HB66 INTRODUCED



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



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| 4 | SYNOPSIS: | |
| 5 | This bill would remove the time limit for | |
| 6 | purchasing hazardous duty time for prior eligible | |
| 7 | service for certain firefighters, law enforcement | |
| 8 | officers, and correctional officers covered under the | |
| 9 | Employees' Retirement System or the Teachers' | |
| 10 | Retirement System as Tier I plan members. | |
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| 13 | A BILL | |
| 14 | TO BE ENTITLED | |
| 15 | AN ACT | |
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| 17 | Relating to the Retirement Systems of Alabama; to amend | |
| 18 | Section 36-27-59, Code of Alabama 1975, to remove the time | |
| 19 | limit for purchasing hazardous duty time for prior eligible | |
| 20 | service for certain firefighters, law enforcement officers, | |
| 21 | and correctional officers covered under the Employees' | |
| 22 | Retirement System or the Teachers' Retirement System as Tier I | |
| 23 | plan members. | |
| 24 | BE IT ENACTED BY THE LEGISLATURE OF ALABAMA: | |
| 25 | Section 1. Section 36-27-59 of the Code of Alabama | |
| 26 | 1975, is amended to read as follows: | |
| 27 | " §36-27-59 | |
| 28 | (a) When used in this section, the following terms | |

HB66 INTRODUCED



- shall have the following meanings, unless the context clearly indicates otherwise:
- 31 (1) CORRECTIONAL OFFICER. A full-time correctional 32 officer who is certified as a correctional officer by the 33 Alabama Peace Officers' Standards and Training Commission.

- (2) FIREFIGHTER. A full-time firefighter employed with the State of Alabama, a municipal fire department, or a fire 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 who has been certified by the State Forester as having met the wild land firefighter training standard of the National Wildfire Coordinating Group.
- 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

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HB66 INTRODUCED

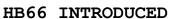
| 57 | enforcement officer, or a correctional officer provided that |
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| 58 | the person has made the additional contribution provided in |
| 59 | subdivision (2) or paid the additional contribution required |
| 60 | in subsection (c) for each year of service used in determining |
| 61 | hazardous duty time for the person. Proportional credit shall |
| 62 | be awarded for any period of service less than five years. |
| 63 | (2) Effective January 1, 2001, and each pay period |
| 64 | thereafter, each active employee who is a firefighter, law |
| 65 | enforcement officer, or correctional officer, as defined in |
| 66 | subsection (a), shall contribute to the Teachers' or |
| 67 | Employees' Retirement System of Alabama six percent of his or |
| 68 | her earnable compensation. For all pay dates beginning on or |
| 69 | after October 1, 2011, each active employee who is a |
| 70 | firefighter, law enforcement officer, or correctional officer, |
| 71 | as defined in subsection (a), except those employees |
| 72 | participating pursuant to Section 36-27-6, shall contribute to |
| 73 | the Teachers' or Employees' Retirement System of Alabama eight |
| 74 | and one-quarter percent (8.25%) of his or her earnable |
| 75 | compensation. For all pay dates beginning on or after October |
| 76 | 1, 2012, each active employee who is a Tier I plan member and |
| 77 | who is a firefighter, law enforcement officer, or correctional |
| 78 | officer, as defined in subsection (a), except those employees |
| 79 | participating pursuant to Section 36-27-6, shall contribute to |
| 80 | the Teachers' or Employees' Retirement System of Alabama eight |
| 81 | and one-half percent (8.5%) of his or her earnable |
| 82 | compensation. Any employer participating under Section |
| 83 | 36-27-6, by adoption of a resolution, may elect for the |
| 84 | increases in employee contributions provided by Act 2011-676 |

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HB66 INTRODUCED

to be withheld from the earnable compensation of employees of the employer.

| 87 | (c) Any member of the Employees' Retirement System or |
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| 88 | the Teachers' Retirement System eligible under subsection (b) |
| 89 | may receive credit for his or her eligible prior service |
| 90 | provided the member pays to the Secretary-Treasurer of the |
| 91 | Employees' Retirement System or the Secretary-Treasurer of the |
| 92 | Teachers' Retirement System one percent of his or her current |
| 93 | annual earnable compensation or previous year's annual |
| 94 | earnable compensation, whichever is higher, for each year of |
| 95 | claimed credit within two years of January 1, 2001, except |
| 96 | that any firefighter employed by the Alabama Forestry |
| 97 | Commission shall make such payment within two years of |
| 98 | December 28, 2001. Any member participating in the Employees' |
| 99 | Retirement System under Section 36-27-6, who has eligible |
| 100 | prior service under this section and who also had no prior |
| 101 | eligibility to purchase prior service credit under this |
| 102 | subsection, may purchase prior service credit under this |
| 103 | section at the same rate provided in subsection (b) within one |
| 104 | year of the effective date of his or her enrollment with the |
| 105 | Employees' Retirement System or within one year of August 1, |
| 106 | 2004. The member may purchase his or her claimed credit in |
| 107 | increments of five years, unless the total service credit is |
| 108 | less than five years, in which case the service shall be |
| 109 | purchased in its entirety. The member shall provide |
| 110 | certification from each employing agency, on forms prescribed |
| 111 | by the Teachers' or Employees' Retirement System, of each year |
| 112 | of claimed service, as a prerequisite to payment under this |





| 113 | section |
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- 114 (d) The provisions of this section shall not apply to
 115 any Tier II plan member."
- Section 2. This act shall become effective on the first
- day of the third month following its passage and approval by
- 118 the Governor, or its otherwise becoming law.