

ACT #2019- 316

1 HB21  
2 196334-2  
3 By Representative Baker  
4 RFD: Ways and Means Education  
5 First Read: 05-MAR-19  
6 PFD: 01/10/2019



ENROLLED, An Act,

To amend Sections 16-25-14 and 36-27-16, Code of Alabama 1975, relating to the retirement of members of the Teachers' Retirement System and the Employees' Retirement System who elect to receive a reduced retirement allowance; to provide an additional option of electing to receive a partial lump-sum distribution as a single payment, under certain conditions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 16-25-14 and 36-27-16, Code of Alabama 1975, are amended to read as follows:

"§16-25-14.

"(a)(1) Any Tier I plan member who withdraws from service upon or after attainment of age 60 and any Tier II plan member who withdraws from service upon or after attainment of age 62, or in the case of a Tier II plan member who is a correctional officer, firefighter, or law enforcement officer as defined in Section 36-27-59, who withdraws from service upon or after attainment of age 56 with at least ten years of creditable service as a correctional officer, firefighter, or law enforcement officer may retire upon written application to the Board of Control setting forth at what time, not less than 30 days nor more than 90 days subsequent to the execution and filing thereof, he or she

1 desires to be retired; provided, that any such member who  
2 became a member on or after October 1, 1963, shall have  
3 completed 10 or more years of creditable service.

4 "(2) Any Tier I plan member who has attained age 60  
5 and any Tier II plan member who has attained age 62, or in the  
6 case of a Tier II plan member who is a correctional officer,  
7 firefighter, or law enforcement officer as defined in Section  
8 36-27-59, who has attained age 56 with at least ten years of  
9 creditable service as a correctional officer, firefighter, or  
10 law enforcement officer and has previously withdrawn from  
11 service may retire upon written application to the Board of  
12 Control setting forth at what time, not less than 30 days nor  
13 more than 90 days subsequent to the execution and filing  
14 thereof, he or she desires to be retired; provided, that the  
15 member shall have completed at the time for his or her  
16 withdrawal from service the requirements established by the  
17 Board of Control for eligibility for deferred benefits  
18 pursuant to Section 16-25-3.

19 "(3) Any person who is presently covered or is  
20 eligible to be covered under the Employees' Retirement System  
21 of Alabama or the Teachers' Retirement System of Alabama and  
22 who, prior to such coverage or eligibility for coverage,  
23 served as head of any Alabama county's public library service  
24 department shall have credited to him or her one year of  
25 creditable service for each year served as such head, not to

1 exceed 12 years; provided, that such person shall pay into the  
2 retirement system the employee's part of the cost or  
3 contribution based on the salary paid to such person during  
4 the time of his or her service in the above capacity, with  
5 such cost or contribution to be calculated at the percent or  
6 rate in effect on October 1, 1973.

7           "(4) Any Tier I plan member of the Teachers'  
8 Retirement System of Alabama, who withdraws from service after  
9 the completion of at least 25 years of creditable service, may  
10 retire upon written application to the Board of Control of the  
11 Teachers' Retirement System setting forth at what time, not  
12 less than 30 days nor more than 90 days subsequent to the  
13 execution and filing thereof, he or she desires to be retired;  
14 provided, that any such member who became a Tier I plan member  
15 on or after October 1, 1963 shall have completed 10 or more  
16 years of creditable service.

17           "(b) Upon retirement from service, a Tier I plan  
18 member shall receive a service retirement allowance which  
19 shall consist of:

20           "(1) An annuity which shall be the actuarial  
21 equivalent of his or her accumulated contributions at the time  
22 of his or her retirement;

23           "(2) A pension which shall be equal to the annuity  
24 allowable at the age of retirement, but not to exceed an

1 annuity allowable at age 65 computed on the basis of  
2 contributions made prior to the attainment of age 65; and

3           "(3) If he or she has a prior service certificate in  
4 full force and effect, an additional pension which shall be  
5 equal to the annuity which would have been provided at age of  
6 retirement, but not to exceed an annuity allowable at age 65  
7 by twice the contributions which he or she would have made  
8 during the period of prior service with which he or she is  
9 credited had the system been in operation and had he or she  
10 contributed thereunder. In lieu of a determination of the  
11 actual compensation of the members that was received during  
12 such prior service, the Board of Control may use for the  
13 purposes of this chapter the compensation rates which, if they  
14 had progressed with the rates of salary increase shown in the  
15 tables as prescribed in subsection (o) of Section 16-25-19,  
16 would have resulted in the same average salary of the member  
17 for the five years immediately preceding the date of  
18 establishment as the records show the member actually  
19 received.

20           "(c) The annual service retirement pension payable  
21 to a Tier I plan member retiring on or after October 1, 1975,  
22 shall not be less than an amount which when added to his or  
23 her annuity is equal to the greater of the following two  
24 amounts:

"(1) Two and one-eightieth percent of the member's average final compensation multiplied by the number of years of his or her creditable service; or

"(2) If he or she became a member before October 1, 1971, \$72 multiplied by the number of years of his or her creditable service not in excess of 25 years.

Notwithstanding, a member who retired prior to October 1, 1971, under service retirement shall receive \$120 multiplied by the number of years of his or her creditable service not in excess of 25 years.

"(d) Upon retirement from service, a Tier II plan member shall receive a service retirement allowance which shall consist of an annuity which shall be the actuarial equivalent of the member's accumulated contributions at the time of retirement and a pension which, when added to the member's annuity, shall be equal to one and sixty-five hundredths percent (1.65%) of the member's average final compensation multiplied by the number of years of creditable service. Notwithstanding the foregoing, the service retirement allowance shall not exceed eighty percent (80%) of the member's average final compensation.

"(e) Upon the application of a Tier I plan member in service or of his or her employer, any member who has had 10 or more years of creditable service may be retired by the Board of Control on a disability retirement allowance not less

1       than 30 nor more than 90 days next following the date of  
2       filing such an application; provided, that the medical board,  
3       after a medical examination of such member, shall certify that  
4       such member is mentally or physically incapacitated for  
5       further performance of duty, that such incapacity is likely to  
6       be permanent, and that such member should be retired. Upon the  
7       application of a Tier II plan member in service or of his or  
8       her employer, any member who has had 10 or more years of  
9       creditable service may be retired by the Board of Control on a  
10      disability retirement allowance not less than 30 nor more than  
11      90 days next following the date of filing such an application;  
12      provided, that the medical board, after a medical examination  
13      of such member, shall certify that the member is totally and  
14      permanently mentally or physically incapacitated from regular  
15      and substantial gainful employment, and that such member  
16      should be retired.

17               "(f) Upon retirement for disability, a Tier I plan  
18      member shall receive a service retirement allowance if he or  
19      she has attained age 60 or if any law or part of any law  
20      pertaining to retirement under the Teachers' Retirement System  
21      of Alabama provides for service retirement after the  
22      completion of 25 years of creditable service and the member  
23      has completed 25 years of creditable service; otherwise, he or  
24      she shall receive a disability retirement allowance which  
25      shall consist of:

"(1) An annuity which shall be the actuarial equivalent of his or her accumulated contributions at the time of retirement; and

"(2) A pension which shall be equal to the pension that would have been payable under subdivisions (2) and (3) of subsection (b) of this section upon service retirement at age 60 had the member continued in service to that age without change in compensation.

The annual disability retirement pension shall not be less than an amount which when added to his or her annuity is equal to the greater of the following amounts:

"a. Two and one-eightieth percent of the member's average final compensation multiplied by the number of years of creditable service.

"b. If he or she became a member before October 1, 1971, \$54 multiplied by the number of years of his or her creditable service not in excess of 25 years.

"Notwithstanding, a member who retired prior to October 1, 1971, for disability shall receive \$90 multiplied by the number of years of his or her creditable service not in excess of 25 years.

"(g) Upon retirement for disability, a Tier II plan member shall receive a service retirement allowance if the member has attained age 62, or in the case of a Tier II plan member who is a correctional officer, firefighter, or law



1 enforcement officer as defined in Section 36-27-59, if the  
2 member has attained age 56 with at least ten years of  
3 creditable service as a correctional officer, firefighter, or  
4 law enforcement officer, otherwise, the member shall receive a  
5 disability retirement allowance which shall be equal to one  
6 and sixty-five hundredths percent (1.65%) of the member's  
7 average final compensation multiplied by the number of years  
8 of creditable service.

9           "(h) (1) Once each year during the first five years  
10 following the retirement of a member on a disability  
11 retirement allowance and once in every three-year period  
12 thereafter, the Board of Control may and upon his or her  
13 application shall require any disability beneficiary who has  
14 not yet attained age 60 for a Tier I plan member or age 62 for  
15 a Tier II plan member to undergo a medical examination, such  
16 examination to be made at the place of residence of such  
17 beneficiary or other place mutually agreed upon by a physician  
18 of or designated by the medical board. Should any disability  
19 beneficiary who has not yet attained age 60 for a Tier I plan  
20 member or age 62 for a Tier II plan member refuse to submit to  
21 such medical examination, his or her pension may be  
22 discontinued until his or her withdrawal of such refusal, and  
23 should his refusal continue for one year, all his or her  
24 rights in and to his or her pension may be revoked by the  
25 Board of Control; provided, that these requirements relative

1 to the medical examination shall not apply in the case of a  
2 Tier II plan member who is a correctional officer,  
3 firefighter, or law enforcement officer as defined in Section  
4 36-27-59 retired for disability and who has attained age 56  
5 with at least ten years of creditable service as a  
6 correctional officer, firefighter, or law enforcement officer.

7           "(2) Should the medical board report and certify to  
8 the Board of Control that a disability beneficiary who is a  
9 Tier I plan member is engaged in or is able to engage in a  
10 gainful occupation paying more than the difference between his  
11 or her retirement allowance and his average final compensation  
12 and should the Board of Control concur in such report, then  
13 the amount of his or her pension shall be reduced to an amount  
14 which, together with his or her annuity and the amount  
15 earnable by him or her, shall equal the amount of his or her  
16 average final compensation. Should his or her earning capacity  
17 be later changed, the amount of his or her pension may be  
18 further modified; provided, that the new pension shall not  
19 exceed the amount of the pension originally granted nor an  
20 amount which, when added to the amount earnable by the  
21 beneficiary together with his or her annuity, equals the  
22 amount of his or her average final compensation.

23           "(3) Should the medical board report and certify to  
24 the Board of Control that a disability beneficiary who is a  
25 Tier II plan member has the capacity to engage in regular and

1 substantial gainful employment, the Board of Control shall  
2 discontinue the beneficiary's retirement allowance until the  
3 beneficiary is otherwise eligible for service retirement.

4 "(i) (1) Should a member cease to be a teacher,  
5 except by death or by retirement under the provisions of this  
6 chapter, the contributions standing to the credit of his or  
7 her individual account in the Annuity Savings Fund shall be  
8 paid to him or her upon demand, and in addition to such  
9 payment there shall be paid five-tenths of the interest  
10 accumulations standing to the credit of his or her individual  
11 account if he or she shall have not less than three but less  
12 than 16 years of membership service, six-tenths of such  
13 interest accumulations if he or she shall have not less than  
14 16 but less than 21 years of membership service, seven-tenths  
15 of such interest accumulations if he or she shall have not  
16 less than 21 but less than 26 years of membership service, and  
17 eight-tenths of such interest accumulations if he or she shall  
18 have not less than 26 years of membership service.

19 "(2) In case of the death of a member eligible for  
20 service retirement pursuant to subsection (a) of this section,  
21 an allowance shall be paid to the surviving spouse, or to such  
22 other person who the member shall have designated, in an  
23 amount that would have been payable if the member had retired  
24 immediately prior to his or her death and had elected Option  
25 3, as set forth in subsection (j) of this section or,

1       alternatively, if the surviving spouse or other designee  
2       desires, he or she may choose to receive, in lieu of the  
3       allowance provided under Option 3, the accumulated  
4       contributions of the member plus an amount equal to the  
5       accumulated contributions of the member not to exceed \$5,000  
6       or the accumulated contributions of the member plus the  
7       benefit provided by Section 36-27B-3 if a benefit is payable  
8       under such section.

9               "(3) Upon the death of a member on account of whom  
10       no survivor allowance is payable under subdivision (2) of this  
11       subsection, the accumulated contributions of the member plus  
12       an amount equal to the accumulated contributions not to exceed  
13       \$5,000 or the accumulated contributions of the member plus the  
14       benefit provided by Section 36-27B-3 if a benefit is payable  
15       under such section shall be paid to his or her estate or to  
16       such person as he shall have nominated by written designation  
17       duly executed and filed with the Board of Control.

18               "(j) With the provision the election of an option  
19       shall be effective on the effective date of retirement, any  
20       member may elect prior to retirement to receive, in lieu of  
21       his or her retirement allowance payable throughout life, the  
22       actuarial equivalent at that time of his or her retirement  
23       allowance in a reduced retirement allowance payable throughout  
24       life with the provision that:

1           "(1) OPTION 1. If he or she dies before he or she  
2       has received in annuity payments the present value of his or  
3       her annuity as it was at the time of his or her retirement,  
4       the balance shall be paid to his or her legal representatives  
5       or to such person as he or she shall nominate by written  
6       designation duly acknowledged and filed with the Board of  
7       Control;

8           "(2) OPTION 2. Upon his or her death, his or her  
9       reduced retirement allowance shall be continued throughout the  
10      life of and paid to such person as he or she shall nominate by  
11      written designation duly acknowledged and filed with the Board  
12      of Control at the time of his or her retirement;

13          "(3) OPTION 3. Upon his or her death, one half of  
14      his or her reduced retirement allowance shall be continued  
15      throughout the life of and paid to such person as he or she  
16      shall nominate by written designation duly acknowledged and  
17      filed with the Board of Control at the time of his or her  
18      retirement; or

19          "(4) OPTION 4. Some other benefit or benefits shall  
20      be paid either to the member or to such person or persons as  
21      he or she shall nominate; provided, that such other benefit or  
22      benefits, together with the reduced retirement allowance,  
23      shall be certified by the actuary to be of equivalent  
24      actuarial value to his or her retirement allowance and shall  
25      be approved by the Board of Control.

1           "(5) OPTION 5. At the time of retirement, he or she  
2           shall receive a partial lump sum distribution as a single  
3           payment not to exceed the sum of 24 months of the maximum  
4           monthly retirement allowance the member could receive. This  
5           option may be elected in addition to the election of another  
6           option under this subsection and the further reduced monthly  
7           retirement allowance shall be calculated in accordance with  
8           the selected option. This option shall not be available to a  
9           member who is receiving a disability retirement.

10           "(k) Should any beneficiary be restored to active  
11           service, his or her retirement allowance shall be suspended  
12           until he or she again withdraws from service and, he or she  
13           shall not again become a member, nor shall he or she make  
14           contributions; except, that should such beneficiary who has  
15           been restored to active service continue in service for a  
16           period of two or more years from the date of his or her  
17           reentry into active service, he or she may request the Board  
18           of Control to allow him or her to again become a member of the  
19           retirement system. The Board of Control may grant the request  
20           for restoration to membership; provided, that such beneficiary  
21           whose retirement allowance has been suspended shall repay to  
22           the system all moneys received by him or her as benefits  
23           during any period subsequent to the date of his or her reentry  
24           into active service; provided further, that he or she shall  
25           make a contribution equal to the amount he or she would have

1 contributed had he or she been a member during the period of  
2 his or her restoration to active service on a suspended  
3 allowance basis, together with the interest which would have  
4 been credited to the contributions on account of such period  
5 of restoration up to the date such contribution is made.

6 "(1) (1) All retirement allowance payments due on or  
7 after October 1, 1975, to members who retired prior to October  
8 1, 1975, shall be redetermined as if the provisions of  
9 subsections (b) and (e) of this section which became effective  
10 on said date were in effect at the time the member retired;  
11 provided, that the annual retirement allowance of any member  
12 who retired on or before January 1, 1956, shall be not less  
13 than \$132 multiplied by the number of years of his or her  
14 creditable service not in excess of 30 years in the case of  
15 service retirement or \$99 multiplied by the number of years of  
16 creditable service not in excess of 30 years in the case of  
17 disability retirements. Any increase provided in the  
18 retirement allowance payment under this subsection for a  
19 member who retired under the provisions of any optional  
20 benefit elected pursuant to subsection (j) of this section  
21 shall accrue only to the retired member, and no person  
22 designated to receive any payments after the death of a  
23 retired member under the provisions of any such optional  
24 benefit shall receive any increase in such payments under this  
25 subsection.

1           "(2) Any person who served at least 30 years as a  
2 teacher in the public schools of Alabama and was never a  
3 member of the system and who, prior to October 1, 1963, was in  
4 receipt of a benefit for old age assistance pursuant to  
5 subsections (1) and (2) of Section 1 of Act 116, approved  
6 August 24, 1959, shall be entitled to receive an annual  
7 retirement allowance of \$3,960 from the system, effective as  
8 of October 1, 1973.

9           "(3) Prior to October 31, 1975 any beneficiary may  
10 elect to leave on deposit with the system all or a specified  
11 part of any increase in his or her monthly retirement  
12 allowance payments arising in accordance with subdivision (1)  
13 or (2) of this subsection. The portion of each monthly payment  
14 left in the system in accordance with such election shall be  
15 credited, together with regular interest thereon, to the  
16 individual account of such beneficiary. Upon the death of such  
17 beneficiary, the total amount standing to his or her credit,  
18 including regular interest to the date of death, shall be paid  
19 in a lump sum to his or her legal representative or to such  
20 person as he or she shall have nominated by written  
21 designation duly acknowledged and filed with the Board of  
22 Control.

23           "(m) Notwithstanding any other provisions of this  
24 section to the contrary, when a designated beneficiary for a  
25 member predeceases the member who is receiving a monthly



1 benefit allowance provided under Option 2, 3, or 4, the member  
2 may designate a replacement beneficiary for the deceased  
3 beneficiary to become effective two years after the date of  
4 designation of the replacement beneficiary and an actuarial  
5 adjustment in the monthly benefit allowance of the member to  
6 cover any cost associated with designating a replacement  
7 beneficiary shall be reflected thereafter in the monthly  
8 benefit allowance received by the member, commencing with the  
9 first benefit allowance check received by the member following  
10 the date of designation of the replacement beneficiary.

11 "(n) Notwithstanding any provision of this section  
12 to the contrary, if a retired member who is receiving a  
13 monthly benefit allowance provided under Option 2, 3, or 4  
14 divorces his or her designated beneficiary, the member may  
15 designate a replacement beneficiary for the beneficiary to  
16 become effective two years after the date of designation of  
17 the replacement beneficiary and an actuarial adjustment in the  
18 monthly benefit allowance of the member to cover any cost  
19 associated with designating a replacement beneficiary shall be  
20 reflected thereafter in the monthly benefit allowance received  
21 by the member, commencing with the first benefit allowance  
22 check received by the member following the date of designation  
23 of the replacement beneficiary.

24 "(o) Any future act to increase the retirement age  
25 for Tier II plan members above the age of 62 shall require a

1 two-thirds vote of the elected membership of each house of the  
2 Legislature.

3 "§36-27-16.

4 "(a) (1) RETIREMENT, ETC., OF EMPLOYEES GENERALLY;  
5 ELIGIBILITY FOR SERVICE RETIREMENT BENEFITS.

6 "a. Any Tier I plan member who withdraws from  
7 service upon or after attainment of age 60 and any Tier II  
8 plan member who withdraws from service upon or after  
9 attainment of age 62 may retire upon written application to  
10 the Board of Control setting forth at what time, not less than  
11 30 days nor more than 90 days subsequent to the execution and  
12 filing thereof, he or she desires to be retired; provided,  
13 that any such member who became a member on or after October  
14 1, 1963, shall have completed 10 or more years of creditable  
15 service; provided further, that a Tier I plan member employed  
16 as a state policeman shall be eligible to file application for  
17 service retirement upon attaining age 52 and a Tier II plan  
18 member employed as a state policeman or employed as a  
19 correctional officer, firefighter, or law enforcement officer  
20 as defined in Section 36-27-59 with at least ten years of  
21 creditable service as a correctional officer, firefighter, or  
22 law enforcement officer shall be eligible to file application  
23 for service retirement upon attaining age 56.

24 "b. Any Tier I plan member who has attained age 60,  
25 or age 52 in the case of a state policeman and any Tier II

1 plan member who has attained age 62, or age 56 in the case of  
2 a state policeman or in the case of a correctional officer,  
3 firefighter, or law enforcement officer as defined in Section  
4 36-27-59 who has at least ten years of creditable service as  
5 a correctional officer, firefighter, or law enforcement  
6 officer, and has previously withdrawn from service may retire  
7 upon written application to the Board of Control setting forth  
8 at what time, not less than 30 days nor more than 90 days  
9 subsequent to the execution and filing thereof, he or she  
10 desires to be retired; provided, the member shall have at the  
11 time of his or her withdrawal from service completed the age  
12 and service requirements established by the Board of Control  
13 for eligibility for deferred benefits; provided, that such  
14 minimum number of years of creditable service shall not be  
15 less than 10 years nor more than 25 years.

16 "c. In addition to any law or part of law relating  
17 to service retirement under the Employees' Retirement System  
18 of Alabama, any Tier I plan member of the Employees'  
19 Retirement System who withdraws from service after completion  
20 of not less than 25 years of creditable service may retire  
21 without a reduction in retirement allowance upon written  
22 application to the Board of Control of the Employees'  
23 Retirement System setting forth the first day of which month,  
24 not less than 30 days or more than 90 days subsequent to the  
25 execution and filing thereof, he or she desires to be retired,

1 provided that no person whose employer participates in the  
2 Employees' Retirement System under Section 36-27-6 shall be  
3 entitled to the benefits provided in this paragraph unless  
4 such employer elects to come under the provisions of the  
5 paragraph. Any employer making such election must bear the  
6 cost of such benefit.

7 "(2) AMOUNT OF SERVICE RETIREMENT ALLOWANCE.

8 "a. Upon retirement from service a Tier I plan  
9 member shall receive a service retirement allowance which  
10 shall consist of:

11 "1. An annuity which shall be the actuarial  
12 equivalent of his or her accumulated contributions at the time  
13 of his or her retirement; except, that in the case of a state  
14 policeman who has completed 20 years of creditable service as  
15 a state policeman who retires after age 56 but prior to age  
16 60, the annuity shall be equal to the annuity that would have  
17 been payable upon service retirement at age 60 had the member  
18 continued in service to age 60 without change in compensation;

19 "2. A pension which shall be equal to the annuity  
20 allowance at age of retirement, but not to exceed an annuity  
21 allowable at age 65, computed on the basis of contributions  
22 made prior to attainment of age 65; except, that in the case  
23 of a state policeman who has completed 20 years of creditable  
24 service as a state policeman who retires after age 56 but  
25 prior to age 60, the pension shall be equal to the annuity

1       that he or she would have received had he or she contributed  
2       to age 60 without change in compensation; and

3               "3. An additional pension, if he or she has a prior  
4       service certificate in full force and effect, which shall be  
5       equal to the annuity which would have been provided at the age  
6       of retirement, but which shall not exceed an annuity allowable  
7       at age 65 by twice the contributions which he or she would  
8       have made during the period of prior service with which he or  
9       she is credited had the system been in operation and had he or  
10      she contributed thereunder; except, that in case of a state  
11      policeman who has completed 20 years of creditable service as  
12      a state policeman who retired after age 56 but prior to age  
13      60, an additional pension, if he or she has a prior service  
14      certificate in full force and effect, which shall be equal to  
15      the annuity which would have been provided at age 60, but  
16      which shall not exceed an annuity allowable at age 60 by twice  
17      the contributions which he or she would have made during the  
18      period of prior service with which he or she is credited had  
19      the system been in operation and had he or she contributed  
20      thereunder.

21              "b. Notwithstanding the provisions of subparagraphs  
22      1, 2, and 3 of paragraph a. of this subdivision, a state  
23      policeman who is a Tier I plan member and who has completed 20  
24      years of service as a state policeman who retires after age 52  
25      but prior to age 56 shall receive:

1           "1. An annuity which shall be equal to the annuity  
2           that would have been payable had the member continued in  
3           service for four years without change in compensation;

4           "2. A pension which shall be equal to the annuity  
5           that he or she would have received had he or she contributed  
6           for four years without change in compensation; and

7           "3. An additional pension, if he or she has a prior  
8           service certificate in full force and effect, which shall be  
9           equal to the annuity which would have been provided at the age  
10          of retirement, but which shall not exceed an annuity allowable  
11          at the age of retirement plus four years by twice the  
12          contributions which he or she would have made during the  
13          period of prior service with which he or she is credited had  
14          the system been in operation and had he or she contributed  
15          thereunder. In lieu of a determination of the actual  
16          compensation of a member that was received during such prior  
17          service, the Board of Control may use for the purpose of this  
18          article the compensation rate which, if it had progressed with  
19          the rates of salary increase shown in the tables as prescribed  
20          in subsection (n) of Section 36-27-23, would have resulted in  
21          the same average salary of the member for the five years  
22          immediately preceding the date of establishment as the records  
23          show the member actually received.

24          "c. The annual service retirement pension payable to  
25          a Tier I plan member not employed as a state policeman

retiring on or after October 1, 1975, shall not be less than an amount which, when added to his or her annuity, is equal to the greater of the following two amounts:

"1. Two and one-eightieth percent of the member's average final compensation multiplied by the number of years of his or her creditable service; or

"2. If he or she became a member before October 1, 1965, \$72.00 multiplied by the number of years of his or her creditable service not in excess of 25 years.

"d. The annual service retirement pension payable to a Tier I plan member employed as a state policeman retiring on or after October 1, 1975, shall not be less than an amount which, when added to his or her annuity is equal to the greater of the following two amounts:

"1. Two and seven-eighths percent of the member's average final compensation multiplied by the number of years of his or her creditable service. Creditable service for any state policeman under the age of 56 years who has completed 20 years of creditable service as a state policeman shall include a bonus equal to four additional years. Creditable service for a state policeman 56 years or older shall include a bonus equal to the years or portion thereof remaining until the member reaches age 60; or

"2. If he or she became a member before October 1, 1965, \$86.40 multiplied by the number of years of his or her

1     creditable service not in excess of 25 years; provided,  
2     however, that if such member has completed 20 years of  
3     creditable service as a state policeman and has not attained  
4     age 60 at the time of retirement, the pension shall be  
5     determined as provided in this subparagraph on the basis of  
6     the number of years of creditable service which he or she  
7     would have had if he or she had remained in service for four  
8     years, except that, in the case of those state policemen  
9     retiring at age 56 or after, the number of years in  
10    determining the pension shall not exceed the number of years  
11    of creditable service which he or she would have had if he or  
12    she had remained in service to age 60.

13            "e. Upon retirement from service, a Tier II plan  
14    member who is not employed as a state policeman shall receive  
15    a service retirement allowance which shall consist of an  
16    annuity which shall be the actuarial equivalent of the  
17    member's accumulated contributions at the time of retirement  
18    and a pension which, when added to the member's annuity, shall  
19    be equal to one and sixty-five hundredths percent (1.65%) of  
20    the member's average final compensation multiplied by the  
21    number of years of creditable service. Notwithstanding the  
22    foregoing, the service retirement allowance shall not exceed  
23    eighty percent (80%) of the member's average final  
24    compensation.



1            "f. Upon retirement from service, a Tier II plan  
2 member who is employed as a state policeman shall receive a  
3 service retirement allowance which shall consist of an annuity  
4 which shall be the actuarial equivalent of the member's  
5 accumulated contributions at the time of retirement and a  
6 pension which, when added to the member's annuity, shall be  
7 equal to two and three-eighths percent (2.375%) of the  
8 member's average final compensation multiplied by the member's  
9 number of years of creditable service. Notwithstanding the  
10 foregoing, the service retirement allowance shall not exceed  
11 eighty percent (80%) of the member's average final  
12 compensation.

13           "g. Anything in this article to the contrary  
14 notwithstanding, in the application of the foregoing  
15 provisions of this subdivision to a member whose creditable  
16 service includes a period of service as a state policeman and  
17 a period of service in another employment classification, the  
18 benefit rates applicable to a member employed as a state  
19 policeman shall apply to all creditable service as a state  
20 policeman, and the benefit rates applicable to a member not  
21 employed as a state policeman shall apply to all creditable  
22 service, but in all other respects the pension under this  
23 subdivision shall be determined on the basis of the member's  
24 employment classification at the time of his or her withdrawal  
25 from service.

1            "h. The annual service retirement pension payable to  
2            any state employee who had attained age 60 on or before  
3            October 1, 1945, who declined membership in the Employees'  
4            Retirement System of Alabama in the manner prescribed in  
5            Section 36-27-4 and who retires as a state employee after  
6            completing a minimum of 15 years' service shall be \$72.00  
7            multiplied by the number of years of his or her service not in  
8            excess of 25 years.

9            " (b) (1) RETIREMENT OF DISABLED EMPLOYEES;  
10            ELIGIBILITY FOR DISABILITY RETIREMENT BENEFITS.

11            "a. Upon application of a Tier I plan member in  
12            service or of his or her employer, any member who has had 10  
13            or more years of creditable service who becomes disabled may  
14            be retired on a disability retirement allowance by the Board  
15            of Control not less than 30 nor more than 90 days next  
16            following the date of filing of such application; provided,  
17            that the medical board, after a medical examination of such  
18            member, shall certify that such member is mentally or  
19            physically incapacitated for the further performance of duty,  
20            that such incapacity is likely to be permanent and that such  
21            member should be retired. Upon the application of a Tier II  
22            plan member in service or his or her employer, any member who  
23            has had 10 or more years of creditable service may be retired  
24            by the Board of Control on a disability retirement allowance  
25            not less than 30 nor more than 90 days next following the date

1 of filing such application; provided, that the medical board,  
2 after a medical examination of such member, shall certify that  
3 the member is totally and permanently mentally or physically  
4 incapacitated from regular and substantial gainful employment,  
5 and that such member should be retired.

6 "b. Without regard to the number of years of  
7 creditable service, a member employed as a state policeman, a  
8 municipal police officer or a deputy sheriff, or a member  
9 employed as a state, municipal, or county firefighter who is  
10 not covered through his or her current employer under the  
11 United States Social Security Act, who as a result of his or  
12 her employment, in the line of duty and not as a result of his  
13 or her own misconduct, shall become permanently and totally  
14 disabled to the extent that he or she cannot perform his or  
15 her duties or duties of a less strenuous nature, as an  
16 employee of the State of Alabama or as an employee of an  
17 employer participating under the provisions of Section  
18 36-27-6, shall be retired on a disability retirement  
19 allowance, not less than 30 nor more than 90 days next  
20 following the date of filing of such application, provided  
21 that the medical board, after a medical examination of such  
22 member shall certify that such member is mentally or  
23 physically incapacitated for the further performance of duty,  
24 that such incapacity is likely to be permanent, and that such  
25 member should be retired.

1                   "(2) AMOUNT OF DISABILITY RETIREMENT ALLOWANCE.

2                   "a. Upon retirement for disability a member shall  
3 receive a service retirement allowance if he or she is a Tier  
4 I plan member and he or she has attained age 60 or if he or  
5 she is a Tier II plan member and he or she has attained age  
6 62, or if any law or part of any law pertaining to retirement  
7 under the Employees' Retirement System of Alabama provides for  
8 service retirement after the completion of 25 years of  
9 creditable service without a reduction in the retirement  
10 allowance and the member has completed 25 years of creditable  
11 service, or, in the case of a state policeman, if he or she is  
12 a Tier I plan member and he or she has attained age 52 or, in  
13 the case of a state policeman or a correctional officer,  
14 firefighter, or law enforcement officer as defined in Section  
15 36-27-59 with at least ten years of creditable service as a  
16 correctional officer, firefighter, or law enforcement officer,  
17 if he or she is a Tier II plan member and he or she has  
18 attained age 56; otherwise, he or she shall receive a  
19 disability retirement allowance which shall consist of:

20                   "1. An annuity which shall be the actuarial  
21 equivalent of his or her accumulated contributions at the time  
22 of his or her retirement;

23                   "2. A pension which shall be equal to the pension  
24 that would have been payable under subparagraphs 2 and 3 of  
25 paragraph a. of subdivision (2) of subsection (a) of this

1 section upon service retirement at age 65 had the member  
2 continued in service to that age without change in  
3 compensation.

4 "b. The annual disability retirement pension payable  
5 to a Tier I plan member not employed as a state policeman  
6 retiring on or after October 1, 1975, shall not be less than  
7 an amount which when added to his or her annuity is equal to  
8 the greatest of the following two amounts:

9 "1. Two and one-eightieth percent of the member's  
10 average final compensation multiplied by the number of years  
11 of creditable service.

12 "2. If he or she became a member before October 1,  
13 1965, \$54.00 multiplied by the number of years of his or her  
14 creditable service not in excess of 25 years.

15 "c. The annual disability retirement pension payable  
16 to a Tier I plan member employed as a state policeman retiring  
17 on or after October 1, 1975, shall not be less than an amount  
18 which when added to his or her annuity is equal to the greater  
19 of the following two amounts:

20 "1. Two and seven-eighths percent of the member's  
21 average final compensation multiplied by the number of years  
22 of his or her creditable service. Creditable service for any  
23 state policeman under the age of 56 years who has completed 20  
24 years of creditable service as a state policeman shall include  
25 a bonus equal to four additional years. Creditable service for

1 a state policeman 56 years or older shall include a bonus  
2 equal to the years or portion thereof remaining until the  
3 member reaches age 60; or

4 "2. If he or she became a member before October 1,  
5 1965, \$64.80 multiplied by the number of years of his or her  
6 creditable service not in excess of 25 years.

7 "d. The annual disability retirement allowance  
8 payable to a Tier II plan member not employed as a state  
9 policeman shall be equal to one and sixty-five hundredths  
10 percent (1.65%) of the member's average final compensation  
11 multiplied by the number of years of creditable service.

12 "e. The annual disability retirement allowance  
13 payable to a Tier II plan member employed as a state policeman  
14 shall be equal to two and three-eighths percent (2.375%) of  
15 the member's average final compensation multiplied by the  
16 number of years of creditable service.

17 "f. Anything in this chapter to the contrary  
18 notwithstanding in the application of the provisions of this  
19 subdivision to a member whose creditable service includes a  
20 period of service as a state policeman and a period of service  
21 in another employment classification the benefit rates  
22 applicable to a member employed as a state policeman shall  
23 apply to all creditable service as a state policeman, and the  
24 benefit rates applicable to a member not employed as a state  
25 policeman shall apply to all other creditable service, but in

1 all other respects the pension under this subdivision shall be  
2 determined on the basis of the member's employment  
3 classification at the time of his or her withdrawal from  
4 service.

5 "(3) REEXAMINATION OF BENEFICIARIES RETIRED ON  
6 ACCOUNT OF DISABILITY. Once each year during the first five  
7 years following the retirement of a member on a disability  
8 retirement allowance and once every three-year period  
9 thereafter, the Board of Control may, and upon his or her  
10 application shall, require any disability beneficiary who has  
11 not yet attained age 60 if the beneficiary is a Tier I plan  
12 member or age 62 if the beneficiary is a Tier II plan member  
13 to undergo a medical examination, such examination to be made  
14 at the place of residence of such beneficiary or other place  
15 mutually agreed upon by a physician or physicians of or  
16 designated by the medical board. Should any disability  
17 beneficiary who has not yet attained age 60 if the beneficiary  
18 is a Tier I plan member or age 62 if the beneficiary is a Tier  
19 II plan member refuse to submit to such medical examination,  
20 his or her allowance may be discontinued until his or her  
21 withdrawal of such refusal, and, should his or her refusal  
22 continue for one year, all his or her rights in and to his or  
23 her pension may be revoked by the Board of Control; provided,  
24 that these requirements relative to the medical examination  
25 shall not apply in the case of a state policeman retired for

1 disability and who has attained age 52 if he or she is a Tier  
2 I plan member or in the case of a state policeman or a  
3 correctional officer, firefighter, or law enforcement officer  
4 as defined in Section 36-27-59 with at least ten years of  
5 creditable service as a correctional officer, firefighter, or  
6 law enforcement officer retired for disability who has  
7 attained age 56 if he or she is a Tier II plan member. Should  
8 the medical board report and certify to the Board of Control  
9 that a disability beneficiary who is a Tier I plan member is  
10 engaged in or is able to engage in a gainful occupation paying  
11 more than the difference between his or her retirement  
12 allowance and his or her average final compensation and should  
13 the Board of Control concur in such report, then the amount of  
14 his or her pension shall be reduced to an amount which,  
15 together with his or her annuity and the amount earnable by  
16 him or her shall equal the amount of his or her average final  
17 compensation. Should his or her earning capacity be later  
18 changed, the amount of his or her pension may be further  
19 modified; provided, that the new pension shall not exceed the  
20 amount of the pension originally granted nor an amount which,  
21 when added to the amount earnable by the beneficiary, together  
22 with this annuity exceeds the amount of his or her average  
23 final compensation.

24 "Should the medical board report and certify to the  
25 Board of Control that a disability beneficiary who is a Tier



1       II plan member has the capacity to engage in regular and  
2       substantial gainful employment, the Board of Control shall  
3       discontinue the beneficiary's retirement allowance until the  
4       beneficiary is otherwise eligible for service retirement.

5               "(c) Disposition of contributions and allowances  
6       upon death, etc., of member.

7               "(1) Should a member cease to be an employee except  
8       by death or by retirement under the provisions of this  
9       article, the contributions standing to the credit of his or  
10      her individual account in the Annuity Savings Fund shall be  
11      paid to him or her upon demand and, in addition to such  
12      payment, there shall be paid five-tenths of the interest  
13      accumulations standing to the credit of his or her individual  
14      account if he or she shall have not less than three but less  
15      than 16 years of membership service, six-tenths of such  
16      interest accumulations if he or she shall have not less than  
17      16 but less than 21 years of membership service, seven-tenths  
18      of such interest accumulations if he or she shall have not  
19      less than 21 but less than 26 years of membership service and  
20      eight-tenths of such interest accumulations if he or she shall  
21      have not less than 26 years of membership service.

22              "(2) In case of the death of a member eligible for  
23      service retirement pursuant to subsection (a) of this section,  
24      an allowance shall be paid to the surviving spouse, or to such  
25      other person who the member shall have designated, in an

1 amount that would have been payable if the member had retired  
2 immediately prior to his or her death and had elected Option  
3 3, as set forth in subsection (d) of this section or,  
4 alternatively, if the surviving spouse or other designee  
5 desires, he or she may choose to receive, in lieu of the  
6 allowance provided under Option 3, the accumulated  
7 contributions of the member plus an amount equal to the  
8 accumulated contributions of the member not to exceed  
9 \$5,000.00 or the accumulated contributions of the member plus  
10 the benefit provided by Section 36-27B-3 if a benefit is  
11 payable under such section;

12 "(3) In case of the death of a Tier I plan member  
13 not eligible for service retirement, after completion of 25  
14 years of creditable service, an allowance shall be paid to the  
15 surviving spouse, or to such other person who the member shall  
16 have designated, in an amount that would have been payable if  
17 the member had retired for disability immediately prior to his  
18 or her death and had elected Option 3 as set forth in  
19 subsection (d) of this section or, alternatively, if the  
20 surviving spouse or other designee desires, he or she may  
21 choose to receive, in lieu of the allowance provided under  
22 Option 3, the accumulated contributions of the member plus an  
23 amount equal to the accumulated contributions of the member  
24 not to exceed \$5,000.00 or the accumulated contributions of

1 the member plus the benefit provided by Section 36-27B-3 if a  
2 benefit is payable under such section;

3 "(4) Upon the death of a member on account of whom  
4 no survivor allowance is payable under subdivisions (2) or (3)  
5 of this subsection, the accumulated contributions of the  
6 member plus an amount equal to the accumulated contributions  
7 not to exceed \$5,000 or the accumulated contributions of the  
8 member plus the benefit provided by Section 36-27B-3 if a  
9 benefit is payable under such section shall be paid to his or  
10 her estate or to such person as he or she shall have nominated  
11 by written designation duly executed and filed with the Board  
12 of Control.

13 "(d) Optional allowances. With the provision that  
14 the election of an option shall be effective on the effective  
15 date of retirement, any member may elect prior to retirement  
16 to receive, in lieu of his or her retirement allowance payable  
17 throughout life, the actuarial equivalent, at that time, of  
18 his or her retirement allowance in a reduced retirement  
19 allowance payable throughout life with the provisions that:

20 "(1) OPTION 1. If he or she dies before he or she  
21 has received in annuity payments the present value of his or  
22 her annuity as it was at the time of his or her retirement,  
23 the balance shall be paid to his or her legal representatives  
24 or to such person as he or she shall nominate by written

1 designation duly acknowledged and filed with the Board of  
2 Control;

3 "(2) OPTION 2. Upon his or her death, his or her  
4 reduced retirement allowance shall be continued throughout the  
5 life of and paid to such person as he or she shall nominate by  
6 written designation duly acknowledged and filed with the Board  
7 of Control at the time of his or her retirement;

8 "(3) OPTION 3. Upon his or her death, one half of  
9 his or her reduced allowance shall be continued throughout the  
10 life of and paid to such person as he or she shall nominate by  
11 written designation duly acknowledged and filed with the Board  
12 of Control at the time of his or her retirement; or

13 "(4) OPTION 4. Some other benefit or benefits shall  
14 be paid either to the member or to such person or persons as  
15 he or she shall nominate; provided, that such other benefits,  
16 together with the reduced retirement allowance, shall be  
17 certified by the actuary to be of equivalent actuarial value  
18 to his or her retirement allowance and shall be approved by  
19 the Board of Control.

20 "(5) OPTION 5. At the time of retirement, he or she  
21 shall receive a partial lump sum distribution as a single  
22 payment not to exceed the sum of 24 months of the maximum  
23 monthly retirement allowance the member could receive. This  
24 option may be elected in addition to the election of another  
25 option under this subsection and the further reduced monthly

1     retirement allowance shall be calculated in accordance with  
2     the selected option. This option shall not be available to a  
3     member who is receiving a disability retirement.

4             "(e) Effect of return to active service. Should any  
5     beneficiary be restored to active service, his or her  
6     retirement allowance shall be suspended until he or she again  
7     withdraws from service and he or she shall not again become a  
8     member of the retirement system nor shall he or she make  
9     contributions; except, that should such beneficiary who has  
10    been restored to active service continue in service for a  
11    period of two or more years from the date of his or her  
12    reentry into active service, he or she may request the Board  
13    of Control to allow him or her to again become a member of the  
14    retirement system. The Board of Control may grant the request  
15    for restoration to membership; provided, that such beneficiary  
16    whose retirement allowance has been suspended shall repay to  
17    the system all moneys received by him or her as benefits  
18    during any periods subsequent to the date of his or her  
19    reentry into active service and shall make a contribution  
20    equal to the amount he or she would have contributed had he or  
21    she been a member during the period of his or her restoration  
22    to active service on a suspended allowance basis together with  
23    the interest which would have been credited to the  
24    contributions on account of such period of restoration up to  
25    the date such contribution is made.

1           "(f) (1) REDETERMINATION, ETC., OF CERTAIN  
2     ALLOWANCES. All retirement allowance payments due on or after  
3     October 1, 1975, to members who retired prior to that date  
4     shall be redetermined as if the provisions of this section in  
5     effect on October 1, 1975, were in effect at the time the  
6     member retired. Anything in this article to the contrary  
7     notwithstanding, the annual retirement allowance of any member  
8     not employed as a state policeman who retired on or before  
9     January 1, 1956, shall not be less than \$79.20 multiplied by  
10    the number of years of his or her creditable service not in  
11    excess of 30 years in the case of service retirement of \$59.40  
12    multiplied by the number of years of his or her creditable  
13    service not in excess of 30 years in the case of disability  
14    retirement. Any increase provided in the retirement allowance  
15    payment under this subdivision for a member who retired under  
16    the provisions of any optional benefit elected pursuant to  
17    subsection (d) of this section shall accrue only to the  
18    retired member, and no person designated to receive any  
19    payments after the death of a retired member under the  
20    provisions of any such optional benefit shall receive any  
21    increase in such payments under this subdivision.  
22    Notwithstanding, any member who retired prior to October 1,  
23    1975, and who chose either Option 2 or Option 3 may elect to  
24    receive a reduced allowance and to stipulate that the  
25    actuarial equivalent of the increase in his or her retirement

1 allowance, which became effective on that date, be ascribed to  
2 his or her designated beneficiary; provided, that such member  
3 shall clearly express this intention by filing a written  
4 application to the effect with the Secretary-Treasurer of the  
5 Employees' Retirement System of Alabama prior to October 1,  
6 1976.

7 "(2) Any person who, prior to October 1, 1963, was  
8 in receipt of a benefit pursuant to Act No. 376, approved  
9 November 6, 1959, but was not a member of the system at the  
10 time of retirement shall not be entitled to receive an annual  
11 retirement allowance from the system, effective October 1,  
12 1971, as follows:

13 "a. If such person was retired on or before January  
14 1, 1956, an amount equal to \$79.20 multiplied by the number of  
15 years of his or her creditable service not in excess of 30  
16 years.

17 "b. If such person was retired after January 1,  
18 1956, an amount equal to \$72.00 multiplied by the number of  
19 years of his or her creditable service not in excess of 25  
20 years.

21 "(3) Prior to October 31, 1975, any beneficiary may  
22 elect to leave on deposit with the system all or a specified  
23 part of any increase in his or her monthly retirement  
24 allowance payments arising in accordance with subdivisions (1)  
25 or (2) of this subsection over the monthly allowance which he

1 or she was receiving prior to October 1, 1975. The portion of  
2 each monthly payment left in the system in accordance with  
3 such election shall be credited, together with regular  
4 interest thereon, to the individual account of such  
5 beneficiary. Upon the death of such beneficiary the total  
6 amount standing to his or her credit, including regular  
7 interest to the date of death, shall be paid in a lump sum to  
8 his or her legal representatives or to such person as he or  
9 she shall have nominated by written designation duly  
10 acknowledged and filed with the Board of Control.

11 "(g) Notwithstanding any other provisions of this  
12 section to the contrary, when a designated beneficiary for a  
13 member predeceases the member who is receiving a monthly  
14 benefit allowance provided under Option 2, 3, or 4, the member  
15 may designate a replacement beneficiary for the deceased  
16 beneficiary to become effective two years after the date of  
17 designation of the replacement beneficiary and an actuarial  
18 adjustment in the monthly benefit allowance of the member to  
19 cover any cost associated with designating a replacement  
20 beneficiary shall be reflected thereafter in the monthly  
21 benefit allowance received by the member, commencing with the  
22 first benefit allowance check received by the member following  
23 the date of designation of the replacement beneficiary.

24 "(h) Notwithstanding any provision of this section  
25 to the contrary, if a retired member who is receiving a



1 monthly benefit allowance provided under Option 2, 3, or 4  
2 divorces his or her designated beneficiary, the member may  
3 designate a replacement beneficiary for the beneficiary to  
4 become effective two years after the date of designation of  
5 the replacement beneficiary and an actuarial adjustment in the  
6 monthly benefit allowance of the member to cover any cost  
7 associated with designating a replacement beneficiary shall be  
8 reflected thereafter in the monthly benefit allowance received  
9 by the member, commencing with the first benefit allowance  
10 check received by the member following the date of designation  
11 of the replacement beneficiary.

12 "(i) Any future act to increase the retirement age  
13 for Tier II plan members above the age of 62 shall require a  
14 two-thirds vote of the elected membership of each house of the  
15 Legislature."

16 Section 2. In order to allow time for the Retirement  
17 Systems of Alabama and the Department of Finance to implement  
18 the lump-sum option provided in Section 1, Option 5, as  
19 provided in Section 1, shall become available to all members  
20 who have a retirement date on or after October 1, 2019.

21 Section 3. This act shall become effective  
22 immediately following its passage and approval by the  
23 Governor, or its otherwise becoming law.

Mac McCutchen

Speaker of the House of Representatives

[Signature]

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 04-APR-19.

Jeff Woodard  
Clerk

Senate

23-MAY-19

Passed

APPROVED

5/29/19

TIME

2:57pm

Kay Ivey  
GOVERNOR

ADDITIONAL SIGNATURES OF CO-SPONSORS

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HOUSE ACTION  
(Continued)

REPORT OF 2<sup>ND</sup> STANDING COMMITTEE

This bill having been referred by the House to its standing committee on \_\_\_\_\_

\_\_\_\_\_ was acted upon by such a committee in session, and returned therefrom to the House with the recommendation that it be \_\_\_\_\_

Passed, w/amend(s) \_\_\_\_\_ w/sub \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, Chairperson \_\_\_\_\_

HOUSE OF REPRESENTATIVES

R. 3 at length and passed

Yea 102 Nays 0 Abs 0

Date 4-4-19

JEFF WOODARD, Clerk

SENATE ACTION  
(Continued)

This bill having been referred to the Committee on Rules pursuant to Senate Rule 23 is reported to the Senate for assignment to the Committee on: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

Signed (Committee Chairperson) \_\_\_\_\_

Date: \_\_\_\_\_

Referred \_\_\_\_\_

Committee \_\_\_\_\_

DATE: \_\_\_\_\_

20\_\_

RE-REFERRED ☐ RE-COMMITTED ☐

Committee \_\_\_\_\_

This Bill was referred to the Standing Committee of the Senate on \_\_\_\_\_

and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amd(s) \_\_\_\_\_ w/sub \_\_\_\_\_ w/eng sub \_\_\_\_\_

by a vote of \_\_\_\_\_

yeas \_\_\_\_\_ nays \_\_\_\_\_ abstain \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_