

1 HB375  
2 163539-2  
3 By Representatives Rowe, Hill (M), Ball, Pettus, Wood, Greer,  
4 Coleman-Evans, Fridy, McCutcheon, Treadaway, South, Henry,  
5 Boothe, Grimsley, Givan, Harper, Weaver and Faulkner  
6 RFD: Ways and Means General Fund  
7 First Read: 31-MAR-15

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8 SYNOPSIS: Under existing law, certain law enforcement  
9 officers receive a subsistence allowance of \$12 for  
10 each working day.

11 This bill would provide that law enforcement  
12 officers transferred to the newly created Alabama  
13 State Law Enforcement Agency would receive the  
14 subsistence allowance of \$12 and would increase the  
15 allowance by \$4 beginning October 1, 2015.

16  
17 A BILL  
18 TO BE ENTITLED  
19 AN ACT

20  
21 To amend Section 36-21-2, Code of Alabama 1975,  
22 relating to subsistence pay, to provide that law enforcement  
23 officers transferred to the newly created Alabama State Law  
24 Enforcement Agency will receive a subsistence allowance.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. Section 36-21-2, Code of Alabama 1975, is  
27 amended to read as follows:

1           "§36-21-2.

2           "(a) Any law enforcement officer of the State of  
3 Alabama who is employed by the ~~Department of Public Safety,~~  
4 Alabama State Law Enforcement Agency, Department of ~~Industrial~~  
5 ~~Relations~~ Labor, Department of Conservation and Natural  
6 Resources, ~~Alabama Alcoholic Beverage Control Board,~~  
7 ~~Department of Agriculture and Industries,~~ Alabama Department  
8 of Forensic Sciences, ~~the Transportation Enforcement Division~~  
9 ~~of the Alabama Public Service Commission,~~ Alabama Liquefied  
10 Petroleum Gas Board, ~~the Alabama Criminal Justice Information~~  
11 ~~Center,~~ the Alabama Peace Officers' Standards and Training  
12 Commission, the Alabama Securities Commission, the State Port  
13 Authority, probation and parole officers of the Alabama Board  
14 of Pardons and Paroles, fire marshals of the Department of  
15 Insurance, revenue enforcement officers of the Department of  
16 Revenue, ~~law enforcement officers of the State Capitol Police,~~  
17 any investigator employed by the Alabama Ethics Commission,  
18 any investigator employed by a district attorney on a  
19 full-time basis, the marshal or any deputy marshal of the  
20 state appellate court, or correctional officers of the  
21 Department of Corrections shall receive a subsistence  
22 allowance of twelve dollars (\$12) for each working day of a  
23 pay period while engaged in the performance of the duties as a  
24 law enforcement officer. This allowance shall be in addition  
25 to all other compensation, expenses, and allowances provided  
26 those officers.

1           "(b) The subsistence allowance shall not be subject  
2 to any income or other taxes levied by the State of Alabama or  
3 the federal government.

4           "(c) The act adding this amendatory language  
5 regarding the Department of Corrections correctional officers  
6 shall be phased-in in the amount of one dollar (\$1) per fiscal  
7 year for the 12 years beginning October 1, 1995. In any year  
8 that it is determined by Senate Joint Resolution or House  
9 Joint Resolution enacted by both houses and signed by the  
10 Governor that because of fiscal emergency the implementation  
11 of the one dollar (\$1) per fiscal year shall be suspended for  
12 that year only, this subsistence allowance, or any portion  
13 thereof, may be suspended.

14           "(d) The subsistence allowance to law enforcement  
15 officers at the Alabama Criminal Justice Information Center  
16 shall be paid from its Special Revenue Fund and not from  
17 General Fund appropriations to the center. The subsistence  
18 allowance to law enforcement officers at the Peace Officers'  
19 Standards and Training Commission shall be paid from the Peace  
20 Officers' Standards and Training Fund and the subsistence  
21 allowance paid to Securities Commission Officers shall be paid  
22 from the Securities Commission Fund.

23           "(e) The subsistence allowance for law enforcement  
24 officers employed by the State Port Authority provided in  
25 subsection (a) shall be phased in as follows:

1           "(1) For the remainder of the fiscal year ending  
2           September 30, 2006, the subsistence allowance shall be six  
3           dollars (\$6) per day.

4           "(2) For the fiscal year commencing October 1, 2006,  
5           the subsistence allowance shall be nine dollars (\$9) per day.

6           "(3) For the fiscal year commencing October 1, 2007,  
7           and thereafter, the subsistence allowance shall be the amount  
8           provided in subsection (a).

9           "(f) For the fiscal year commencing October 1, 2015,  
10          and continuing thereafter, a law enforcement officer employed  
11          by the Alabama Law Enforcement Agency shall receive an  
12          increase of four dollars (\$4) in subsistence allowance for  
13          each working day of the pay period while engaged in the  
14          performance of the duties as a law enforcement officer. This  
15          allowance shall be in addition to all other compensation,  
16          expenses, and allowances provided to those officers."

17                 Section 2. This act shall become effective  
18                 immediately following its passage and approval by the  
19                 Governor, or its otherwise becoming law.