

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

SYNOPSIS: This bill would propose an amendment to Amendment 693 to the Constitution of Alabama of 1901, now appearing as Section 6, Local Amendments, Macon County, Official Recompilation of the Constitution of Alabama of 1901, as amended, to prohibit the Sheriff of Macon County from participating in the supernumerary program of the county and to allow the sheriff to elect to participate in the Employees' Retirement System.

 The proposed amendment would be retroactive to December 13, 2000.

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to Amendment 693 to the Constitution of Alabama of 1901, now appearing as Section 6, Local Amendments, Macon County, Official Recompilation of the Constitution of Alabama of 1901, as amended, to prohibit the

1 Sheriff of Macon County from participating in the
2 supernumerary program of the county and to allow the sheriff
3 to elect to participate in the Employees' Retirement System;
4 and to provide for retroactive effect.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. The following amendment to the
7 Constitution of Alabama of 1901, is proposed and shall become
8 valid as a part of the Constitution when all requirements of
9 this act are fulfilled:

10 PROPOSED AMENDMENT

11 Amendment 693 to the Constitution of Alabama of
12 1901, now appearing as Section 6, Local Amendments, Macon
13 County, Official ReCompilation of the Constitution of Alabama
14 of 1901, as amended, is amended to read as follows:

15 "Amendment 693.

16 "(a) An elected or appointed Macon County official
17 not currently serving as such an official who is elected or
18 appointed after the effective date of this amendment may not
19 assume a supernumerary office. Any person who, on the
20 ratification of this amendment, is entitled to participate in
21 a supernumerary program may continue to participate in that
22 supernumerary program, which shall include the assumption of a
23 supernumerary office according to the terms and conditions of
24 the law which established that supernumerary program. Every
25 elected or appointed Macon County official may participate in
26 the Employees' Retirement System of Alabama upon the same
27 terms and conditions as may be specified by law for any other

1 employee in the same retirement system. Macon County officials
2 holding office at the time of the ratification of this
3 amendment shall be eligible to purchase service credit in the
4 Employees' Retirement System for the time the official has
5 served as a county official. For the purposes of this
6 amendment, the words "elected or appointed county official"
7 shall include any person appointed to serve the remaining term
8 of an elected or appointed county official, including the
9 county coroner, but shall not include a judge, district
10 attorney, legislator, constable, school board member, or any
11 official elected from a judicial circuit.

12 "(b) Beginning December 13, 2000, a Sheriff of Macon
13 County may not participate in a supernumerary program, may
14 participate in the Employees' Retirement System of Alabama
15 upon the same terms and conditions as may be specified by law
16 for any other employee in the same retirement system, and
17 shall be eligible to purchase service credit in the Employees'
18 Retirement System for the time he or she has served as
19 sheriff. A Sheriff of Macon County holding office on or before
20 the date of ratification of the amendment adding this
21 subsection shall forego the assumption of a supernumerary
22 office and shall make the election within one year after the
23 ratification date of the amendment adding this subsection."

24 Section 2. An election upon the proposed amendment
25 shall be held in accordance with Section 284.01 of the
26 Constitution of Alabama of 1901, now appearing as Section
27 284.01 of the Official ReCompilation of the Constitution of

1 Alabama of 1901, as amended, and the election laws of this
2 state.

3 Section 3. The appropriate election official shall
4 assign a ballot number for the proposed constitutional
5 amendment on the election ballot and shall set forth the
6 following description of the substance or subject matter of
7 the proposed constitutional amendment:

8 "Relating to Macon County, proposing an amendment to
9 Amendment 693 to the Constitution of Alabama of 1901, now
10 appearing as Section 6, Local Amendments, Macon County,
11 Official Recompilation of the Constitution of Alabama of 1901,
12 as amended, to prohibit the Sheriff of Macon County from
13 participating in the supernumerary program of the county and
14 to allow the sheriff to elect to participate in the Employees'
15 Retirement System; and to provide for retroactive effect.

16 "Proposed by Act _____"

17 This description shall be followed by the following
18 language:

19 "Yes () No ()."