

Amendment No. 2 to SB0606

Briggs
Signature of Sponsor

AMEND Senate Bill No. 606

House Bill No. 706

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 36, Part 8, is amended by adding the following new section:

(a) Within a one-year period, a retiree who is reemployed in a position covered by the Tennessee consolidated retirement system pursuant to this part must not:

(1) Switch from one (1) reemployment provision under this part to another; or

(2) Simultaneously be reemployed under more than one (1) reemployment provision under this part.

SECTION 2. Tennessee Code Annotated, Section 8-36-809, is amended by deleting the section and substituting:

(a) As used in this section, "law enforcement officer" means a police officer as defined in § 8-34-101, state police officer as defined in § 8-34-101, sheriff, or sheriff's deputy, whose primary responsibility is the prevention and detection of crime and apprehension of offenders.

(b) Notwithstanding a law to the contrary, a retired member of the Tennessee consolidated retirement system or a superseded system, or a local retirement fund established pursuant to chapter 35, part 3 of this title may be reemployed in a position covered by the retirement system as a law enforcement officer without the loss or suspension of the retired member's Tennessee consolidated retirement system benefits, provided that the following conditions are met:

(1) The retired member, as of the date of reemployment, must have successfully completed annual training required by title 38, chapter 8, part 1, and as required by the Tennessee peace officer standards and training commission;

(2) The retired member is not reemployed until the expiration of at least sixty (60) calendar days from the member's effective date of retirement;

(3) During the reemployment, the retirement benefit payable to the retired member must be reduced to seventy percent (70%) of the retirement allowance the member would have otherwise been entitled to receive;

(4) The retired member's reemployment must not exceed one (1) year; provided, that the retired member may be reemployed for additional one-year periods if the conditions contained in this section are met for each period of reemployment;

(5) To fund the liability created by this section, the retired member's new employer shall pay to the Tennessee consolidated retirement system during each period of reemployment the greater of:

(A) A payment equal to the amount the employer would have contributed to the retirement system had the retired member been a member of the retirement system during the period of reemployment; or

(B) An amount equal to five percent (5%) of the retired member's pay rate;

(6) The retired member is not eligible to accrue additional retirement benefits as a result of the member's reemployment;

(7) Upon the reemployment of the retired member, the retired member's new employer shall:

(A) Notify the retirement system of the member's reemployment with any documents or information required by the retirement system; and

(B) Certify in writing to the retirement system that the retired member has the requisite experience and training for the position to be filled and that no other qualified persons are available to fill the position; and

(8) The retiree is not drawing disability retirement benefits under chapter 36, part 5 of this title.

(c) This section is repealed on June 30, 2025.

SECTION 3. Tennessee Code Annotated, Section 8-36-821, is amended by deleting subsection (b).

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it, and applies to reemployments occurring on or after such date.