is retired under ~~the Employees'~~
119 ~~Retirement System, has the applicable Alabama Peace Officers'~~
120 ~~Standards and Training certification, and meets any~~ all of the
121 following criteria may perform duties as a correctional
122 officer with the Department of Corrections without suspension
123 of his or her retirement allowance, provided ~~that~~ the
124 compensation earned does not exceed fifty-two thousand dollars
125 (\$52,000) per year:

126 a. ~~Was classified as a law enforcement officer, as~~
127 ~~defined in Section 36-27-59, prior to retirement~~ Is retired
128 under the Employees' Retirement System with a minimum of 25
129 years of service on the effective date of this act.

130 b. ~~Was classified as a state policeman, as defined in~~
131 ~~Section 36-27-1, prior to retirement~~ Has the applicable Alabama
132 Peace Officers' Standards and Training Certification.

133 c. Was classified as a correctional officer, as defined
134 in Section 36-27-59, prior to retirement, and retired pursuant
135 to Section 36-27-16(a)(1)c.

136 (3) The minimum number of years of service required to
137 qualify to perform duties without suspension of retirement
138 benefits under subdivisions (d)(1) and (d)(2) shall be
139 adjusted as follows:

140 a. A minimum of 26 years of service on October 1, 2027.



141 b. A minimum of 27 years of service on October 1, 2028.
142 c. A minimum of 28 years of service on October 1, 2029.
143 d. A minimum of 29 years of service on October 1, 2030.
144 e. A minimum of 30 years of service on October 1, 2031,
145 and each year thereafter.

146 (3)(4) Any individual who is retired under the
147 Employees' Retirement System, who has both the applicable
148 Alabama Firefighters' Personnel Standards and Education
149 Commission certification and the applicable State Board of
150 Health certification as a firefighter and an emergency medical
151 services personnel, as defined in Section 36-27-59, prior to
152 retirement, may perform duties as a firemedic without
153 suspension of his or her retirement allowance, provided that
154 the compensation earned does not exceed fifty-two thousand
155 dollars (\$52,000) per year, commensurate with the work
156 actually performed.

157 (5)a. Any individual who is retired under the
158 Employees' Retirement System or Teachers' Retirement System
159 with a minimum of 25 years of service and is licensed to
160 practice law in this state may perform duties as an assistant
161 district attorney without suspension of his or her retirement
162 allowance, provided the compensation does not exceed fifty-two
163 thousand dollars (\$52,000) per year.

164 b. The minimum number of years of service required to
165 qualify to perform duties without suspension of retirement
166 benefits under this subdivision shall be adjusted as follows:

- 167 1. A minimum of 26 years of service on October 1, 2027.
- 168 2. A minimum of 27 years of service on October 1, 2028.



169 3. A minimum of 28 years of service on October 1, 2029.
170 4. A minimum of 29 years of service on October 1, 2030.
171 5. A minimum of 30 years of service on October 1, 2031,
172 and each year thereafter.

173 (6)a. Any individual who is retired under the
174 Employees' Retirement System or Teachers' Retirement System
175 may be hired and perform duties as a permanent full-time bus
176 driver without suspension of his or her retirement allowance,
177 provided the compensation does not exceed the earnings limit
178 established in subsection (a) and the individual has drawn his
179 or her retirement benefit for 12 consecutive months.

180 b. Notwithstanding paragraph a., an individual who
181 retired under the Employees' Retirement System or the
182 Teachers' Retirement System on or before January 1, 2026, may
183 be hired and perform duties as a permanent full-time bus
184 driver even if he or she has not drawn his or her retirement
185 benefit for 12 consecutive months, provided all other
186 conditions of this subsection are met.

187 (4) (7) This subsection shall have retroactive
188 application to January 1, 2023, and no No individual may be
189 employed pursuant to this subsection after December 31,
190 20302032."

191 Section 2. This act shall become effective on October
192 1, 2026.