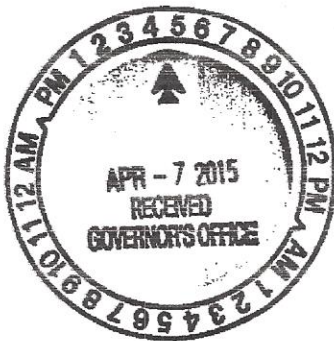


ACT No. 2015 - 42

1 HB65
2 164663-3
3 By Representative Rowe
4 RFD: Public Safety and Homeland Security
5 First Read: 03-MAR-15



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ENROLLED, An Act,

To amend Sections 36-21-68 and 36-21-73 of the Code of Alabama 1975, to provide that the membership fees for the Alabama Peace Officers' Annuity and Benefit Fund would be set by the board up to a certain amount based on the recommendation of the actuary of the board; and to clarify that adjustments to benefits are calculated based on the recommendation of the actuary.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 36-21-68 and 36-21-73 of the Code of Alabama 1975, are amended to read as follows:

"§36-21-68.

"Nothing in this article shall be construed as requiring that any member of the fund become a member of the association or the order, or that any member of the association or the order become a member of the fund.

"Each peace officer who becomes a member shall pay to the fund a regular fee of ~~twenty dollars (\$20) per calendar month~~ in an amount of up to forty dollars (\$40) to be determined by the Board of Commissioners based upon the recommendation of the actuary, to be paid on or before the tenth calendar day of each month so long as he or she is a member or until he or she becomes entitled to benefits hereunder. A member who has 30 years of qualified service in

1 the fund and having met all other requirements of the law and
2 thereby having earned maximum benefits provided will no longer
3 be required to make monthly contributions for his or her
4 membership and will retain all of the rights and privileges as
5 provided any other member.

6 ~~"Six months from the passage of this section, all~~
7 All applicants for membership must join the fund with the
8 ~~initial fee of twenty dollars (\$20) and twenty dollars (\$20)~~
9 per month as determined by the board based on the
10 recommendation of the actuary and a monthly fee set by the
11 board in the same manner as long as they maintain their
12 membership, with no regard given for law enforcement service
13 prior to the date of application.

14 "If any member shall not pay the monthly fee for 60
15 days after its due date, the board shall give him or her
16 notice of termination of his or her membership in the fund and
17 of his or her right to a refund and unless he or she makes
18 application for a refund pursuant to Section 36-21-74 within
19 60 days after the mailing of the notice, all amounts
20 heretofore paid by him or her to the fund shall be returned to
21 him or her in accordance with Section 36-21-74. Any member so
22 terminated who later applies for membership in the fund shall
23 lose credit for all of his or her qualified service up to the
24 time of such termination and, upon approval of his or her new
25 application, will become a new member in the fund.

1 "§36-21-73.

2 "The board shall have appointed and employed an
3 actuary to make an actuarial valuation every three years or
4 earlier, if deemed required, of the receipts and income
5 accruing to the fund based on age, expected mortality,
6 disability, and retirement status of the members and the
7 qualified service and membership service of members and to
8 determine what percentage of the proposed payments, annuities,
9 and benefits set forth in this article may be paid if the fund
10 is to be kept on an actuarially sound basis and in an actuarially
11 solvent condition. Upon receipt of the report of the actuary,
12 the executive director shall present it to a meeting of the
13 board which shall have the power and shall be required to make
14 adjustments of annuities and benefits, up or down, as are
15 recommended by the actuary. Any increase or reduction in
16 benefits resulting from any actuarial study or from any
17 subsequent amendment of this article shall be applicable to
18 all persons then receiving such benefits, even though such
19 persons had theretofore received benefits at a different rate.

20 "In no event shall the board, the fund, the
21 association, the order, or any member, officer, director, or
22 employee of any thereof or the state or any subdivision
23 thereof or any municipality therein be liable to any member or
24 any beneficiary or any representative of any member or any
25 beneficiary of the fund for any deficiency in payments made

1 pursuant to this article and pursuant to any ~~pro rata~~
2 ~~reduction of annuities or benefits~~ adjustments of annuities
3 and benefits, up or down, as are recommended by the actuary."

4 Section 2. This act shall become effective
5 immediately following its passage and approval by the
6 Governor, or its otherwise becoming law.

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[Handwritten Signature]

Speaker of the House of Representatives

Kay Ivey

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 17-MAR-15.

Jeff Woodard
Clerk

Senate

07-APR-15

Passed

APPROVED April 14, 2015

TIME 8:10 a.m.

Robert Bentley
GOVERNOR

Alabama Secretary Of State

Act Num....: 2015-42
Bill Num...: H-65

Recv'd 04/14/15 10:14amSLF

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O-SPONSORS

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DATE: 3-3 2015
RD 1 RFD PS + HS

REPORT OF STANDING COMMITTEE

This bill having been referred by the House to its standing committee on Public Safety and Homeland Security was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be Passed, w/amend(s) 0 w/sub 0 this 11th day of March, 20 15.
Jeff Woodard, Chairperson

DATE: 3-11 2015
RF RD 2 CAL

DATE: 20____
RE-REFERRED RE-COMMITTED
Committee _____

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 65 YEARS 97 NAYS 0
JEFF WOODARD,
Clerk

FURTHER HOUSE ACTION (OVER)

DATE: 3-18 2015
RD 1 RFD GA

This Bill was referred to the Standing Committee of the Senate on GA and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amd(s) 0 w/sub 0 w/eng sub 0 by a vote of 9 yeas 0 nays 0 abstain 0 this 31 day of March, 20 15.
James W. Bullock, Chairperson

DATE: 3-31 2015
RF FIN RD 2 CAL

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 65 YEARS 31 NAYS 0
PATRICK HARRIS,
Secretary

DATE: 4-7-15 RD 3 at length
PASSED PASSED AS AMENDED
YEAS 31 NAYS 0
And was ordered returned forthwith to the House.
PATRICK HARRIS,
Secretary

DATE: 20____
INDEFINITELY POSTPONED YEARS NAYS
DATE: 20____
RECONSIDERED YEARS NAYS

FURTHER SENATE ACTION (OVER)