SB56 ENGROSSED



- 1 SB56
- 2 PFU5RGG-2
- 3 By Senator Orr
- 4 RFD: Finance and Taxation Education
- 5 First Read: 06-Feb-24

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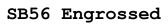


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5	A BILL
6	TO BE ENTITLED
7	AN ACT
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9	Relating to crimes committed by school employees; to
10	amend Section 36-27D-1, Code of Alabama 1975, to terminate the
11	right to state retirement benefits for teachers and school
12	employees convicted of certain sex offenses involving a
13	student or minor; and to provide further for the forfeiture
14	process.
15	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
16	Section 1. Section 36-27D-1, Code of Alabama 1975, is
17	amended to read as follows:
18	"§36-27D-1
19	(a) On and after May 15, 2012, any person individual
20	who is an active or inactive member of the Employees'
21	Retirement System, the Teachers' Retirement System, or the
22	Judicial Retirement Fund who has an accrued benefit shall
23	forfeit retirement benefits upon a guilty plea, a plea of no
24	contest, or a final conviction judgment by the trial court of
25	a felony offense if that offense is related to or arises out
26	of, or in connection with, his or her service in that public
27	position, as declared by the presiding judge of the court in a
28	United States federal court, an Alabama court, or the court of

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29	any other state of the United States, and the person
30	individual shall be entitled to a refund of his or her
31	retirement contributions and applicable interest.
32	(b) On and after July 1, 2024, any individual who is an
33	active or inactive member of the Employees' Retirement System,
34	the Teachers' Retirement System, or the Judicial Retirement
35	Fund who has an accrued benefit shall forfeit retirement
36	benefits upon a guilty plea, a plea of no contest, or a final
37	judgment by the trial court of any offense set forth in
38	Article 4A of Chapter 6 or Division 4 of Article 4 of Chapter
39	12 of Title 13A, and the individual shall be entitled to a
40	refund of his or her retirement contributions and applicable
41	<u>interest.</u>
42	(b)(c) A retired member receiving benefits, upon such a
43	plea or conviction judgment set forth in subsection (a) or (b),
44	shall have his or her retirement benefit suspended. In the
45	event a retired member receiving benefits has not received
46	retirement benefits exceeding the amount of his or her
47	contributions and interest, he or she shall receive a refund
48	of his or her remaining contributions and interest.
49	(d) Upon conviction of a crime as described in
50	subsection (a) or (b), the trial court shall promptly provide
51	written notice of the conviction to the Board of Control of
52	the Employees' Retirement System, the Board of Control of the
53	Teachers' Retirement System, or the Judicial Retirement Fund,
54	or any combination thereof, as applicable. Any failure by the
55	convicting court to provide notice pursuant to this subsection
56	shall not affect or delay any forfeiture provision set forth





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58	(c) (e) Officers and employees of the Employees'
59	Retirement System, the Teachers' Retirement System, and the
60	Judicial Retirement Fund are immune from any civil or criminal
61	liability for any action taken pursuant to this section."
62	Section 2. This act shall become effective on July 1,
63	2024.

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64 65 66 Senate Read for the first time and referred06-Feb-24 67 to the Senate committee on Finance 68 and Taxation Education 69 70 71 Read for the second time and placed28-Feb-24 on the calendar: 72 73 0 amendments 74 75 Read for the third time and passed19-Mar-24 76 as amended 77 Yeas 33 Nays 0 78 Abstains 0 79 80 81 Patrick Harris, 82 83 Secretary.

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