



1 SB244

# ACT #2025 - 367

2 BYY9PJQ-3

3 By Senators Melson, Orr

4 RFD: Judiciary

5 First Read: 18-Mar-25





## SB244 Enrolled

1 Enrolled, An Act,

2  
3  
4 Relating to crimes and offenses; to add Section  
5 13A-8-2.2 to the Code of Alabama 1975, to establish the crime  
6 of aggravated theft of employee retirement benefits; and to  
7 provide a criminal penalty for a violation. ,

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. Section 13A-8-2.2 is added to the Code of  
10 Alabama 1975, to read as follows:

11 §13A-8-2.2

12 (a)(1) A person commits the crime of aggravated theft  
13 of employee retirement benefits if the person embezzles,  
14 steals, or unlawfully and willfully abstracts or converts to  
15 his or her own use or to the use of another, any of the  
16 monies, funds, premiums, credits, or other assets due to be  
17 paid as contributions to any employee retirement benefit plan,  
18 or to any fund connected with an employee retirement benefit  
19 plan.

20 (2) For the purposes of this section, the term  
21 "employee retirement benefit plan" includes, but is not  
22 limited to, any plan under the Retirement Systems of Alabama  
23 including the Teachers' Retirement System, the Employees'  
24 Retirement System, and the Judicial Retirement Fund, and any  
25 plan established under Chapter 27A or Chapter 27C of Title 36.

26 (b) It is an affirmative defense to a prosecution under  
27 this section if an individual, in the course of his or her  
28 employment, acts in good faith reliance upon the direction or



29 supervision of another under color of law or in a position of  
30 authority.

31 (c) The limitations period for any prosecution under  
32 this section does not commence or begin to accrue until the  
33 discovery of the facts constituting the deception, after which  
34 the prosecution shall be commenced within six years.

35 (d) Aggravated theft of employee retirement benefits is  
36 a Class C felony.


37 (e) Notwithstanding any other law, the maximum  
38 probation period shall not exceed 10 years unless otherwise  
39 authorized by law.

40 (f) A conviction for aggravated theft of employee  
41 retirement benefits shall be treated as a Class A or Class B  
42 felony for purposes of Section 15-18-8.

43 Section 2. This act shall become effective on October  
44 1, 2025.



SB244 Enrolled

  
\_\_\_\_\_  
President and Presiding Officer of the Senate

  
\_\_\_\_\_  
Speaker of the House of Representatives

SB244

Senate 15-Apr-25

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

Patrick Harris,  
Secretary.

\_\_\_\_\_  
House of Representatives  
Passed: 07-May-25

\_\_\_\_\_  
By: Senator Melson

APPROVED

5-13-2025

TIME

9:00 AM

  
\_\_\_\_\_  
GOVERNOR

Alabama Secretary Of State

Act Num....: 2025-367  
Bill Num....: S-244

Recv'd 05/13/25 01:54pm KCW

ENGROSSED

Senate Bill No. 244

SPONSOR

1. Meison  
CO-SPONSORS

- 2. Orre 19
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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 244.

yours 30 days 0 obtain 0

PATRICK HARRIS,  
Secretary

I hereby certify that the notice & proof is attached to the Bill, SB 244 as required in the General Acts of Alabama, 1975 Act No. 919.

PATRICK HARRIS,  
Secretary

CONFERENCE COMMITTEE

Senate Conferees

HOUSE ACTION

DATE: 4-17 2025  
RD 1 RFD 1004

REPORT OF STANDING COMMITTEE

This bill having been referred by the House to its standing committee on Justice was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be passed w/amend(s) 24 day of April, 2025.

Chairperson

DATE: 4-24 2025  
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 \_\_\_\_\_.

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

JOHN TREADWELL,  
Clerk

FURTHER HOUSE ACTION (OVER)