

1 HB343  
2 190742-2  
3 By Representatives Jackson, Warren, Howard, Moore (M),  
4 McCampbell, Boyd, McClammy, Lawrence, Daniels, Scott and Hall  
5 RFD: Public Safety and Homeland Security  
6 First Read: 01-FEB-18

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8 SYNOPSIS: Under existing law, a public employee may  
9 not be rehired by his or her former public employer  
10 for a period of two years after he or she leaves  
11 the employment or working arrangement.

12 This bill would allow the Alabama State Law  
13 Enforcement Agency to rehire a retired state  
14 trooper who was employed by the agency and the  
15 Alabama Department of Corrections to rehire a  
16 retired state correctional officer.

17 This bill would provide that the  
18 compensation of a rehired retired state trooper or  
19 rehired retired correctional officer may not exceed  
20 the compensation that he or she received at the  
21 time of his or her retirement.

22 This bill would provide that a rehired  
23 retired state trooper or correctional officer may  
24 not accrue additional retirement service credit for  
25 any portion of the period of his or her  
26 reemployment.

1                   This bill would require notice of the  
2                   rehiring of a retired state trooper or a retired  
3                   state correctional officer be provided to the  
4                   Employees' Retirement System.

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6                   A BILL  
7                   TO BE ENTITLED  
8                   AN ACT

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10                   Relating to the Alabama State Law Enforcement Agency  
11                   and the Alabama Department of Corrections; to allow the  
12                   Alabama State Law Enforcement Agency to rehire retired state  
13                   troopers who were employed by the agency and the Alabama  
14                   Department of Corrections to rehire retired state correctional  
15                   officers who were employed by the department; to provide that  
16                   the compensation of a rehired retired state trooper or rehired  
17                   retired correctional officer may not exceed the compensation  
18                   that he or she received at the time of his or her retirement;  
19                   to provide that a rehired retired state trooper or rehired  
20                   retired correctional officer may not accrue additional  
21                   retirement service credit for any portion of the period of his  
22                   or her reemployment; and to require that notice of the  
23                   rehiring be provided to the Employees' Retirement System.

24                   BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25                   Section 1. (a) Notwithstanding any provision of law,  
26                   the Alabama State Law Enforcement Agency may rehire a retired  
27                   state trooper who was employed by the agency and the Alabama

1 Department of Corrections may rehire a retired state  
2 correctional officer who was employed by the department to  
3 perform duties as needed, if:

4 (1) There is a critical personnel shortage such that  
5 the rehiring is necessary to provide public safety services.

6 (2) The retired state trooper or correctional  
7 officer, respectively, has been retired for at least 45  
8 consecutive days prior to reemployment with the agency or  
9 department.

10 (b) The Director of the Alabama State Law  
11 Enforcement Agency and or Commissioner of the Alabama  
12 Department of Corrections shall have the sole discretion to  
13 select the retired state trooper or retired correctional  
14 officer for reemployment pursuant to the established  
15 guidelines for new hires of the agency or the department,  
16 respectively.

17 (c) The number of retired state troopers or retired  
18 correctional officers employed pursuant to this section may  
19 not exceed 10 percent of the agency's entire authorized state  
20 trooper force or the department's correctional officers force  
21 on the effective date of this section.

22 (d) The period of reemployment for a retired state  
23 trooper or correctional officer pursuant to this section may  
24 be no more than a total of 10 years from the date of rehiring  
25 by the agency or department.

26 (e) The agency may employ retired state troopers at  
27 ranks below sergeant only and the department may employ

1 retired correctional officers at ranks below correctional  
2 sergeant only and may not promote the subsequently employed  
3 retired state troopers above the rank of sergeant, or retired  
4 correctional officers above the rank of correctional sergeant  
5 at any time during the subsequent reemployment.

6 (f) The compensation of the rehired retired state  
7 trooper or retired correctional officer may not exceed the  
8 compensation that he or she received at the time of his or her  
9 retirement.

10 (g) (1) A rehired retired state trooper or rehired  
11 retired correctional officer may continue to receive his or  
12 her retirement benefits of whatever kind or description for  
13 any period during which he or she is reemployed by the agency  
14 or department.

15 (2) A rehired retired state trooper or rehired  
16 retired correctional officer may not accrue additional  
17 retirement service credit for any portion of the period of his  
18 or her reemployment.

19 (3) The employing authority shall provide written  
20 notice of the postretirement employment under this section to  
21 the Employees' Retirement System within 30 days after the date  
22 the retiree begins performing duties on a full-time or  
23 permanent basis.

24 Section 2. This act shall become effective on the  
25 first day of the third month following its passage and  
26 approval by the Governor, or its otherwise becoming law.