

1 SB60
2 115723-2
3 By Senator Means (Constitutional Amendment)
4 RFD: Local Legislation No. 1
5 First Read: 12-JAN-10
6 PFD: 12/17/2009

1 SB60

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4 ENROLLED, An Act,

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

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

15 PROPOSED AMENDMENT

16 No elected or appointed Etowah County official,
17 including the sheriff, may assume a supernumerary office after
18 the effective date of this amendment. Any person who, on the
19 effective date of this amendment, is entitled to participate
20 in a supernumerary program may continue to participate in that
21 supernumerary program, which shall include the assumption of a
22 supernumerary office according to the terms and conditions of
23 the law which established that supernumerary program. Every
24 elected or appointed Etowah County official, including the
25 sheriff, may participate in the Employees' Retirement System

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

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

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

1 "Relating to Etowah County, proposing an amendment
2 to the Constitution of Alabama of 1901, to provide that
3 certain elected or appointed public officials in Etowah County
4 may participate in the Employees' Retirement System in lieu of
5 participating in a supernumerary program or system.

6 "Proposed by Act _____."

7 This description shall be followed by the following
8 language:

9 "Yes () No ()."

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President Pro Tem and Presiding Officer of the
Senate

Speaker of the House of Representatives

SB60
Senate 16-FEB-10
I hereby certify that the within Act originated in and passed
the Senate.

McDowell Lee
Secretary

House of Representatives
Passed: 18-FEB-10

By: Senator Means