

HB119 ENROLLED



1 F4B2D5-2

2 By Representatives Mooney, Bedsole, Ellis, Carns, DuBose,

3 Hulseley, Paschal (Constitutional Amendment)

4 RFD: Shelby County Legislation

5 First Read: 21-Mar-23

6



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1 Enrolled, An Act,

2 This bill would propose an amendment to the
3 Constitution of Alabama of 2022, relating to Shelby County, to
4 allow county commissioners in the county to participate in the
5 Employees' Retirement System under certain conditions.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. The following amendment to the Constitution
8 of Alabama of 2022, is proposed and shall become valid as a
9 part of the constitution when all requirements of this act are
10 fulfilled:

11 PROPOSED AMENDMENT

12 Section 58-8.00 of the Constitution of Alabama of
13 2022, is amended to read as follows:

14 "§58-8.00

15 No elected or appointed Shelby County official or
16 sheriff may assume a supernumerary office after the effective
17 date of this amendment. Any person who, on the effective date
18 of this amendment, is entitled to participate in a
19 supernumerary program may continue to participate in that
20 supernumerary program, which shall include the assumption of a
21 supernumerary office according to the terms and conditions of
22 the law which established that supernumerary program. Every
23 elected or appointed Shelby County official may participate in
24 the Employees' Retirement System of Alabama upon the same
25 terms and conditions as may be specified by law for any other
26 employee in the same retirement system, and shall be treated
27 as an employee of the county. Shelby County officials holding
28 office at the time of the ratification of this amendment shall



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29 be eligible to purchase service credit in the Employees'
30 Retirement System for the time the official has served in the
31 current office. No person may participate in both a
32 supernumerary program and the Employees' Retirement System
33 based on the same service. For the purposes of this amendment,
34 the words "elected or appointed Shelby County official" shall
35 include any person appointed to serve the remaining term of an
36 elected or appointed Shelby County official. The words do not
37 include a judge, ~~county commissioner~~, district attorney,
38 legislator, constable, school board member, or any official
39 elected from a judicial circuit. Any Shelby County
40 Commissioner holding office as a member of the Shelby County
41 Commission at the time of ratification of the amendment of
42 this amendment shall be eligible to purchase service credit in
43 the Employees' Retirement System for the time the official has
44 served in the current office."

45 Upon ratification of this constitutional amendment, the
46 Code Commissioner shall number and place this amendment as
47 appropriate in the constitution omitting this instructional
48 paragraph and may make the following nonsubstantive revisions:
49 change capitalization, spelling, and punctuation for purposes
50 of style and uniformity; correct manifest grammatical,
51 clerical, and typographical errors; and correct incorrect
52 cross-references.

53 Section 2. An election upon the proposed amendment
54 shall be held in accordance with Sections 284 and 284.01 of
55 the Constitution of Alabama of 2022, and the election laws of
56 this state.



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57 Section 3. The appropriate election official shall
58 assign a ballot number for the proposed constitutional
59 amendment on the election ballot and shall set forth the
60 following description of the substance or subject matter of
61 the proposed constitutional amendment:

62 "Relating to Shelby County, proposing an amendment to
63 the Constitution of Alabama of 2022, to allow county
64 commissioners in the county to participate in the Employees'
65 Retirement System under certain conditions.

66 "Proposed by Act ____."

67 This description shall be followed by the following
68 language:

69 "Yes () No()."



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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 **20-Apr-23**

Passed