

1 SB35  
2 164200-2  
3 By Senator Allen (Constitutional Amendment)  
4 RFD: Local Legislation  
5 First Read: 03-MAR-15  
6 PFD: 02/18/2015

1 SB35

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4 ENROLLED, An Act,

5 Proposing an amendment to the Constitution of  
6 Alabama of 1901, to provide that certain elected or appointed  
7 public officials in Lamar County may participate in the  
8 Employees' Retirement System in lieu of participating in a  
9 supernumerary program or system.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

15 PROPOSED AMENDMENT

16 No elected or appointed Lamar County official,  
17 including the sheriff, may assume a supernumerary office after  
18 the effective date of this amendment. Any person who, on the  
19 effective date of this amendment, is entitled to participate  
20 in a supernumerary program may continue to participate in that  
21 supernumerary program, which shall include the assumption of a  
22 supernumerary office according to the terms and conditions of  
23 the law which established that supernumerary program. Every  
24 elected or appointed Lamar County official, including the  
25 sheriff, may participate in the Employees' Retirement System

1 of Alabama upon the same terms and conditions as may be  
2 specified by law for any other employee in the same retirement  
3 system. Lamar County officials, including the sheriff, holding  
4 office at the time of ratification of this amendment shall be  
5 eligible to purchase service credit in the Employees'  
6 Retirement System for the time the official has served in the  
7 current office. No person may participate in both a  
8 supernumerary program and the Employees' Retirement System  
9 based on the same service. For purposes of this amendment, the  
10 words "elected or appointed Lamar County official," do not  
11 include a judge, district attorney, legislator, constable,  
12 school board member, or any official elected from a judicial  
13 circuit. The effective date or ratification date of this  
14 amendment is the date this amendment is officially proclaimed  
15 ratified in the proclamation register.

16 Section 2. An election upon the proposed amendment  
17 shall be held in accordance with Amendment 555 to the  
18 Constitution of Alabama of 1901, now appearing as Section  
19 284.01 of the Official ReCompilation of the Constitution of  
20 Alabama of 1901, as amended, and the election laws of this  
21 state.

22 Section 3. The appropriate election official shall  
23 assign a ballot number for the proposed constitutional  
24 amendment on the election ballot and shall set forth the

1 following description of the substance or subject matter of  
2 the proposed constitutional amendment:

3 "Relating to Lamar County, proposing an amendment to  
4 the Constitution of Alabama of 1901, to provide that certain  
5 elected or appointed public officials in Lamar County may  
6 participate in the Employees' Retirement System in lieu of  
7 participating in a supernumerary program or system.

8 "Proposed by Act \_\_\_\_\_"

9 This description shall be followed by the following  
10 language:

11 "Yes ( ) No ( )."

12 Section 4. This act shall become effective on the  
13 first day of the third month following its passage and  
14 approval by the Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB35  
Senate 17-MAR-15  
I hereby certify that the within Act originated in and passed  
the Senate.

Patrick Harris  
Secretary

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House of Representatives  
Passed: 31-MAR-15

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By: Senator Allen