

SENATE BILL 1738

By Yager

AN ACT to amend Tennessee Code Annotated, Title 4; Title 8, Chapter 25; Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36; Title 8, Chapter 37; Title 11 and Title 38, relative to retirement for certain public safety employees.

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

SECTION 1. Tennessee Code Annotated, Section 8-36-205(a)(2)(B), is amended by deleting the subdivision in its entirety and substituting instead the following:

(B) The mandatory age requirement shall not be less than:

(i) Sixty (60) years of age, for firefighters and police officers other than POST-certified police officers and for all employees who have been transferred from the position of a firefighter or police officer, other than a POST-certified police officer, to a supervisory or administrative position within the police or fire department; and

(ii) Fifty-five (55) years of age, for POST-certified police officers and for all employees who have been transferred from the position of a POST-certified police officer to a supervisory or administrative position within the police department; for purposes of this subdivision (a)(2)(B)(ii), "POST-certified police officer" means a police officer who has received a certificate of compliance from the peace officers standards and training commission certifying that the person meets the qualifications required by § 38-8-106 and who has attended the law enforcement training academy pursuant to title 38, chapter 8, part 2; "POST-certified police officer" does not include correctional employees or jailers .

SECTION 2. Tennessee Code Annotated, Section 8-36-201(b)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(1)

(A) Except as provided in subdivision (b)(1)(B), any member in Group 2 shall be eligible for service retirement upon satisfying one (1) of the following:

(i) Attainment of sixty (60) years of age or upon attainment of fifty-five (55) years of age and completion of twenty-five (25) years of creditable service; or

(ii) At any age upon completion of thirty (30) years of creditable service; provided, that this subdivision (b)(1)(A)(ii) shall be optional for political subdivisions participating under the provisions of chapter 35 of this title.

(B) Any members in Group 2 employed as POST-certified police officers with political subdivisions participating under the provisions of chapter 35 of this title, who are subject to the mandatory retirement provisions of § 8-36-205(a)(2)(B)(ii) shall be eligible for service retirement at any age upon completion of thirty (30) years of creditable service; provided, that this subdivision (b)(1)(B) shall be optional for political subdivisions. As used in this subdivision (b)(1)(B), "POST-certified police officer" has the same meaning as defined in § 8-36-205(a)(2)(B)(ii).

SECTION 3. Tennessee Code Annotated, Section 8-36-211(b), is amended by deleting the language "sixty (60) years of age or older" and substituting instead the language "fifty-five (55) years of age or older".

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.