



1 SB56

# ACT #2024 - 289

2 PFU5RGG-3

3 By Senator Orr

4 RFD: Finance and Taxation Education

5 First Read: 06-Feb-24



SB56 Enrolled



1 Enrolled, An Act,

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4 Relating to crimes committed by school employees; to  
5 amend Section 36-27D-1, Code of Alabama 1975, to terminate the  
6 right to state retirement benefits for teachers and school  
7 employees convicted of certain sex offenses involving a  
8 student or minor; and to provide further for the forfeiture  
9 process.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Section 36-27D-1, Code of Alabama 1975, is  
12 amended to read as follows:

13 "§36-27D-1

14 (a) On and after May 15, 2012, any ~~person~~ individual  
15 who is an active or inactive member of the Employees'  
16 Retirement System, the Teachers' Retirement System, or the  
17 Judicial Retirement Fund who has an accrued benefit shall  
18 forfeit retirement benefits upon a guilty plea, a plea of no  
19 contest, or a final ~~conviction~~ judgment by the trial court of  
20 a felony offense if that offense is related to or arises out  
21 of, or in connection with, his or her service in that public  
22 position, ~~as declared by the presiding judge of the court in a~~  
23 ~~United States federal court, an Alabama court, or the court of~~  
24 ~~any other state of the United States,~~ and the ~~person~~  
25 individual shall be entitled to a refund of his or her  
26 retirement contributions and applicable interest.

27 (b) On and after July 1, 2024, any individual who is an  
28 active or inactive member of the Employees' Retirement System,

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29 the Teachers' Retirement System, or the Judicial Retirement  
30 Fund who has an accrued benefit shall forfeit retirement  
31 benefits upon a guilty plea, a plea of no contest, or a final  
32 judgment by the trial court of any offense set forth in  
33 Article 4A of Chapter 6 or Division 4 of Article 4 of Chapter  
34 12 of Title 13A, and the individual shall be entitled to a  
35 refund of his or her retirement contributions and applicable  
36 interest.

37 ~~(b)~~(c) A retired member receiving benefits, upon such a  
38 plea or ~~conviction~~ judgment set forth in subsection (a) or (b),  
39 shall have his or her retirement benefit suspended. In the  
40 event a retired member receiving benefits has not received  
41 retirement benefits exceeding the amount of his or her  
42 contributions and interest, he or she shall receive a refund  
43 of his or her remaining contributions and interest.

44 (d) Upon conviction of a crime as described in  
45 subsection (a) or (b), the trial court shall promptly provide  
46 written notice of the conviction to the Board of Control of  
47 the Employees' Retirement System, the Board of Control of the  
48 Teachers' Retirement System, or the Judicial Retirement Fund,  
49 or any combination thereof, as applicable. Any failure by the  
50 convicting court to provide notice pursuant to this subsection  
51 shall not affect or delay any forfeiture provision set forth  
52 in this section.

53 ~~(e)~~(e) Officers and employees of the Employees'  
54 Retirement System, the Teachers' Retirement System, and the  
55 Judicial Retirement Fund are immune from any civil or criminal  
56 liability for any action taken pursuant to this section."

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57           Section 2. This act shall become effective on July 1,  
58    2024.

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*[Handwritten Signature]*

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President and Presiding Officer of the Senate

*[Handwritten Signature]*

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Speaker of the House of Representatives

SB56

Senate 19-Mar-24

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,  
Secretary.

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House of Representatives  
Passed: 02-May-24

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By: Senator Orr

APPROVED

*5-8-2024*

TIME

*1:00 pm*

*Kay Ivey*

GOVERNOR

Alabama Secretary Of State

Act Num....: 2024-289  
Bill Num....: 5-56

Recv'd 05/08/24 03:28pmKCW

ENGROSSED

Senate Bill No. 56

SPONSOR

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CO-SPONSORS

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SENATE ACTION

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB 56.

YEAS 33 NAYS 0 ABSTAIN 0

**PATRICK HARRIS,**  
Secretary

I hereby certify that the notice & proof is attached to the Bill, SB \_\_\_\_\_ as required in the General Acts of Alabama, 1975 Act No. 919.

**PATRICK HARRIS,**  
Secretary

CONFERENCE COMMITTEE

Senate Conferees \_\_\_\_\_

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HOUSE ACTION

DATE: 3-21 2024

RD 1 RFD EX

**REPORT OF STANDING COMMITTEE**

This bill having been referred by the House to its standing committee on Executive Policy was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be Passed, w/amend(s)

This 24th day of April 2024.

*Patrick Harris* Chairperson

DATE: 4-25 2024

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, SB 56.

YEAS 921 NAYS 0

**JOHN TREADWELL,**  
Clerk

FURTHER HOUSE ACTION (OVER)