

Description: Email to all ERS ESS Portal Contacts Regarding 2026 New Acts of Legislation

Subject: 2026 New Acts of Legislation for ERS

June 10, 2026

Good afternoon,

The email below is being sent to all Employer-Self Service (ESS) Portal Contacts under the Employees' Retirement System (ERS).

The following Acts have been signed into law by Governor Ivey:

- 1) Act 2026-202 – allows Supernumerary Circuit Clerks to receive supernumerary benefits and a separately earned ERS benefit. This Act becomes effective 7-1-2026.
- 2) Act 2026-286 – allows ERS or TRS retirees who are APOST certified and participated as FLC sometime prior to retirement to return to work full-time or part-time without suspension of retirement benefits provided he/she does not earn more than \$52,000 in the following classifications:
 - a) A school resource officer
 - b) A correctional officer with the Al. Dept of Corrections
 - c) A police officer at any state college or university
 - d) A sheriff's deputy
 - e) A municipal police officer
 - f) A law enforcement officer
 - g) A state policeman
 - h) A fire medic (this classification must be certified by the Fire College and the State Board of Health. He/she had to be FLC sometime prior to retirement.)

Under this Act, a sliding scale exists to be eligible to participate under this provision. The following is the sliding scale:

- a) A minimum of 25 years of service on January 1, 2027.
- b) A minimum of 26 years of service on January 1, 2028
- c) A minimum of 27 years of service on January 1, 2029.
- d) A minimum of 28 years of service on January 1, 2030.
- e) A minimum of 29 years of service on January 1, 2031.
- f) A minimum of 30 years of service on January 1, 2032
- g) And each year thereafter.

Any retiree of the ERS or TRS may be hired to perform duties as a permanent full-time bus driver without suspension of benefits provided compensation does not exceed the earnings limitation in effect for the calendar year and the retiree has drawn a benefit for 12 consecutive months. For calendar year 2026, the earnings limitation is \$40,000. A retiree of the ERS or TRS who retired on or before 1-1-2026 may be hired as a full-time bus driver even though he/she may not have drawn a benefit for 12 consecutive months, but compensation cannot exceed the earnings limitation (\$40,000 for calendar year 2026). This part of the Act expires 12-31-2032.

This Act became effective on 6-1-2026.

- 3) Act 2026-333 – requires a public employee found guilty of certain felonies related to his/her position to use his/her retirement contributions to pay restitution. The Act becomes effective 10-1-2026.
- 4) Act 2026-525 – allows ERS or TRS members to purchase up to 4 years of nonmilitary federal service provided he/she has at least 10 years of contributing service exclusive of military service. The calculation is a full actuarial purchase. The Act becomes effective 10-1-2026.
- 5) Act 2026-571 – allows supernumerary sheriffs to draw a separately earned ERS benefit and a supernumerary benefit. The Act becomes effective 10-1-2026.
- 6) Act 2026-608 – provides a one-time lump bonus of \$1.00 per month of service credit to ERS retirees who retired prior to 10-1-2025 and are in receipt of an ERS benefit on 9-30-2026. Local agencies must adopt a resolution by 8-31-2026 to come under this provision.

Post-retirement employment and earnings must be reported in ESS for all retirees. If you need assistance with enrolling and reporting retirees, please contact the Employer Services Division. We can be reached at 334.517.7005, option 1 for ERS employers. You can also email us at Employer.Services@rsa-al.gov.