



State of Tennessee

PUBLIC CHAPTER NO. 476

SENATE BILL NO. 1086

By Walley

Substituted for: House Bill No. 1036

By Shaw

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 25 and Title 8, Chapter 35, relative to retirement.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-35-111(b), is amended by adding the following new subdivision:

(4) A defined benefit pension plan established and maintained by a local government employer that is supplemental to the employer's participation in the Tennessee consolidated retirement system, and was established prior to the effective date of this act, where the total combined employer and employee contributions do not exceed seven percent (7%) of the employee's salary, and the supplemental benefits are subject to the limitations set forth in § 8-36-102. At the request of the Tennessee consolidated retirement system, the local government shall conduct a periodic audit using an auditing or accounting firm to demonstrate compliance with the limitations set forth in § 8-36-102 and any applicable limitation pursuant to federal law, regulation, or ruling, with the cost of the audit to be paid by the local government.

SECTION 2. Tennessee Code Annotated, Section 8-35-112(c), is amended by deleting the subsection and substituting instead the following:

(c) This section does not apply to retired members of the retirement system or of a superseded system who return to service in a position covered by the retirement system, as provided in chapter 36, part 8 of this title that does not allow the retired member to accrue additional retirement benefits.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 1086

PASSED: April 21, 2023



RANDY McNALLY
SPEAKER OF THE SENATE



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 17th day of May 2023



BILL LEE, GOVERNOR