



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A BILL
TO BE ENTITLED
AN ACT

Relating to retired state employees; to amend Section 36-27-8.2, as last amended by Act 2025-409, Code of Alabama 1975, to further provide for employment authorized for certain retirees of the Employees' Retirement System or Teachers' Retirement System.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 36-27-8.2, as last amended by Act 2025-409, 2025 Regular Session, Code of Alabama 1975, is amended to read as follows:

"§36-27-8.2

(a) Any individual who is retired under the Employees' Retirement System may perform duties in any capacity, including as an independent contractor, with any employer participating in the Employees' Retirement System or the Teachers' Retirement System without suspension of his or her retirement allowance provided that: (i) the individual is not employed in a permanent full-time capacity; and (ii) the individual's compensation from the employer in calendar year 2016 does not exceed thirty thousand dollars (\$30,000). Beginning in calendar year 2017, and each calendar year



29 thereafter, the annual earning limit shall be increased by the
30 same percentage increase as the increase in the Consumer Price
31 Index for all urban consumers as published by the U.S.
32 Department of Labor, Bureau of Labor Statistics. Any increase
33 in the annual earning limit shall be rounded to the next
34 lowest multiple of one thousand dollars (\$1,000) with any
35 amount in excess of the one thousand dollar (\$1,000) multiple
36 considered in determining the increase for the following year.
37 Each adjustment shall be based on the increase in the index
38 for the preceding 12-month period ending on September 30 and
39 the increase shall be effective for the following calendar
40 year.

41 (b) Any individual serving as an elected official who
42 has retired from the Employees' Retirement System may serve
43 for his or her full compensation in an elected public office
44 with the state, a county, or an incorporated municipality
45 without suspension of retirement benefits~~;~~; provided~~,~~ that
46 under no circumstances shall such an individual participate in
47 or accrue additional benefits under the Teachers' Retirement
48 System or the Employees' Retirement System for that service,
49 and provided that under no circumstances shall an individual
50 whose retirement is based upon service as an elected official
51 continue in or return to the office and receive both pension
52 benefits and salary. Any provision of this subsection to the
53 contrary notwithstanding, a retiree serving as a local elected
54 superintendent of education shall not receive both pension
55 benefits and salary unless his or her compensation as a local
56 elected superintendent of education does not exceed the annual



57 earning limits provided in subsection (a).

58 (c) The responsibility for compliance with this section
59 is placed upon the employing authority, and each retiree
60 performing duties under this section shall certify to the
61 employer any information required in order to carry out this
62 section. The retiree shall provide written notice of the
63 postretirement employment under this section to the Employees'
64 Retirement System and employing authority within 30 days after
65 the date the retiree knows or should know that he or she will
66 be performing duties on a full-time or permanent basis or will
67 earn an amount in excess of the annual earning limit under
68 this section.

69 (d) (1) Any individual who is retired under the
70 Employees' Retirement System or the Teachers' Retirement
71 System, has the applicable Alabama Peace Officers' Standards
72 and Training certification, and was classified as either a law
73 enforcement officer, as defined in Section 36-27-59, or a
74 state policeman, as defined in Section 36-27-1, prior to
75 retirement, may perform duties as any of the following ~~a~~
76 ~~school resource officer, as defined in Section 16-1-44.1, a~~
77 ~~correctional officer with the Department of Corrections, or a~~
78 ~~police officer at any state college or university pursuant to~~
79 ~~Section 16-22-1~~ without suspension of his or her retirement
80 allowance, provided ~~that~~ the compensation earned does not
81 exceed fifty-two thousand dollars (\$52,000) per year:

82 a. A school resource officer, as defined in Section
83 16-1-44.1.

84 b. A correctional officer with the Department of



85 Corrections.

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

88 d. A sheriff's deputy.

89 e. A municipal police officer.

90 f. A law enforcement officer, as defined in 36-27-59.

91 g. A state policeman, as defined in Section 36-27-1.

92 (2) Any individual who is retired under ~~the Employees'~~
93 ~~Retirement System, has the applicable Alabama Peace Officers'~~
94 ~~Standards and Training certification, and meets any~~ both of
95 the following criteria may perform duties as a correctional
96 officer with the Department of Corrections without suspension
97 of his or her retirement allowance, provided ~~that~~ the
98 compensation earned does not exceed fifty-two thousand dollars
99 (\$52,000) per year:

100 ~~a. Was classified as a law enforcement officer, as~~
101 ~~defined in Section 36-27-59, prior to retirement.~~

102 ~~b.a. Was classified as a state policeman, as defined in~~
103 ~~Section 36-27-1, prior to retirement~~ Has the applicable Alabama
104 Peace Officers' Standards and Training certification.

105 ~~e.b.~~ b. Was classified as a correctional officer, as
106 defined in Section 36-27-59, prior to retirement, and retired
107 pursuant to Section 36-27-16(a)(1)c.

108 (3) Any individual who is retired under the Employees'
109 Retirement System, who has both the applicable Alabama
110 Firefighters' Personnel Standards and Education Commission
111 certification and the applicable State Board of Health
112 certification as a firefighter and an emergency medical



113 services personnel, as defined in Section 36-27-59, prior to
114 retirement, may perform duties as a firemedic without
115 suspension of his or her retirement allowance, provided that
116 the compensation earned does not exceed fifty-two thousand
117 dollars (\$52,000) per year, commensurate with the work
118 actually performed.

119 (4) The minimum number of years of service required to
120 qualify to perform duties without suspension of retirement
121 benefits under subdivisions (d) (1), (d) (2), and (d) (3) shall
122 be adjusted as follows:

123 a. A minimum of 25 years of service on January 1, 2027.
124 b. A minimum of 26 years of service on January 1, 2028.
125 c. A minimum of 27 years of service on January 1, 2029.
126 d. A minimum of 28 years of service on January 1, 2030.
127 e. A minimum of 29 years of service on January 1, 2031.
128 f. A minimum of 30 years of service on January 1, 2032,
129 and each year thereafter.

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

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

140 1. A minimum of 26 years of service on January 1, 2028.



141 2. A minimum of 27 years of service on January 1, 2029.
142 3. A minimum of 28 years of service on January 1, 2030.
143 4. A minimum of 29 years of service on January 1, 2031.
144 5. A minimum of 30 years of service on January 1, 2032,
145 and each year thereafter.

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

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

160 ~~(4)-(7) This subsection shall have retroactive~~
161 ~~application to January 1, 2023, and no~~ No individual may be
162 employed pursuant to this subsection after December 31,
163 ~~2030~~2032."

164 Section 2. This act shall become effective on June 1,
165 2026.