

SENATE BILL 584

By Haynes

AN ACT to amend Tennessee Code Annotated, Section 8-36-606, relative to the Tennessee Consolidated Retirement System.

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

SECTION 1. Tennessee Code Annotated, Section 8-36-606, is amended by deleting the section in its entirety and by substituting instead the following:

8-36-606.

(a) In the event of divorce of a retired member who selected an optional form of retirement under § 8-36-601(b) in favor of the member's then - spouse, the member may change from the optional form of retirement to the regular form of retirement in favor of a different beneficiary; provided, that the following conditions are met:

(1) The member files with the retirement system a written request to make the change along with a copy of the final decree of divorce and marital dissolution agreement;

(2) The change is not in conflict with the final divorce decree or marital dissolution agreement; and

(3) The increase in the monthly retirement allowance shall not be paid retroactively but shall become effective the next month following the filing of the request.

(b) Notwithstanding subsection (a) or any other law to the contrary, this section shall not apply to individuals who are members of the retirement system by virtue of their employment with any employer participating in the retirement system pursuant to chapter 35, part 2 of this title unless the governing body of

the employer passes a resolution authorizing the provisions of this section and accepting the associated liability for the authorization. Any such resolution shall become effective upon filing the resolution with the retirement system. No retroactive benefits shall be paid under this section.

SECTION 2. This act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the General Appropriations Act.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.