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SENATE BILL 1616 By
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HOUSE BILL 1511
By Curtiss

AN ACT to amend Tennessee Code Annotated, Section 8-36-205
and Section 8-36-211, relative to mandatory retirement.

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

SECTION 1. Tennessee Code Annotated, Section 8-36-205(a)(1), is amended
by adding the following after the first sentence thereof:

For purposes of this section and § 8-36-211 only, "state police officers" shall
include, in addition to the positions covered under § 8-34-101(42), commissioned special
agents of the department of revenue, commissioned bomb and arson investigators of the
department of commerce and insurance and commissioned members of the department
of environment and conservation.

SECTION 2. Tennessee Code Annotated, Section 8-36-211(a), is amended by deleting
from the first sentence thereof the words and figures "on or after the attainment of sixty (60)
years of age" and by substituting instead the words and figures "pursuant to § 8-36-201(a)".

SECTION 3. Tennessee Code Annotated, Section 8-36-211(b), is amended by
designating the first paragraph thereof, immediately before the colon ":", as subdivision (b)(1),

by redesignating the current subdivisions (b)(1) and (b)(2) as subdivisions (b)(1)(A) and (b)(1)(B), respectively, and by adding the following as a new subdivision (b)(2):

(2) Any political subdivision that adopted a mandatory age requirement as described in subsection (b)(1) above may also authorize the payment of the supplemental bridge benefit to Group 1 members who retire on a service retirement allowance prior to the attainment of sixty (60) years of age provided the following conditions are met:

(A) The supplemental benefit shall only be paid if the mandatory retirement age requirement adopted by the political subdivision is sixty (60) years of age or older, but less than the age requirement for receipt of old age and survivors benefits under Title II of the Federal Social Security Act;

(B) The members must retire with thirty (30) or more years of creditable service with all or a portion of such service having been rendered in a Group 1 position covered by the mandatory retirement provisions of § 8-36-205(a)(2); and

(C) The chief governing body of the political subdivision passes a resolution authorizing the payment and accepting the liability therefor.

SECTION 4. Tennessee Code Annotated, Section 8-36-211, is amended by deleting subsection (g) in its entirety and by substituting instead the following:

(g) The supplemental bridge benefit provided by this section shall apply to all current and future retired members; provided, that such benefit shall not be paid retroactively. Instead, for service covered under subsection (a), the benefit shall become effective on July 1, 1998 for any Group 1 member who retires with less than thirty (30) years of creditable service and on July 1, 2001 for any Group 1 member who retires prior to the attainment of sixty (60) years of age but with thirty (30) or more years of creditable service. For service covered under subsection (b)(1), the benefit shall become effective on the effective date of the mandatory retirement age provision and for

service covered under subsection (b)(2), the benefit shall become effective on the effective date of the resolution passed by the political subdivision pursuant to subsection (b)(2).

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. The provisions of this act shall be subject to the funding being provided in the general appropriations act.

SECTION 7. This act shall take effect on July 1, 2001, the public welfare requiring it.