



- 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



SB216 Enrolled



1 Enrolled, An Act,

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

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. Section 36-27-8.2 of the Code of Alabama
15 1975, as last amended by Act 2024-279, 2024 Regular Session,
16 is amended to read as follows:

17 "§36-27-8.2

18 (a) Any individual who is retired under the Employees'
19 Retirement System may perform duties in any capacity,
20 including as an independent contractor, with any employer
21 participating in the Employees' Retirement System or the
22 Teachers' Retirement System without suspension of his or her
23 retirement allowance provided that: (i) the individual is not
24 employed in a permanent full-time capacity; and (ii) the
25 individual's compensation from the employer in calendar year
26 2016 does not exceed thirty thousand dollars (\$30,000).
27 Beginning in calendar year 2017, and each calendar year
28 thereafter, the annual earning limit shall be increased by the

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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).



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

68 (d) (1) Any individual who is retired under the
69 Employees' Retirement System or the Teachers' Retirement
70 System, has the applicable Alabama Peace Officers' Standards
71 and Training certification, and was classified as either a law
72 enforcement officer, as defined in Section 36-27-59, or a
73 state policeman, as defined in Section 36-27-1, prior to
74 retirement, may perform duties as ~~either~~ a school resource
75 officer, as defined in Section 16-1-44.1, ~~or~~ a correctional
76 officer with the Department of Corrections, or a police
77 officer at any state college or university pursuant to Section
78 16-22-1 without suspension of his or her retirement allowance,
79 provided that the compensation earned does not exceed
80 fifty-two thousand dollars (\$52,000) per year.

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



85 officer with the Department of Corrections without suspension
 86 of his or her retirement allowance, provided that the
 87 compensation earned does not exceed fifty-two thousand dollars
 88 (\$52,000) per year:

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

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

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

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

107 ~~(3) (4) - No~~ This subsection shall have retroactive
 108 application to January 1, 2023, and no individual may be
 109 employed pursuant to this subsection after December 31, ~~2026~~
 110 2030."

111 Section 2. This act shall become effective on June 1,
 112 2025.

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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

Kay Ivey
GOVERNOR

Alabama Secretary Of State

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

ENGROSSED

Senate Bill No. 216

SPONSOR

1 Chawhalsis
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 216
 You: 29 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 _____

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 WHS 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)