

HOUSE BILL 2387

By Fritts

AN ACT to amend Tennessee Code Annotated, Title 8 and Title 49, relative to school safety.

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 as a new section:

(a) As used in this section, "law enforcement officer" means a police officer, as defined in § 8-34-101; state police officer, as defined in § 8-34-101; or sheriff or sheriff's deputy, whose primary responsibilities are the prevention and detection of crime and the apprehension of offenders.

(b) Notwithstanding another law to the contrary, a retired member of the Tennessee consolidated retirement system or of a superseded system, or of a local retirement fund established pursuant to chapter 35, part 3 of this title, may be reemployed in a position covered by the retirement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 retired member served as a law enforcement officer contributing to the retired member's respective retirement system for at least thirty (30) years;

(2) The retired member is reemployed as:

(A) 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 this state that serves students in any of the grades kindergarten through twelve (K-12); or

(B) A law enforcement officer with a law enforcement agency for the sole purpose of serving full time as a police officer on the campus of an institution governed by the Tennessee board of regents;

(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) During each annual reemployment period commencing on or after July 1, 2024, the entire compensation payable to the retired member for the work performed by the retired member is one hundred percent (100%) of the rate of compensation set by the law enforcement agency for:

(A) School resource officers with comparable training and years of experience filling similar positions, if the member is reemployed to serve full time as a school resource officer for a K-12 public school; or

(B) Police officers with comparable training and years of experience filling similar positions, if the member is reemployed to serve full time as a police officer on the campus of an institution governed by the Tennessee board of regents;

(5) The retired member's reemployment must not exceed one (1) year; provided, that the retired member may be reemployed for additional one-year periods if the conditions in this section are met for each period of reemployment;

(6) To fund the liability created by this section, the retired member's new employer shall pay to the member's respective retirement system, during each period of reemployment, a payment equal to the amount the employer would have contributed to the retirement system had the retired member been a contributing member of the retirement system during the period of reemployment;

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

(8) 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 one (1) retired member to serve full time as a:

(i) School resource officer at a K-12 public school; or

(ii) Police officer on the campus of an institution governed by the Tennessee board of regents; and

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

(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 that date.