

SENATE BILL 3915

By Marrero B

AN ACT to amend Tennessee Code Annotated, Title 8,
relative to public officers and employees.

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

SECTION 1. Tennessee Code Annotated, Section 8-34-604(a), is amended by deleting the language "Upon retirement," and substituting instead the language "Except as provided in subsection (e), upon retirement,".

SECTION 2. Tennessee Code Annotated, Section 8-34-604, is amended by adding the following language as a new, appropriately designated subsection:

(e) In lieu of creditable service as provided in subsection (a), upon retirement, an employee of the state who has accumulated sick leave under chapter 50, part 8 of this title, or any teacher who has accumulated sick leave under section 49-5-570, or any state university and community college system or University of Tennessee employee member who has accumulated sick leave to the extent not exceeding that sick leave provided under chapter 50, part 8 of this title, may, at the sole discretion of the employee, select that such employee's accumulated sick leave:

(1) Be paid to such employee as a lump sum payment prior to such employee's separation. Such a lump sum payment shall not be considered earnable compensation for retirement purposes: or

(2) Be used in the same manner as annual leave, or compensatory leave, in order to reach such employee's effective dated if retirement.

SECTION 3. Tennessee Code Annotated Section 8-50-807, is amended by adding the following language as anew subsection:

(e) At the sole discretion of the retiring employee, an employee may elect to:

(1) Be paid to such employee as a lump sum payment prior to such employee's separation. Such a lump sum payment shall not be considered earnable compensation for retirement purposes; or

(2) Use such employee's accumulated annual leave and compensatory leave to reach the effective date of retirement.

SECTION 4. This act shall take effect January 1, 2011, the public welfare requiring it.