# HB66 ENROLLED



- 1 070SWW-2
- 2 By Representative Lovvorn
- 3 RFD: Ways and Means General Fund
- 4 First Read: 07-Mar-23
- 5 PFD: 06-Mar-23
- 6 2023 Regular Session

#### HB66 Enrolled



1 Enrolled, An Act,

2

3

- 4 Relating to the Retirement Systems of Alabama; to amend
- 5 Section 36-27-59, Code of Alabama 1975, to remove the time
- 6 limit for purchasing hazardous duty time for prior eligible
- 7 service for certain firefighters, law enforcement officers,
- 8 and correctional officers covered under the Employees'
- 9 Retirement System or the Teachers' Retirement System as Tier I
- 10 plan members.
- 11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
- 12 Section 1. Section 36-27-59 of the Code of Alabama
- 13 1975, is amended to read as follows:
- 14 "\$36-27-59
- 15 (a) When used in this section, the following terms
- shall have the following meanings, unless the context clearly
- 17 indicates otherwise:
- 18 (1) CORRECTIONAL OFFICER. A full-time correctional
- 19 officer who is certified as a correctional officer by the
- 20 Alabama Peace Officers' Standards and Training Commission.
- 21 (2) FIREFIGHTER. A full-time firefighter employed with
- 22 the State of Alabama, a municipal fire department, or a fire
- 23 district who has a level one minimum standard certification by
- the Firefighters Personnel Standards and Education Commission,
- or a firefighter employed by the Alabama Forestry Commission
- 26 who has been certified by the State Forester as having met the
- 27 wild land firefighter training standard of the National
- 28 Wildfire Coordinating Group.





(3) LAW ENFORCEMENT OFFICER. A full-time law enforcement officer, not covered as a state policeman, employed with any state agency, department, board, commission, or institution or a full-time law enforcement officer employed by a local unit of the Employees' Retirement System under Section 36-27-6 who is certified as a law enforcement officer by the Alabama Peace Officers' Standards and Training Commission.

- (b) (1) Any firefighter, law enforcement officer, or correctional officer covered under the Employees' Retirement System or the Teachers' Retirement System as a Tier I plan member, upon attainment of the requisite years of creditable service or who otherwise qualifies for service or disability retirement, shall be awarded one year of hazardous duty time for every five years of service as a firefighter, a law enforcement officer, or a correctional officer provided that the person has made the additional contribution provided in subdivision (2) or paid the additional contribution required in subsection (c) for each year of service used in determining hazardous duty time for the person. Proportional credit shall be awarded for any period of service less than five years.
- (2) Effective January 1, 2001, and each pay period thereafter, each active employee who is a firefighter, law enforcement officer, or correctional officer, as defined in subsection (a), shall contribute to the Teachers' or Employees' Retirement System of Alabama six percent of his or her earnable compensation. For all pay dates beginning on or after October 1, 2011, each active employee who is a

## HB66 Enrolled

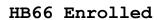


57 firefighter, law enforcement officer, or correctional officer, 58 as defined in subsection (a), except those employees 59 participating pursuant to Section 36-27-6, shall contribute to 60 the Teachers' or Employees' Retirement System of Alabama eight and one-quarter percent (8.25%) of his or her earnable 61 62 compensation. For all pay dates beginning on or after October 63 1, 2012, each active employee who is a Tier I plan member and 64 who is a firefighter, law enforcement officer, or correctional 65 officer, as defined in subsection (a), except those employees participating pursuant to Section 36-27-6, shall contribute to 66 67 the Teachers' or Employees' Retirement System of Alabama eight and one-half percent (8.5%) of his or her earnable 68 compensation. Any employer participating under Section 69 70 36-27-6, by adoption of a resolution, may elect for the 71 increases in employee contributions provided by Act 2011-676 to be withheld from the earnable compensation of employees of 72 73 the employer. 74 (c) Any member of the Employees' Retirement System or 75 the Teachers' Retirement System eligible under subsection (b) may receive credit for his or her eligible prior service 76 77 provided the member pays to the Secretary-Treasurer of the 78 Employees' Retirement System or the Secretary-Treasurer of the 79 Teachers' Retirement System one percent of his or her current 80 annual earnable compensation or previous year's annual earnable compensation, whichever is higher, for each year of 81 claimed credit within two years of January 1, 2001, except 82 that any firefighter employed by the Alabama Forestry 83 84 Commission shall make such payment within two years of

## HB66 Enrolled



85 December 28, 2001. Any member participating in the Employees' Retirement System under Section 36-27-6, who has eligible 86 prior service under this section and who also had no prior 87 88 eligibility to purchase prior service credit under this subsection, may purchase prior service credit under this 89 section at the same rate provided in subsection (b) within one 90 year of the effective date of his or her enrollment with the 91 92 Employees' Retirement System or within one year of August 1, 93 2004. The member may purchase his or her claimed credit in increments of five years, unless the total service credit is 94 95 less than five years, in which case the service shall be purchased in its entirety. The member shall provide 96 97 certification from each employing agency, on forms prescribed 98 by the Teachers' or Employees' Retirement System, of each year 99 of claimed service, as a prerequisite to payment under this section. 100 101 (d) The provisions of this section shall not apply to 102 any Tier II plan member." 103 Section 2. This act shall become effective on the first 104 day of the third month following its passage and approval by 105 the Governor, or its otherwise becoming law.





106				
107				
108				
109		Speaker of the House of	Representatives	
110		-	-	
111				
112				
113				
114		President and Presiding Of	ficer of the Senate	
115		_		
116				
117	House of Representatives			
118		-		
119	-	I hereby certify that the wi	thin Act originated in and	
120		vas passed by the House 04-Apr-23.		
121	_	-		
122		J	ohn Treadwell	
123		C.	lerk	
124				
125				
126				
127				
128	-			
129				
130				
131	Senate	25-Apr-23	Passed	