

1 SB238
2 217834-1
3 By Senator Hatcher (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 17-FEB-22

SYNOPSIS: This bill would propose a local constitutional amendment that would allow mayors of municipalities located in Montgomery County to participate in the Employees' Retirement System.

A BILL
TO BE ENTITLED
AN ACT

Relating to Montgomery County; to propose an amendment to the Constitution of Alabama of 1901, to allow mayors in Montgomery County to participate in the Employees' Retirement System.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, is proposed and shall become valid as a part of the Constitution when all requirements of this act are fulfilled:

PROPOSED AMENDMENT

1 In Montgomery County, mayors of municipalities that
2 participate in the Employees' Retirement System of Alabama may
3 participate in the Employees' Retirement System of Alabama
4 upon the same terms and conditions as may be specified by law
5 for any other employee in the same retirement system. A mayor
6 holding office at the time of the ratification of this
7 amendment shall be eligible to purchase service credit in the
8 Employees' Retirement System for the time the official has
9 served in the current office. No person may participate in
10 both a supernumerary program and the Employees' Retirement
11 System based on the same service.

12 Upon ratification of this constitutional amendment
13 and contingent upon the ratification of the Constitution of
14 Alabama of 2022, the Code Commissioner shall number and place
15 this amendment as appropriate in the constitution based upon a
16 logical sequence and the particular subject or topic of the
17 amendment. In this amendment, the Code Commissioner may change
18 capitalization, spelling, and punctuation for the purpose of
19 style and uniformity; correct manifest grammatical, clerical,
20 and typographical errors; and correct incorrect
21 cross-references. When publishing the Constitution of Alabama
22 of 2022, the Code Commissioner may omit this instructional
23 paragraph.

24 Section 2. An election upon the proposed amendment
25 shall be held in accordance with Section 284.01 of the
26 Constitution of Alabama of 1901, now appearing as Section
27 284.01 of the Official Recompilation of the Constitution of

1 Alabama of 1901, as amended, and the election laws of this
2 state.

3 Section 3. The appropriate election official shall
4 assign a ballot number for the proposed constitutional
5 amendment on the election ballot and shall set forth the
6 following description of the substance or subject matter of
7 the proposed constitutional amendment:

8 "Relating to Montgomery County, proposing an
9 amendment to the Constitution of Alabama of 1901, to allow
10 mayors to participate in the Employees' Retirement System.

11 "Proposed by Act _____"

12 This description shall be followed by the following
13 language:

14 "Yes () No ()."