

HB233 ENROLLED



1 Q7LU51-2
2 By Representative Almond (N & P)
3 RFD: Tuscaloosa County Legislation
4 First Read: 04-Apr-23
5
6 2023 Regular Session



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1 Enrolled, An Act,

2
3 Relating to the City of Tuscaloosa; to authorize the
4 City of Tuscaloosa to join the Employees' Retirement System of
5 Alabama for its police and firefighter employees and transfer
6 assets and liabilities of the existing Tuscaloosa Police and
7 Firefighters Retirement Plan to the Employees' Retirement
8 System of Alabama as set forth in Chapter 27 of Title 36, Code
9 of Alabama 1975.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. (a) The City of Tuscaloosa, by action of the
12 city council, may take any action necessary for its police and
13 firefighter employees to participate in the City of Tuscaloosa
14 pension plan administered by the Employees' Retirement System
15 of Alabama pursuant to Section 36-27-6, Code of Alabama 1975,
16 and the remaining provisions of Chapter 27 of Title 36, Code
17 of Alabama 1975, and the board for the Tuscaloosa Police and
18 Firefighters Retirement Plan may transfer any asset and
19 liability of the Tuscaloosa Police and Firefighters Retirement
20 Plan to the City of Tuscaloosa pension plan administered by
21 Employees' Retirement System of Alabama, as necessary for the
22 police and firefighter employees of the City of Tuscaloosa to
23 participate in the Employees' Retirement System of Alabama.

24 (b) Upon acceptance of the police and firefighter
25 employees of the City of Tuscaloosa into the city's plan
26 administered by the Employees' Retirement System of Alabama
27 and the transfer of all assets and liabilities of the
28 Tuscaloosa Police and Firefighters Retirement Plan to the



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29 Employees' Retirement System of Alabama, the City of
30 Tuscaloosa shall terminate the retirement system established
31 under Act 1999-568, 1999 Regular Sessions (Acts 1999, p.
32 1220), as amended, according to the terms and conditions of
33 the City of Tuscaloosa Police and Firefighters Retirement
34 Plan.

35 Section 2. (a) Members who began participation in the
36 City of Tuscaloosa Police and Firefighters Retirement Plan
37 prior to January 1, 2013, and who elect to join the Employees'
38 Retirement System in accordance with Section 36-27-6(b), Code
39 of Alabama 1975, shall be Tier I plan participants as set
40 forth in Chapter 27 of Title 36, Code of Alabama 1975.

41 (b) Members who began participation in the City of
42 Tuscaloosa Police and Firefighters Retirement Plan on or after
43 January 1, 2013, and who elect to join the Employees'
44 Retirement System in accordance with Section 36-27-6(b), Code
45 of Alabama 1975, shall be Tier II plan participants, unless
46 prior employment with a participating employer establishes
47 them as Tier I participants, as set forth in Chapter 27 of
48 Title 36, Code of Alabama 1975.

49 (c) Police or firefighter employees who begin
50 employment with the City of Tuscaloosa on or after the date
51 that police and firefighter employees of the City of
52 Tuscaloosa begin participation in the Employees' Retirement
53 System of Alabama shall participate in the Employees'
54 Retirement System of Alabama in accordance with Section
55 36-27-6(c), Code of Alabama 1975.

56 Section 3. The amounts certified each year to the chief



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57 financial officer of the City of Tuscaloosa pursuant to
58 Section 36-27-6(f), Code of Alabama, 1975, shall be included
59 in the respective budget of the city in accordance with the
60 city's legal budget procedure.

61 Section 4. The provisions of this act are severable. If
62 any part of this act is declared invalid or unconstitutional,
63 that declaration shall not affect the part which remains.

64 Section 5. All laws or parts of laws which conflict
65 with this act are repealed.

66 Section 6. This act shall become effective on the first
67 day of the third month following its passage and approval by
68 the Governor, or its otherwise becoming law.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 13-Apr-23.

John Treadwell
Clerk

Senate

03-May-23

Passed