

# SB252 INTRODUCED



1 O2P9JJ-1

2 By Senators Elliott, Scofield, Jones, Weaver

3 RFD: Fiscal Responsibility and Economic Development

4 First Read: 25-Apr-23

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6 2023 Regular Session



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SYNOPSIS:

Under existing law, certain employees of the Alabama High School Athletic Association may participate in the Teachers' Retirement System of Alabama and the Public Education Employees' Health Insurance Plan by virtue of their employment with the association.

This bill would prohibit participation by future employees hired by the Alabama High School Athletic Association.

This bill would also prohibit public K-12 schools from membership in an athletic association under certain circumstances.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to state retirement; to amend Section 16-25-7, Code of Alabama 1975, to prohibit future hires of the Alabama High School Athletic Association from participating in the Teachers' Retirement System of Alabama and the Public Education Employees' Health Insurance Plan based on that employment; and to prohibit public K-12 schools from



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29 membership in athletic associations under certain  
30 circumstances.

31 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

32 Section 1. Section 16-25-7, Code of Alabama 1975, is  
33 amended to read as follows:

34 "§16-25-7

35 (a) ~~All persons now~~ Except as provided in subsection  
36 (c), all individuals employed on a full-time basis in an  
37 administrative or clerical capacity by the Alabama High School  
38 Athletic Association may become members of the Teachers'  
39 Retirement System of Alabama within 90 days after October 1,  
40 1967, subject to ~~such~~ the rules ~~and regulations as may be~~  
41 ~~promulgated~~ adopted by the Board of Control of the Teachers'  
42 Retirement System of Alabama. ~~Any person hereafter~~ Except as  
43 provided by subsection (c), all individuals employed in an  
44 administrative or clerical capacity by the Alabama High School  
45 Athletic Association shall be deemed to be a "teacher" as  
46 defined in Section 16-25-1 and shall be entitled to the  
47 benefits thereof. Notwithstanding ~~the provisions of~~ this  
48 section and other sections of the Teachers' Retirement System  
49 law, ~~it is provided that~~ the Alabama High School Athletic  
50 Association shall pay to the retirement system the employer  
51 cost for coverage of its employees, ~~such cost to~~ which shall  
52 be determined by an actuary employed by the Board of Control  
53 and under rules ~~and regulations~~ established by ~~said~~ the Board  
54 of Control board.

55 (b) ~~Any person now~~ Except as provided in subsection  
56 (c), any individual employed as set out in subsection (a) ~~of~~



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57 ~~this section shall be entitled to~~ may receive credit for all  
58 service as a "teacher" or as an employee of the Alabama High  
59 School Athletic Association rendered by him or her prior to  
60 October 1, 1967; provided, that a sum equal to the total  
61 contributions which he or she would have made as a member  
62 during the period of ~~such~~ employment plus regular interest at  
63 four percent is paid within 90 days after October 1, 1967.

64 (c) Commencing on the effective date of the act adding  
65 this subsection, no individual hired by the Alabama High  
66 School Athletic Association, or by any other high school  
67 athletic association, may participate in the Teacher's  
68 Retirement System of Alabama or the Public Employees' Health  
69 Insurance Plan nor be deemed a "teacher" as defined in Section  
70 16-25-1 by virtue of their employment by the association.

71 (d) No public K-12 school may be a member of an  
72 athletic association whose employees participate in the  
73 Teachers' Retirement System Alabama or the Public Education  
74 Employee's Health Insurance Plan."

75 Section 2. This act shall become effective on the first  
76 day of the third month following its passage and approval by  
77 the Governor, or its otherwise becoming law.