

HB71 INTRODUCED



1 HB71
2 C5HUJJW-1
3 By Representative Clouse
4 RFD: Ways and Means General Fund
5 First Read: 06-Feb-24
6 PFD: 30-Jan-24



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SYNOPSIS:

Under existing law, certain firefighters, law enforcement officers, and correctional officers covered under the Employees' Retirement System of Alabama or the Teachers' Retirement System of Alabama as Tier I plan members may purchase hazardous duty time for prior eligible service.

This bill would allow certain full-time emergency medical services technicians and paramedics to also purchase hazardous duty time for prior eligible service in the Employees' Retirement System of Alabama.

A BILL
TO BE ENTITLED
AN ACT

Relating to the Retirement Systems of Alabama; to amend Section 36-27-59, Code of Alabama 1975, as amended by Acts 2023-101 and 2023-533 of the 2023 Regular Session, to allow certain emergency medical services technicians and paramedics to purchase hazardous duty time in the Employees' Retirement System of Alabama in the same manner as certain firefighters, law enforcement officers, and correctional officers purchase hazardous duty time in either the Employees' Retirement System



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29 of Alabama or the Teachers' Retirement System of Alabama.

30 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

31 Section 1. Section 36-27-59 of the Code of Alabama
32 1975, as amended by Act 2023-101 and Act 2023-533 of the 2023
33 Regular Session, is amended to read as follows:

34 "§36-27-59

35 (a) When used in this section, the following terms
36 ~~shall~~ have the following meanings, unless the context clearly
37 indicates otherwise:

38 (1) CORRECTIONAL OFFICER. A full-time correctional
39 officer who is certified as a correctional officer by the
40 Alabama Peace Officers' Standards and Training Commission. For
41 the purposes of this section, the term also includes the
42 Commissioner of Corrections, as defined in Section 14-1-1.3,
43 and a deputy commissioner of corrections, as defined in
44 Section 14-1-1.5, who has earned and maintains Alabama Peace
45 Officers' Standards and Training Commission certification as a
46 correctional officer or law enforcement officer.

47 (2) EMERGENCY MEDICAL SERVICES TECHNICIAN. A full-time
48 emergency medical services technician employed by a local unit
49 of the Employees' Retirement System under Section 36-27-6, who
50 is certified as an emergency medical services technician by
51 the State Board of Health.

52 ~~(2)~~ (3) FIREFIGHTER. A full-time firefighter employed
53 with the State of Alabama, a municipal fire department, or a
54 fire district who has a level one minimum standard
55 certification by the Firefighters Personnel Standards and
56 Education Commission, or a firefighter employed by the Alabama



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57 Forestry Commission who has been certified by the State
58 Forester as having met the wild land firefighter training
59 standard of the National Wildfire Coordinating Group.

60 ~~(3)~~ (4) LAW ENFORCEMENT OFFICER. A full-time law
61 enforcement officer, not covered as a state policeman,
62 employed with any state agency, department, board, commission,
63 or institution or a full-time law enforcement officer employed
64 by a local unit of the Employees' Retirement System of Alabama
65 under Section 36-27-6 who is certified as a law enforcement
66 officer by the Alabama Peace Officers' Standards and Training
67 Commission.

68 (5) PARAMEDIC. A full-time paramedic employed by a
69 local unit of the Employees' Retirement System of Alabama
70 under Section 36-27-6 who is certified as a paramedic by the
71 State Board of Health.

72 (b) (1) Any firefighter, law enforcement officer,
73 emergency medical services technician, paramedic, or
74 correctional officer covered under the Employees' Retirement
75 System of Alabama or the Teachers' Retirement System of
76 Alabama as a Tier I plan member, upon attainment of the
77 requisite years of creditable service or who otherwise
78 qualifies for service or disability retirement, shall be
79 awarded one year of hazardous duty time for every five years
80 of service as a firefighter, a law enforcement officer, an
81 emergency medical services technician, a paramedic, or a
82 correctional officer provided that the individual has made the
83 additional contribution provided in subdivision (2) or paid
84 the additional contribution required in subsection (c) for



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85 each year of service used in determining hazardous duty time
86 for the individual. Proportional credit shall be awarded for
87 any period of service less than five years.

88 (2) Effective January 1, 2001, and each pay period
89 thereafter, each active employee who is a firefighter, law
90 enforcement officer, or correctional officer, as defined in
91 subsection (a), shall contribute to the Teachers' or
92 Employees' Retirement System of Alabama six percent ~~(6%)~~ of
93 his or her earnable compensation. For all pay dates beginning
94 on or after October 1, 2011, each active employee who is a
95 firefighter, law enforcement officer, or correctional officer,
96 as defined in subsection (a), except those employees
97 participating pursuant to Section 36-27-6, shall contribute to
98 the Teachers' or Employees' Retirement System of Alabama eight
99 and one-quarter percent ~~(8.25%)~~ of his or her earnable
100 compensation. For all pay dates beginning on or after October
101 1, 2012, each active employee who is a Tier I plan member and
102 who is a firefighter, law enforcement officer, or correctional
103 officer, as defined in subsection (a), except those employees
104 participating pursuant to Section 36-27-6, shall contribute to
105 the Teachers' or Employees' Retirement System of Alabama eight
106 and one-half percent ~~(8.5%)~~ of his or her earnable
107 compensation. Any employer participating under Section
108 36-27-6, by adoption of a resolution, may elect for the
109 increases in employee contributions provided by Act 2011-676
110 to be withheld from the earnable compensation of employees of
111 the employer.

112 (3) For all pay dates beginning on or after October 1,



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113 2024, each active employee who is an emergency medical
114 services technician or a paramedic employed by an employer
115 participating under Section 36-27-6 shall contribute the
116 following:

117 a. Six percent of his or her earnable compensation to
118 the Employees' Retirement System of Alabama if his or her
119 employer has not elected to increase employee contributions as
120 provided by Act 2011-676.

121 b. Eight and one-half percent of his or her earnable
122 compensation to the Employees' Retirement System of Alabama if
123 his or her employer has elected to increase employee
124 contributions as provided by Act 2011-676.

125 (c) Any member of the Employees' Retirement System of
126 Alabama or the Teachers' Retirement System of Alabama eligible
127 under subsection (b) may receive credit for his or her
128 eligible prior service provided the member pays to the
129 Secretary-Treasurer of the Employees' Retirement System of
130 Alabama or the Secretary-Treasurer of the Teachers' Retirement
131 System of Alabama one percent ~~-(1%)~~ of his or her current
132 annual earnable compensation or previous year's annual
133 earnable compensation, whichever is higher, for each year of
134 claimed credit. The member may purchase his or her claimed
135 credit in increments of five years, unless the total service
136 credit is less than five years, in which case the service
137 shall be purchased in its entirety. The member shall provide
138 certification from each employing agency, on forms prescribed
139 by the Teachers' or Employees' Retirement System of Alabama,
140 of each year of claimed service, as a prerequisite to payment



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141 under this section.

142 (d) This section shall not apply to any Tier II plan
143 member.

144 (e) The designation of the Commissioner of Corrections
145 and a deputy commissioner of corrections as correctional
146 officers or law enforcement officers for purposes of this
147 section shall be applied retroactively to March 1, 2022."

148 Section 2. This act shall become effective on October
149 1, 2024.