

Amendment No. 3 to HB1494

**Casada
Signature of Sponsor**

AMEND Senate Bill No. 1656

House Bill No. 1494*

by inserting the following new sections immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 8-36-918(a), is further amended by adding the following language as a new subdivision (4):

(4) Notwithstanding § 8-35-124 or any other law to the contrary, an employee of the department of children's services or an employee of the Tennessee commission on children and youth who is convicted in any state or federal court of a misdemeanor sexual offense, other than indecent exposure under § 39-13-511 or public indecency under § 39-13-517, arising out of that employee's employment or official capacity shall forfeit that employee's retirement benefits under any plan within the Tennessee consolidated retirement system, any superseded retirement system, any local retirement fund, or any other public pension system.

SECTION _____. Tennessee Code Annotated, Section 8-36-918(e), is further amended by adding the following language as a new subdivision (3):

(3) Any employee of the department of children's services or the Tennessee commission on children and youth convicted of a misdemeanor sexual offense as provided in subdivision (a)(4) may elect, within six (6) months of the employee's conviction, to have a monthly retirement allowance paid to whomever that employee had designated as beneficiary on file with the Tennessee consolidated retirement system or other public pension system at the

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time of that employee's conviction; provided, that the beneficiary must have been that employee's spouse or child at the time of that employee's conviction. The amount of any allowance payable under this subdivision (e)(3) shall be equal to the retirement allowance which would have been payable under the applicable plan had the employee retired under an effective election of Option 1 as provided in part 6 of this chapter, in the case of the defined benefit component of the plan within the Tennessee consolidated retirement system, or under another survivorship option elected by the employee. The benefits shall be paid to the beneficiary following the employee's death and upon meeting all other eligibility requirements applicable to a beneficiary.

AND FURTHER AMEND by adding the following language to the end of the amendatory language in SECTION 5:

Subdivision (a)(4) applies only to employees of the department of children's services and the Tennessee commission on children and youth who become members of the Tennessee consolidated retirement system, any superseded retirement system, or any other public pension system on or after July 1, 2016.