



State of Tennessee

PUBLIC CHAPTER NO. 919

HOUSE BILL NO. 2683

By Representatives Doggett, Davis, Boyd, Alexander, Russell, Burkhart, Sherrell

Substituted for: Senate Bill No. 2902

By Senators Bailey, Gardenhire, Haile, Hensley, Jackson, Massey, Southerland, Rose, Yager

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 24; Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36 and Title 8, Chapter 37, relative to retirement benefits.

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

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 36, Part 2, is amended by adding the following as a new section:

(a) Notwithstanding another law to the contrary, members employed as public safety officers are eligible to receive a hazardous duty supplemental benefit in addition to the member's retirement allowance if:

(1) The member meets the eligibility requirements for retirement;

(2) The member has at least twenty (20) years of creditable service in the retirement system as a public safety officer;

(3) The member retires on a service retirement allowance or early service retirement allowance pursuant to this chapter, and does not retire under disability retirement pursuant to part 5 of this chapter;

(4) The chief governing body of the political subdivision passes a resolution authorizing an actuarial study to determine the liability associated with providing the hazardous duty supplemental benefit and accepting responsibility for the costs of the study;

(5) Following receipt of the actuarial study, the governing body of the political subdivision passes a resolution authorizing the supplemental benefit and accepting the liability for the benefit; provided, however, the political subdivision shall not establish the supplemental benefit unless the political subdivision's funded status in the retirement system will be at least seventy percent (70%) after implementation of the supplemental benefit as defined and otherwise provided for in § 8-35-206(i)(1). All costs associated with providing the supplemental benefit must be paid by the political subdivision and not the state; and

(6) After authorizing the supplemental benefit, the political subdivision pays the estimated increased pension liability through one (1) of the following methods:

(A) A lump sum;

(B) An increase in the employer's contribution rate over the course of the fiscal year (July 1-June 30) following the adoption of the authorizing resolution; or

(C) Amortizing the unfunded accrued liability over a period of time not to exceed ten (10) years from the date of the adoption of the resolution.

(b) The hazardous duty supplemental benefit is calculated as follows:

(1) For any such member retiring on a service retirement allowance, the hazardous duty supplemental benefit is equal to three-eighths of one percent (0.375%) of the member's average final compensation multiplied by the member's years of creditable service as a public safety officer with a political subdivision that has adopted the hazardous duty supplemental benefit;

(2) For any such member participating in the legacy plan retiring on an early service retirement allowance pursuant to § 8-36-301, the hazardous duty supplemental benefit is computed in accordance with subdivision (b)(1), but is reduced by four-tenths of one percent (0.4%) for each month by which the member's date of early service retirement precedes the member's service retirement date; and

(3) For any such member participating in the alternate defined benefit plan pursuant to § 8-35-255, hybrid plan pursuant to § 8-35-256, or the hybrid retirement plan for state employees and teachers pursuant to chapter 36, part 9 of this title retiring on an early service retirement allowance, the hazardous duty supplemental benefit is computed in accordance with subdivision (b)(1), but is reduced by an actuarially determined factor as set by the board from time to time.

(c) A retired member covered by this section is entitled to receive an adjustment in the retiree's hazardous duty supplemental benefit pursuant to § 8-36-701, except as otherwise provided in § 8-36-922. Any such adjustment to the hazardous duty supplemental benefit is computed separately from the member's service retirement allowance.

(d) Sections 8-36-102, 8-36-208(a), 8-35-225(h), 8-35-256(h), and 8-36-908 do not reduce or eliminate the supplemental benefit provided by this section, and the supplemental benefit must not be reduced as a result of any optional retirement allowance selected by the member pursuant to § 8-36-601.

(e) The hazardous duty supplemental benefit begins on the member's effective date of retirement or on the first day of the month following the month the member reaches age sixty (60), whichever is later.

(f) The hazardous duty supplemental benefit, including any cost-of-living adjustments attributable to that benefit, ceases on the first day of the month following the month in which the member dies, or on the first day of the month following the month in which the member reaches full retirement age for receipt of old age and survivors benefits under Title II of the Social Security Act (42 U.S.C. §§ 401-425).

(g) The hazardous duty supplemental benefit provided by this section applies to all current and future retired members who meet the eligibility criteria for the supplemental benefit; provided, that the benefit must not be paid retroactively.

(h) For the purposes of this section, the term "public safety officer" means a full-time, salaried employee of a political subdivision who is a sheriff, sheriff's deputy, police officer, chief of police, or any other law enforcement officer with the political subdivision whose primary responsibility is the prevention and detection of crime and apprehension of offenders. The term "public safety officer" for purposes of this section also means a full-time, salaried employee of a political subdivision who is a correctional officer or firefighter.


SECTION 2. This act takes effect January 1, 2025, the public welfare requiring it.

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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