

SENATE BILL 2205

By Johnson

AN ACT to amend Tennessee Code Annotated, Title 8,
relative to forfeiture of public benefits by members
of the general assembly upon conviction of a
felony.

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

SECTION 1. Tennessee Code Annotated, Section 8-27-203, is amended by designating the current language as subsection (a) and by adding the following language as a new subsection (b):

(b) No member or former member of the general assembly may elect to retain state employees' health group insurance pursuant to this section if that person is convicted in any court of this state, or in any federal court, of a felony arising out of that person's official capacity as a member of the general assembly. If the spouse or dependent children of the member or former member are otherwise eligible to participate in the state employees' health group insurance plan but for the conviction, then such coverage shall continue to be available provided the monthly contributions are made pursuant to subsection (a). Upon initial conviction, or upon a plea of guilty or nolo contendere, any person subject to this section who participates in the state employees' health group insurance shall have that benefit for such person stopped immediately without being entitled to any refund of premiums, co-payments or other costs previously paid to retain the insurance. In the event the conviction of such person is later overturned in any court and such person is acquitted, or is granted a full pardon, the former member or former governor may elect to participate in the health insurance coverage on the first day of the following month.

SECTION 2. Section 1 of this act is declared to be invalid by a court of competent jurisdiction and such determination has become final, then the former provisions of § 8-27-203, as such section existed immediately prior to the effective date of this act, shall be revived and be in full force and effect as if such provisions had remained in full force and effect at all times.

SECTION 3. 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 4. This act shall take effect November 2, 2010, the public welfare requiring it.