

1 SB238
2 217834-2
3 By Senator Hatcher (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 17-FEB-22

1 SB238

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4 ENROLLED, An Act,

5 Relating to Montgomery County; to propose an
6 amendment to the Constitution of Alabama of 1901, to allow
7 mayors in Montgomery County to participate in the Employees'
8 Retirement System.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. The following amendment to the
11 Constitution of Alabama of 1901, is proposed and shall become
12 valid as a part of the Constitution when all requirements of
13 this act are fulfilled:

14 PROPOSED AMENDMENT

15 In Montgomery County, mayors of municipalities that
16 participate in the Employees' Retirement System of Alabama may
17 participate in the Employees' Retirement System of Alabama
18 upon the same terms and conditions as may be specified by law
19 for any other employee in the same retirement system. A mayor
20 holding office at the time of the ratification of this
21 amendment shall be eligible to purchase service credit in the
22 Employees' Retirement System for the time the official has
23 served in the current office. No person may participate in
24 both a supernumerary program and the Employees' Retirement
25 System based on the same service.

1 Upon ratification of this constitutional amendment
2 and contingent upon the ratification of the Constitution of
3 Alabama of 2022, the Code Commissioner shall number and place
4 this amendment as appropriate in the constitution based upon a
5 logical sequence and the particular subject or topic of the
6 amendment. In this amendment, the Code Commissioner may change
7 capitalization, spelling, and punctuation for the purpose of
8 style and uniformity; correct manifest grammatical, clerical,
9 and typographical errors; and correct incorrect
10 cross-references. When publishing the Constitution of Alabama
11 of 2022, the Code Commissioner may omit this instructional
12 paragraph.

13 Section 2. An election upon the proposed amendment
14 shall be held in accordance with Section 284.01 of the
15 Constitution of Alabama of 1901, now appearing as Section
16 284.01 of the Official ReCompilation of the Constitution of
17 Alabama of 1901, as amended, and the election laws of this
18 state.

19 Section 3. The appropriate election official shall
20 assign a ballot number for the proposed constitutional
21 amendment on the election ballot and shall set forth the
22 following description of the substance or subject matter of
23 the proposed constitutional amendment:

1 "Relating to Montgomery County, proposing an
2 amendment to the Constitution of Alabama of 1901, to allow
3 mayors to participate in the Employees' Retirement System.

4 "Proposed by Act _____"

5 This description shall be followed by the following
6 language:

7 "Yes () No ()."

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB238

Senate 17-MAR-22

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 06-APR-22

By: Senator Hatcher