

ACT #2021 - 158
CA

1 HB380
2 209907-2
3 By Representative Warren (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 09-FEB-21

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2 ENROLLED, An Act,

3 Proposing an amendment to Amendment 693 to the
4 Constitution of Alabama of 1901, now appearing as Section 6,
5 Local Amendments, Macon County, Official ReCompilation of the
6 Constitution of Alabama of 1901, as amended, to prohibit the
7 Sheriff of Macon County from participating in the
8 supernumerary program of the county and to allow the sheriff
9 to elect to participate in the Employees' Retirement System;
10 and to provide for retroactive effect.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

16 PROPOSED AMENDMENT

17 Amendment 693 to the Constitution of Alabama of
18 1901, now appearing as Section 6, Local Amendments, Macon
19 County, Official ReCompilation of the Constitution of Alabama
20 of 1901, as amended, is amended to read as follows:

21 "Amendment 693.

22 "(a) An elected or appointed Macon County official
23 not currently serving as such an official who is elected or
24 appointed after the effective date of this amendment may not
25 assume a supernumerary office. Any person who, on the

1 ratification of this amendment, is entitled to participate in
2 a supernumerary program may continue to participate in that
3 supernumerary program, which shall include the assumption of a
4 supernumerary office according to the terms and conditions of
5 the law which established that supernumerary program. Every
6 elected or appointed Macon County official may participate in
7 the Employees' Retirement System of Alabama upon the same
8 terms and conditions as may be specified by law for any other
9 employee in the same retirement system. Macon County officials
10 holding office at the time of the ratification of this
11 amendment shall be eligible to purchase service credit in the
12 Employees' Retirement System for the time the official has
13 served as a county official. For the purposes of this
14 amendment, the words "elected or appointed county official"
15 shall include any person appointed to serve the remaining term
16 of an elected or appointed county official, including the
17 county coroner, but shall not include a judge, district
18 attorney, legislator, constable, school board member, or any
19 official elected from a judicial circuit.

20 "(b) Beginning December 13, 2000, a Sheriff of Macon
21 County may not participate in a supernumerary program, may
22 participate in the Employees' Retirement System of Alabama
23 upon the same terms and conditions as may be specified by law
24 for any other employee in the same retirement system, and
25 shall be eligible to purchase service credit in the Employees'

1 Retirement System for the time he or she has served as
2 sheriff. A Sheriff of Macon County holding office on or before
3 the date of ratification of the amendment adding this
4 subsection shall forego the assumption of a supernumerary
5 office and shall make the election within one year after the
6 ratification date of the amendment adding this subsection."

7 Section 2. An election upon the proposed amendment
8 shall be held in accordance with Section 284.01 of the
9 Constitution of Alabama of 1901, now appearing as Section
10 284.01 of the Official Recompilation of the Constitution of
11 Alabama of 1901, as amended, and the election laws of this
12 state.

13 Section 3. The appropriate election official shall
14 assign a ballot number for the proposed constitutional
15 amendment on the election ballot and shall set forth the
16 following description of the substance or subject matter of
17 the proposed constitutional amendment:

18 "Relating to Macon County, proposing an amendment to
19 Amendment 693 to the Constitution of Alabama of 1901, now
20 appearing as Section 6, Local Amendments, Macon County,
21 Official Recompilation of the Constitution of Alabama of 1901,
22 as amended, to prohibit the Sheriff of Macon County from
23 participating in the supernumerary program of the county and
24 to allow the sheriff to elect to participate in the Employees'
25 Retirement System; and to provide for retroactive effect. ,

1 "Proposed by Act _____"

2 This description shall be followed by the following

3 language:

4 "Yes () No ()."

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Mac McClatchey

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 24-FEB-21.

Jeff Woodard
Clerk

Senate

06-APR-21

Passed

Alabama Secretary Of State
Act Num....: 2021-158
Bill Num....: H-380
Recv'd 04/06/21 04:39pmSLF

SPONSORS

DIST. NO. 82

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HOUSE ACTION

DATE: 2.9 2021
 RD 1 RFD LV

REPORT OF STANDING COMMITTEE

This bill having been referred by the House to its standing committee on Local Legislation was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be passed w/amend(s) w/sub this 23 day of Feb 20 21.
John Baker Chairperson

DATE: 2.23 2021
 RF RD 2 CAL

DATE: 20____
 RE-REFERRED RE-COMMITTED
 Committee _____

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 380.
 YEARS 53 NAYS 0

JEFF WOODARD,
 Clerk

FURTHER HOUSE ACTION (OVER)

SENATE ACTION

DATE: 2/24 2021
 RD 1 RFD LL1

This Bill was referred to the Standing Committee of the Senate on LL1 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 _____ years _____ nays _____ abstain this 30th day of March 20 21.
Pat Harris Chairperson

DATE: 4/1 2021
 RF RD 2 CAL

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 380.
 YEARS 30 NAYS 0

PATRICK HARRIS,
 Secretary

DATE: 4-6-21
 PASSED PASSED AS AMENDED RD 3 at length

YEAS 30 NAYS 0
 And was ordered returned forthwith to the House.
 PATRICK HARRIS,
 Secretary

DATE: 20____
 INDEFINITELY POSTPONED YEARS NAYS

DATE: 20____
 RECONSIDERED YEARS NAYS

FURTHER SENATE ACTION (OVER)