

1 SB507  
2 140733-1  
3 By Senator Marsh (Constitutional Amendment)  
4 RFD: Local Legislation No. 1  
5 First Read: 12-APR-12

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8 SYNOPSIS: This bill would propose an amendment to  
9 Amendment 629 to the Constitution of Alabama of  
10 1901, now appearing as Section 7, Local Amendments,  
11 Calhoun County, Official ReCompilation of the  
12 Constitution of Alabama of 1901, as amended,  
13 relating to Calhoun County officials participating  
14 in the Employees' Retirement System; to allow  
15 county officials serving on the ratification date  
16 of the amendment to Amendment 629 to forego  
17 supernumerary status and join the Employees'  
18 Retirement System and purchase prior service credit  
19 for a one-year period.

20  
21 A BILL

22 TO BE ENTITLED

23 AN ACT

24  
25 Relating to Calhoun County; proposing an amendment  
26 to Amendment 629 to the Constitution of Alabama of 1901, now  
27 appearing as Section 7, Local Amendments, Calhoun County,

1 Official Recompilation of the Constitution of Alabama of 1901,  
2 as amended, to allow county officials serving on the  
3 ratification date of the amendment to Amendment 629 to forego  
4 supernumerary status and join the Employees' Retirement System  
5 and purchase prior service credit for a one-year period.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. The following amendment to Amendment 629  
8 to the Constitution of Alabama of 1901, now appearing as  
9 Section 7, Local Amendments, Calhoun County, Official  
10 Recompilation of the Constitution of Alabama of 1901, as  
11 amended, is proposed and shall become valid as a part of the  
12 Constitution when all requirements of this act are fulfilled:

13 PROPOSED AMENDMENT

14 Amendment 629 to the Constitution of Alabama of  
15 1901, now appearing as Section 7, Local Amendments, Calhoun  
16 County, Official Recompilation of the Constitution of Alabama  
17 of 1901, as amended, is amended to read as follows:

18 "Amendment 629.

19 "(a) For the purposes of this amendment, the words  
20 "elected or appointed county official" shall mean any person  
21 holding an office that entitles the person to participate in a  
22 supernumerary program or any person appointed to serve the  
23 remaining term of an elected or appointed county official.

24 "(b) A mayor, sheriff, or elected or appointed  
25 Calhoun County official may not assume a supernumerary office  
26 after the effective date of this amendment. Any person who, on  
27 the effective date of this amendment, is entitled to

1 participate in a supernumerary program may continue to  
2 participate in that supernumerary program, which shall include  
3 the assumption of a supernumerary office according to the  
4 terms and conditions of the law which established that  
5 supernumerary program. Every mayor, sheriff, or elected or  
6 appointed Calhoun County official may participate in the  
7 Employees' Retirement System of Alabama upon the same terms  
8 and conditions as may be specified by law for any other  
9 employee in the same retirement system. Calhoun County  
10 officials holding office at the time of the ratification of  
11 this amendment shall be eligible to purchase service credit in  
12 the Employees' Retirement System for the time the official has  
13 served in the current office; provided, however, the official  
14 shall forego the assumption of a supernumerary office and must  
15 make the election within one year of the effective date of  
16 this amendment.

17 "(c) Notwithstanding the provisions of subsection  
18 (b), the county commission may negotiate terms of any contract  
19 with a sheriff, mayor, or elected or appointed official who  
20 under this amendment will be eligible to participate in the  
21 Employees' Retirement System.

22 "(d) For a period of one year following the  
23 ratification date of the amendment adding this subsection,  
24 local officials described in Subsections (a) and (b) may  
25 forego supernumerary status and join the Employees' Retirement  
26 System as provided in Subsections (a), (b) and (c).

1           Section 2. An election upon the proposed amendment  
2 shall be held in accordance with Amendment 555 to the  
3 Constitution of Alabama of 1901, now appearing as Section  
4 284.01 of the Official Recompilation of the Constitution of  
5 Alabama of 1901, as amended, and the election laws of this  
6 state.

7           Section 3. The appropriate election official shall  
8 assign a ballot number for the proposed constitutional  
9 amendment on the election ballot and shall set forth the  
10 following description of the substance or subject matter of  
11 the proposed constitutional amendment:

12                 "Relating to Calhoun County, proposing an amendment  
13 to Amendment 629 to the Constitution of Alabama of 1901, now  
14 appearing as Section 7, Local Amendments, Calhoun County,  
15 Official Recompilation of the Constitution of Alabama of 1901,  
16 as amended, to allow county officials serving on the  
17 ratification date of the amendment to Amendment 629 to forego  
18 supernumerary status and join the Employees' Retirement System  
19 and purchase prior service credit for a one-year period.

20                 "Proposed by Act \_\_\_\_\_"

21                 This description shall be followed by the following  
22 language:

23                 "Yes ( ) No ( )."