

SENATE BILL 1805

By Massey

AN ACT to amend Tennessee Code Annotated, Title 8,
Chapter 34 and Title 8, Chapter 36, relative to
COVID-19.

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

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 34, Part 6, is amended by adding the following as a new section:

8-34-619.

(a) A member of the Tennessee consolidated retirement system who reaches twenty-five (25) years or more of consecutive service may obtain a COVID-19 essential employee service credit on the basis of one (1) bonus hour of creditable service for each hour of creditable service rendered if the member was required to work at the member's respective worksite or any other worksite outside of the member's personal residence during the COVID-19 state of emergency declared by the governor on March 12, 2020, and terminating on April 27, 2021. Total COVID-19 essential employee service credit hours must be converted into days of creditable service, not to exceed three (3) years.

(b) On or before January 1, 2024, employers shall work with the board to identify employees eligible for the COVID-19 essential employee service credit and provide a list of those employees and their home mailing addresses to the board documenting the employees' eligibility. The board shall notify in writing each employee who is eligible for the credit.

(c) Upon determining an employee is eligible for creditable service under this section, the board shall grant such retirement service credit at no cost to the member on the basis of one (1) bonus hour of creditable service for each hour of creditable service

rendered that the member volunteered to work or was required to work at the member's respective worksite or any other worksite outside of the member's personal residence between March 12, 2020, and April 27, 2021. Total COVID-19 essential employee service credit hours must be converted into days of creditable service, not to exceed three (3) years. If hours worked are not tracked for the employee, then the board shall grant such retirement service credit at no cost to the member on the basis of one (1) bonus day of creditable service for each day of creditable service rendered.

(d) The requirement of twenty-five (25) years of consecutive service is waived for a member who:

(1) Becomes disabled as the natural and proximate result of an accident or as the direct result of physical violence against the member's own person occurring while the member was in the actual performance of duty at some definite time and place, without negligence on the member's part; or

(2) Dies while in service and whose retirement allowance is required to be paid to a beneficiary pursuant to § 8-36-109.

SECTION 2. Tennessee Code Annotated, Section 8-36-905, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

The state shall reimburse a participant who is eligible to obtain a COVID-19 essential employee service credit pursuant to § 8-34-619 for employee contributions to the defined benefit component of the plan required under subsection (a) that are necessary to establish such service credit.

SECTION 3. This act applies to participants in the Hybrid Retirement Plan for State Employees and Teachers and members of the legacy pension plan of the Tennessee Consolidated Retirement System who retire on or after April 27, 2021.

SECTION 4. This act takes effect July 1, 2022, the public welfare requiring it.