

1 HB598  
2 143010-3  
3 By Representatives Hurst and Wood  
4 RFD: State Government  
5 First Read: 22-MAR-12

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

ENROLLED, An Act,

To allow a member of the Oxford Emergency Medical Services, Inc., under the Employees' Retirement System to purchase certain prior non-qualified service credit in the system for service rendered to an employer that was not eligible for participation in the Employees' Retirement System under Section 36-27-6; and to reopen the Teachers' Retirement System and the Employees' Retirement System for purchase of certain prior service credit in the system by an active and contributing member who was employed as an employee with the United States Department of Agriculture Farm Service Agency.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) Any active and contributing member of the Oxford Emergency Medical Services, Inc., that participates in the Employees' Retirement System under Section 36-27-6 of the Code of Alabama 1975, may purchase prior non-qualified service for employment rendered to Oxford Emergency Medical Services before July 14, 2009, as permitted by the IRC Section 415(n) (3) (B). Currently, under federal law the employee must have five or more years of creditable service in the Employees' Retirement System prior to purchasing up to five years' non-qualified service.

(b) No member shall receive credit for any service that the member is already credited with in the system or any

1 other public retirement plan, with the exception of the  
2 federal Social Security program.

3 (c) Any member who is eligible to purchase service  
4 credit shall furnish to the Secretary-Treasurer of the  
5 Employees' Retirement System the full actuarially determined  
6 cost for each year of claimed service as determined by the  
7 system's actuary.

8 (d) Any year of service purchased under the  
9 provisions of this section shall not be considered in  
10 determining the out-of-pocket premium amount charged to  
11 retirees under the provisions of Section 16-25A-8.1 or Section  
12 36-29-19.7, Code of Alabama 1975. Also, any service purchased  
13 under this section shall not entitle a member to be eligible  
14 for benefits under either the PEEHIP or SEIB any earlier than  
15 the member could have reached eligibility under the plan  
16 without the service purchased under the provisions of this  
17 section.

18 Section 2. (a) Any active and contributing member of  
19 the Teachers' Retirement System or the Employees' Retirement  
20 System who has 10 years or more of credible service in either  
21 system may claim and purchase service credit in the system for  
22 up to 10 years of prior service for employment as an employee  
23 with the United States Department of Agriculture Farm Service  
24 Agency if the member complies with the conditions prescribed  
25 in subsection (b). No member shall receive credit for any

1 service that the member is already credited with in the system  
2 or any other public retirement plan, with the exception of the  
3 federal Social Security program.

4 (b) Any member who is eligible to purchase service  
5 credit pursuant to subsection (a) shall pay to the  
6 Secretary-Treasurer of the system, within one year from the  
7 effective date of this act, the full actuarially determined  
8 cost for each year of claimed service as determined by the  
9 system's actuary.

10 Section 3. Any year of service purchased under the  
11 provisions of this act shall not be considered in determining  
12 the out-of-pocket premium amount charged to retirees under the  
13 provisions of Section 16-25A-8.1 or Section 36-29-19.7, Code  
14 of Alabama 1975. Also, any service purchased under this act  
15 shall not entitle a member to be eligible for benefits under  
16 either the Public Education Employees' Health Insurance Plan  
17 or the State Employees' Health Insurance Plan any earlier than  
18 the member could have reached eligibility under the plan  
19 without the service purchased under the provisions of this  
20 act.

21 Section 4. This act shall become effective  
22 immediately after its passage and approval by the Governor, or  
23 its otherwise becoming a law.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17

---

Speaker of the House of Representatives

---

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 02-MAY-12.

Greg Pappas  
Clerk

Senate	16-MAY-12	Amended and Passed
House	16-MAY-12	Concurred in Senate Amendment