



1 SB216
2 BYYBB44-3
3 By Senator Chambliss
4 RFD: Finance and Taxation General Fund
5 First Read: 04-Mar-25

ACT #2025 - 409





Enrolled, An Act,

Relating to the State Employees' Retirement System and the Teachers' Retirement System; to amend Section 36-27-8.2, Code of Alabama 1975, as last amended by Act 2024-279, 2024 Regular Session; to authorize certain retired law enforcement officers and certain firemedics to return to work without suspension of their retirement allowances; to limit the time frame for participation; to cap the compensation at \$52,000 per year, commensurate with the work actually performed; and to provide for retroactive and temporary application.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 36-27-8.2 of the Code of Alabama 1975, as last amended by Act 2024-279, 2024 Regular Session, is amended to read as follows:

"§36-27-8.2

(a) Any individual who is retired under the Employees' Retirement System may perform duties in any capacity, including as an independent contractor, with any employer participating in the Employees' Retirement System or the Teachers' Retirement System without suspension of his or her retirement allowance provided that: (i) the individual is not employed in a permanent full-time capacity; and (ii) the individual's compensation from the employer in calendar year 2016 does not exceed thirty thousand dollars (\$30,000). Beginning in calendar year 2017, and each calendar year thereafter, the annual earning limit shall be increased by the



29 same percentage increase as the increase in the Consumer Price
30 Index for all urban consumers as published by the U.S.
31 Department of Labor, Bureau of Labor Statistics. Any increase
32 in the annual earning limit shall be rounded to the next
33 lowest multiple of one thousand dollars (\$1,000) with any
34 amount in excess of the one thousand dollar (\$1,000) multiple
35 considered in determining the increase for the following year.
36 Each adjustment shall be based on the increase in the index
37 for the preceding 12-month period ending on September 30 and
38 the increase shall be effective for the following calendar
39 year.

40 (b) Any individual serving as an elected official who
41 has retired from the Employees' Retirement System may serve
42 for his or her full compensation in an elected public office
43 with the state, a county, or an incorporated municipality
44 without suspension of retirement benefits; provided, that
45 under no circumstances shall such an individual participate in
46 or accrue additional benefits under the Teachers' Retirement
47 System or the Employees' Retirement System for that service,
48 and provided that under no circumstances shall an individual
49 whose retirement is based upon service as an elected official
50 continue in or return to the office and receive both pension
51 benefits and salary. Any provision of this subsection to the
52 contrary notwithstanding, a retiree serving as a local elected
53 superintendent of education shall not receive both pension
54 benefits and salary unless his or her compensation as a local
55 elected superintendent of education does not exceed the annual
56 earning limits provided in subsection (a).



(c) The responsibility for compliance with this section is placed upon the employing authority, and each retiree performing duties under this section shall certify to the employer any information required in order to carry out this section. The retiree shall provide written notice of the postretirement employment under this section to the Employees' Retirement System and employing authority within 30 days after the date the retiree knows or should know that he or she will be performing duties on a full-time or permanent basis or will earn an amount in excess of the annual earning limit under this section.

(d)(1) Any individual who is retired under the Employees' Retirement System or the Teachers' Retirement System, has the applicable Alabama Peace Officers' Standards and Training certification, and was classified as either a law enforcement officer, as defined in Section 36-27-59, or a state policeman, as defined in Section 36-27-1, prior to retirement, may perform duties as ~~either~~ a school resource officer, as defined in Section 16-1-44.1, ~~or~~ a correctional officer with the Department of Corrections, or a police officer at any state college or university pursuant to Section 16-22-1 without suspension of his or her retirement allowance, provided that the compensation earned does not exceed fifty-two thousand dollars (\$52,000) per year.

(2) Any individual who is retired under the Employees' Retirement System, has the applicable Alabama Peace Officers' Standards and Training certification, and meets any of the following criteria, may perform duties as a correctional



officer with the Department of Corrections without suspension of his or her retirement allowance, provided that the compensation earned does not exceed fifty-two thousand dollars (\$52,000) per year:

a. Was classified as a law enforcement officer, as defined in Section 36-27-59, prior to retirement.

b. Was classified as a state policeman, as defined in Section 36-27-1, prior to retirement.

c. Was classified as a correctional officer, as defined in Section 36-27-59, prior to retirement, and retired pursuant to Section 36-27-16(a)(1)c.


(3) Any individual who is retired under the Employees' Retirement System, who has both the applicable Alabama Firefighters' Personnel Standards and Education Commission certification and the applicable State Board of Health certification as a firefighter and an emergency medical services personnel, as defined in Section 36-27-59, would have prior to retirement, may perform duties as a firemedic without suspension of his or her retirement allowance provided that the compensation earned does not exceed fifty-two thousand dollars (\$52,000) per year, commensurate with the work actually performed.

~~(3)(4) - No~~ This subsection shall have retroactive application to January 1, 2023, and no individual may be employed pursuant to this subsection after December 31, ~~2026~~ 2030."

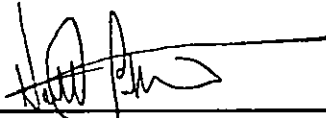
Section 2. This act shall become effective on June 1, 2025.

SB216 Enrolled





President and Presiding Officer of the Senate



Speaker of the House of Representatives

SB216

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
Amended and passed: 01-May-25

Senate concurred in House amendment 06-May-25

By: Senator Chambliss

APPROVED

5-14-2025

TIME

1:35 pm



GOVERNOR

Alabama Secretary Of State

Act Num....: 2025-409
Bill Num....: S-216

ENGROSSED

Senate Bill No. 216

SENATE ACTION

SPONSOR

1 Chawhals
CO-SPONSORS

2 _____ 19 _____
3 _____ 20 _____
4 _____ 21 _____
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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 216.

Yours 29 days 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 _____

HOUSE ACTION

DATE: 4.17 2021

RD 1 RFD KLLWGT

REPORT OF STANDING COMMITTEE

This bill having been referred by the House to its standing committee on WILLIS 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 21 day of April, 2021.

Raymond 21, Chairperson

DATE: 4.22 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.
SB 216.

YEAS _____ NAYS _____
JOHN TREADWELL,
Clerk

FURTHER HOUSE ACTION (OVER)