

HB556 INTRODUCED



1 HB556

2 YMD4R26-1

3 By Representatives Treadaway, Reynolds, Pettus, Ellis, Wood

4 (R), Stringer, Woods, Brinyark, Kirkland, Moore (P), Estes,

5 Hall, Brown, Smith, Marques, Sorrells, Robertson, Hulsey,

6 Hammett, Rigsby, Lomax, Shaver, Collins, Wilcox, Underwood,

7 Bedsole, Ingram, Paschal, Lipscomb, Oliver, Hurst, Sellers,

8 Shaw, Ensler, Lamb, Shirey, Simpson, Givens, Holk-Jones,

9 Fidler, Ross, Baker, Lee, Clouse, Crawford, Whitt, Paramore,

10 Garrett, Lovvorn, Starnes, Stubbs, Bolton, Blackshear, Mooney

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12 RFD: Ways and Means General Fund

13 First Read: 09-Apr-25



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SYNOPSIS:

Under existing law, an individual who is retired under the Employees' Retirement System, has the applicable Alabama Peace Officers' Standards and Training Certification, and was classified as a law enforcement officer or a state policeman prior to retirement may work as a school resource officer or a correctional officer without suspension of his or her retirement allowance, provided that his or her compensation does not exceed \$52,000 per year.

This bill would further provide that an individual who is retired under the Employees' Retirement System, has the applicable Alabama Peace Officers' Standards and Training Certification, and was classified as a law enforcement officer or a state policeman prior to retirement may work as a police officer at any state college or university without suspension of his or her retirement allowance, provided that his or her compensation does not exceed \$52,000 per year.

This bill would also extend the ability of certain individuals to work as a school resource officer or a correctional officer without suspension of the individual's retirement allowance from 2026 to 2030.



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A BILL

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TO BE ENTITLED

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AN ACT

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35 Relating to retired law enforcement officers; to amend
36 Section 36-27-8.2, Code of Alabama 1975, as last amended by
37 Act 2024-279, 2024 Regular Session, to further provide for the
38 employment of certain retired law enforcement officers; and to
39 extend the period during which certain retired law enforcement
40 officers may be employed in certain circumstances without
41 suspension of their retirement allowance.

42 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

46 "§36-27-8.2

47 (a) Any individual who is retired under the Employees'
48 Retirement System may perform duties in any capacity,
49 including as an independent contractor, with any employer
50 participating in the Employees' Retirement System or the
51 Teachers' Retirement System without suspension of his or her
52 retirement allowance provided that: (i) the individual is not
53 employed in a permanent full-time capacity; and (ii) the
54 individual's compensation from the employer in calendar year
55 2016 does not exceed thirty thousand dollars (\$30,000).
56 Beginning in calendar year 2017, and each calendar year



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57 thereafter, the annual earning limit shall be increased by the
58 same percentage increase as the increase in the Consumer Price
59 Index for all urban consumers as published by the U.S.
60 Department of Labor, Bureau of Labor Statistics. Any increase
61 in the annual earning limit shall be rounded to the next
62 lowest multiple of one thousand dollars (\$1,000) with any
63 amount in excess of the one thousand dollar (\$1,000) multiple
64 considered in determining the increase for the following year.
65 Each adjustment shall be based on the increase in the index
66 for the preceding 12-month period ending on September 30, and
67 the increase shall be effective for the following calendar
68 year.

69 (b) Any individual serving as an elected official who
70 has retired from the Employees' Retirement System may serve
71 for his or her full compensation in an elected public office
72 with the state, a county, or an incorporated municipality
73 without suspension of retirement benefits; provided, that
74 under no circumstances shall such an individual participate in
75 or accrue additional benefits under the Teachers' Retirement
76 System or the Employees' Retirement System for that service,
77 and provided that under no circumstances shall an individual
78 whose retirement is based upon service as an elected official
79 continue in or return to the office and receive both pension
80 benefits and salary. Any provision of this subsection to the
81 contrary notwithstanding, a retiree serving as a local elected
82 superintendent of education shall not receive both pension
83 benefits and salary unless his or her compensation as a local
84 elected superintendent of education does not exceed the annual



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85 earning limits provided in subsection (a).

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

97 (d) (1) Any individual who is retired under the
98 Employees' Retirement System, has the applicable Alabama Peace
99 Officers' Standards and Training certification, and was
100 classified as either a law enforcement officer, as defined in
101 Section 36-27-59, or a state policeman, as defined in Section
102 36-27-1, prior to retirement, may perform duties as ~~either~~ a
103 school resource officer, as defined in Section 16-1-44.1, ~~or~~ a
104 correctional officer with the Department of Corrections, or a
105 police officer at any state college or university pursuant to
106 Section 16-22-1 without suspension of his or her retirement
107 allowance, provided that the compensation earned does not
108 exceed fifty-two thousand dollars (\$52,000) per year.

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



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113 officer with the Department of Corrections without suspension
114 of his or her retirement allowance, provided that the
115 compensation earned does not exceed fifty-two thousand dollars
116 (\$52,000) per year:

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

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

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

124 (3) No individual may be employed pursuant to this
125 subsection after December 31, ~~2026~~2030."

126 Section 2. This act shall become effective on June 1,
127 2025.