

SB154 INTRODUCED



1 SB154
2 52XY6MM-1
3 By Senator Albritton
4 RFD: Finance and Taxation General Fund
5 First Read: 21-Feb-24



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SYNOPSIS:

This bill would relate to the compensation of the sheriff of a Category 1 or Category 2 county under the provisions of Chapter 2A of Title 11 of the Code of Alabama 1975, commonly known as the Omnibus Pay Act.

The bill would authorize the county commission in a Category 1 or Category 2 county to increase the salary of the sheriff of the county effective beginning the next term of office of the sheriff under certain conditions.

A BILL
TO BE ENTITLED
AN ACT

Relating to the compensation of the sheriff in any Category 1 or Category 2 county under the provisions of Chapter 2A of Title 11, Code of Alabama 1975, commonly known as the Omnibus Pay Act; to amend Section 11-2A-2 of the Code of Alabama 1975, to authorize the county commission of a Category 1 or Category 2 county to increase the salary of the sheriff effective beginning the next term of office under certain conditions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:



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29 Section 1. Section 11-2A-2 of the Code of Alabama 1975,
30 is amended to read as follows:

31 "§11-2A-2

32 Effective October 1, 2000, the annual compensation
33 which a county shall pay to a county commissioner, a judge of
34 probate, a sheriff, a tax assessor, a tax collector, a revenue
35 commissioner, a license commissioner, and an elected assistant
36 tax assessor or collector shall be as set out below:

37 (1) SHERIFF. a. The annual minimum compensation for
38 each sheriff shall be fifty thousand dollars (\$50,000) which
39 shall be in lieu of any salary and expense allowance currently
40 provided to a sheriff receiving total compensation less than
41 the minimum. Beginning with the next term of office for each
42 sheriff, except as provided in Section 11-2A-4, the salary
43 herein provided shall be the minimum compensation payable to
44 the sheriff in lieu of any salary, expense allowance, or other
45 compensation provided by law.

46 b. In addition to any other provision of this chapter
47 or any other law relating to the salary of the sheriff of a
48 Category 1 or Category 2 county, the county commission of a
49 Category 1 or Category 2 county may increase the salary of the
50 sheriff of the county effective beginning the next term of
51 office of the sheriff not less than three months prior to the
52 beginning of qualifying for the party primary election.

53 (2) COUNTY COMMISSIONERS AND JUDGES OF PROBATE. The
54 annual minimum compensation for county commissioners and
55 judges of probate in Categories 1 and 2 shall be as provided
56 by local law. Except as otherwise provided in this chapter and



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57 subject to the provisions of Section 11-2A-4, the annual
58 compensation for county commissioners and judges of probate in
59 Category 3 shall be increased by 20 percent effective October
60 1, 2001, if the compensation, including expense allowance, of
61 the office has not been increased by other general or local
62 law during the period from October 1, 1996, to October 1,
63 2001; the annual minimum compensation for county commissioners
64 and judges of probate in Category 4 shall be that amount
65 prescribed by general law on September 30, 2000, plus a 20
66 percent increase; the annual minimum compensation for county
67 commissioners and judges of probate in Category 5 shall be
68 that amount prescribed by general law on September 30, 2000,
69 plus a 17 percent increase; and the annual minimum
70 compensation for county commissioners and judges of probate in
71 Category 6 shall be that amount prescribed by general law on
72 September 30, 2000, plus a 15 percent increase.

73 (3) TAX ASSESSORS, TAX COLLECTORS, REVENUE
74 COMMISSIONERS, LICENSE COMMISSIONERS, AND ELECTED ASSISTANT
75 TAX COLLECTORS OR ASSESSORS.

76 a. On and after June 1, 2000, each county commission is
77 authorized to provide an expense allowance to the tax
78 assessor, tax collector, revenue commissioner, license
79 commissioner, elected assistant tax assessor, and elected
80 assistant tax collector in amounts not to exceed ten thousand
81 dollars (\$10,000) per annum. The expense allowance may be
82 phased in over a two-year period as determined by the county
83 commission. At the beginning of the official's next term of
84 office following the provision of the expense allowance



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85 authorized herein, the expense allowance shall be included in
86 the base salary of the official and the expense allowance
87 thereupon voided. Deductions from the expense allowances
88 provided under this chapter shall be made for supernumerary
89 programs, the ~~State~~ Employees' Retirement System, or other
90 retirement programs as provided by law, the same as if the
91 expense allowances were salary. Notwithstanding the above, in
92 Category 3, an expense allowance for any official covered by
93 this subdivision shall be provided in the amount of ten
94 thousand dollars (\$10,000) per annum effective October 1,
95 2001, if compensation for the office has not been increased by
96 other general or local law during the period from October 1,
97 1996, to October 1, 2001.

98 b. Any increase in base salary or expense allowance for
99 a tax assessor, tax collector, revenue commissioner, license
100 commissioner, elected assistant tax assessor, or elected
101 assistant tax collector contained in any act passed in the
102 1999 2nd Special Session of the Legislature or any other act
103 passed in the 2000 Regular Session shall be credited against
104 any expense allowance provided under this subdivision, so that
105 the total increase in compensation for a tax assessor, tax
106 collector, revenue commissioner, license commissioner, elected
107 assistant tax assessor, and elected assistant tax collector
108 does not exceed ten thousand dollars (\$10,000).

109 (4) Any laws to the contrary notwithstanding, no person
110 holding supernumerary office shall be entitled to any
111 increases in compensation or expenses as a result of the
112 implementation of any salary adjustments provided for in this



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113 chapter.

114 (5) If implementation of the salaries in this chapter
115 increases the salary of an incumbent office holder, the
116 increase shall be paid as an expense allowance until the
117 beginning of the next term of office whereupon the amount of
118 the expense allowance shall be included in the base salary for
119 the office holder and the expense allowance shall be voided.
120 Deductions from the increase shall be made for supernumerary
121 programs as provided by law as if the increase were salary.
122 Notwithstanding the foregoing, a county shall pay the salary
123 increase during a term of office at the beginning of the next
124 fiscal year if payment of the increase is sanctioned by an
125 amendment to the Constitution of Alabama of ~~1901~~ 2022.

126 (6) Notwithstanding this section or any other provision
127 of this chapter, the increases in fees under Section 12-19-90
128 provided for by Act 2000-108 shall not apply to any county in
129 Category 1 or 3 on June 1, 2000.

130 (7) The local governing body of the county may, by
131 resolution, elect for the county to be exempt from the
132 provisions of this section and Section 11-2A-3 and the
133 increases in fees in Section 12-19-90 as provided for by Act
134 2000-108; provided that the local governing body shall only be
135 authorized to exempt the county from all of the sections
136 referenced above, and provided further that the resolution is
137 adopted after June 1, 2000, but prior to October 1, 2000. Any
138 local governing body that exercises its authority under this
139 subdivision may elect to have the county become subject to the
140 provisions referenced above by the adoption of a resolution



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141 and the provisions shall become effective in the county on
142 September 30, next following the adoption of the resolution.

143 (8) Any county identified as a "Category 1" county
144 under the provisions of Section 11-2A-1, is exempt from the
145 provisions of this section except for the provisions of
146 paragraph (1)b."

147 Section 2. This act shall become effective on June 1,
148 2024.