



State of Tennessee

PUBLIC CHAPTER NO. 918

HOUSE BILL NO. 2682

By Representatives Doggett, Eldridge, Davis, Boyd, Alexander, Russell, Fritts, Moody, Lynn, Gary Hicks, Burkhart, Terry, Sherrell, Powers, McCalmon, Hale

Substituted for: Senate Bill No. 2901

By Senators Bailey, Pody, Walley, Powers, Rose, Gardenhire, Haile, Hensley, Jackson, Lowe, Massey, Southerland, White, Yager

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 36, Part 8, relative to reemployment after retirement.

WHEREAS, it is the public policy of the General Assembly to ensure the safety of students in grades kindergarten through twelve; and

WHEREAS, based on this public policy consideration, the General Assembly encourages the use of school resource officers in schools with students in grades kindergarten through twelve by allowing Tennessee Consolidated Retirement System (TCRS) retirees to return to work as school resource officers without a loss or suspension of the retirees' TCRS retirement benefits; and

WHEREAS, while the General Assembly's public policy decision is to fill the need for school safety, in part, through the use of school resource officers who are TCRS retirees, the General Assembly does not wish to expand the same return to work opportunity contained in this bill to other populations in the future; now, therefore,

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

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

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Notwithstanding another law to the contrary, a retired member of the Tennessee consolidated retirement system or of a superseded system, or of a local retirement fund established pursuant to chapter 35, part 3 of this title, may be reemployed in a position covered by the retirement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

(1) The member retired on an unreduced service retirement allowance pursuant to chapters 35 and 36 of this title, including, but not limited to, §§ 8-35-255, 8-35-256, 8-36-201, and 8-36-906;

(2) The retired member is reemployed as a law enforcement officer with a law enforcement agency for the sole purpose of serving full-time as a school resource officer, as defined in § 49-6-4202, at a public school in an LEA as defined in § 49-1-103 that serves students in any of the grades kindergarten through twelve (K-12);

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

(4) The retired member's reemployment must not exceed one (1) year; provided, that the retired member may be reemployed for an additional one-year period if the conditions in this section are met for each period of reemployment. A retiree must not be reemployed pursuant to this section for more than two (2) years;

(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, a payment equal to the amount the employer

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would have contributed to the retirement system had the retired member been a contributing member of the retirement system during the period of reemployment;

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

(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 pursuant to this section and provide any documents or information required by the retirement system;

(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 person is available to fill the position; and

(C) Certify, in writing, to the retirement system that the employer is employing the retired member to serve full-time as a school resource officer at a public school in this state that serves students in any of the grades kindergarten through twelve (K-12); and

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

(b) If an LEA or multiple LEAs in the jurisdiction of a law enforcement agency have multiple full-time school resource officer positions available at one (1) or more public schools in the LEA or LEAs, then a law enforcement agency may employ a retired member for each position; provided, that the conditions of subsection (a) are met.

(c) This section is repealed on June 30, 2026.

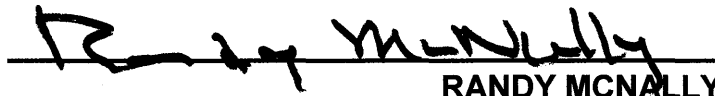
SECTION 2. This act takes effect July 1, 2024, the public welfare requiring it, and applies to the reemployment of a retired member occurring on or after such date.

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PASSED: April 17, 2024



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 3rd day of May 2024



BILL LEE, GOVERNOR