

1 HB340
2 116407-2
3 By Representatives Page and Galliher (Constitutional
4 Amendment)
5 RFD: Local Legislation
6 First Read: 19-JAN-10

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ENROLLED, An Act,

Proposing an amendment to the Constitution of Alabama of 1901, to provide that certain elected or appointed public officials in Etowah County may participate in the Employees' Retirement System in lieu of participating in a supernumerary program or system.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, is proposed and shall become valid as a part of the Constitution when all requirements of this act are fulfilled:

PROPOSED AMENDMENT

No elected or appointed Etowah County official, including the sheriff, may assume a supernumerary office after the effective date of this amendment. Any person who, on the effective date of this amendment, is entitled to participate in a supernumerary program may continue to participate in that supernumerary program, which shall include the assumption of a supernumerary office according to the terms and conditions of the law which established that supernumerary program. Every elected or appointed Etowah County official, including the sheriff, may participate in the Employees' Retirement System of Alabama upon the same terms and conditions as may be specified by law for any other employee in the same retirement

1 system. Etowah County officials, including the sheriff,
2 holding office at the time of ratification of this amendment
3 shall be eligible to purchase service credit in the Employees'
4 Retirement System for the time the official has served in the
5 current office. No person may participate in both a
6 supernumerary program and the Employees' Retirement System
7 based on the same service. For purposes of this amendment, the
8 words "elected or appointed Etowah County official" do not
9 include a judge, district attorney, legislator, constable,
10 school board member, or any official elected from a judicial
11 circuit.

12 Section 2. An election upon the proposed amendment
13 shall be held in accordance with Amendment 555 to the
14 Constitution of Alabama of 1901, now appearing as Section
15 284.01 of the Official Recompilation of the Constitution of
16 Alabama of 1901, as amended, and the election laws of this
17 state.

18 Section 3. The appropriate election official shall
19 assign a ballot number for the proposed constitutional
20 amendment on the election ballot and shall set forth the
21 following description of the substance or subject matter of
22 the proposed constitutional amendment:

23 "Relating to Etowah County, proposing an amendment
24 to the Constitution of Alabama of 1901, to provide that
25 certain elected or appointed public officials in Etowah County

1 may participate in the Employees' Retirement System in lieu of
2 participating in a supernumerary program or system.

3 "Proposed by Act _____."

4 This description shall be followed by the following
5 language:

6 "Yes () No ()."

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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 09-FEB-10.

Greg Pappas
Clerk

Senate

06-APR-10

Passed