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Private Acts of 1967-68 Chapter 246

Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Table of Contents

Private Acts of 1967-68 Chapter 246	3
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Private Acts of 1967-68 Chapter 246

COMPILER'S NOTE: This act is referenced in Article VI of the Knox County Charter. The charter states the intent to continue the system as established by the private act, but under the authority of the charter. Some provisions of this private act are superseded by Article VI of the Knox County Charter.

SECTION 1. That there is hereby created a system of pension and/or retirement, insurance, compensation, and benefits for all elected and/or appointed officials and employees of Knox County, including all departments and agencies, Boards or Commissioners, and employees of the Hillcrest Medical Nursing Institute, Inc.

As amended by: Private Acts of 1975, Chapter 91

SECTION 2. Be it further enacted, that the County Executive, four (4) members of the Knox County Commission to be selected by a majority vote of the membership of the Knox County Commission and four (4) representatives of the Knox County Employees League, said representatives to be elected by a majority vote of all of the members of the Knox County Employees League, shall hereby constitute a commission to be known as the Knox County retirement and Pension Commission.

The Retirement and Pension Commission shall, by majority vote, select one of its members as Chairman and one of its members as Secretary. The Chairman and Secretary shall serve for a term of one (1) year and each shall be selected at the first meeting of the Commission of each calendar year. A majority of the members of the Commission shall constitute a quorum, and all action taken by the Commission shall be affirmative by a majority of the Commission. The Commission shall meet at least once each month, and the Commission may meet in special session upon call by majority vote of the membership of the Retirement and Pension Commission. Members of the Commission shall serve without compensation as members of the Commission, but members of the Commission shall be reimbursed for any actual expenses incurred by them for the performance of their duties subject to the approval of the Knox County Executive. Membership on the Retirement and Pension Commission shall in no way prohibit participation by said members in the Retirement fund or any other retirement fund.

As amended by: Private Acts of 1969, Chapter 26
Private Acts of 1980, Chapter 282

SECTION 3. That the intent of this Act is to empower the Knox County Retirement and Pension Commission to design and adopt and place into effect a financially sound retirement system. Be it further enacted that the Knox County Retirement and Pension Commission shall be empowered to employ the services of legal counsel, investment consultants, actuary consultants, and the services of others which, at the sole discretion of the Commission, may be necessary to maintain a soundly designed administrated and financed pension system.

The Commission shall also have complete control over the administration of the system. The Commission shall be empowered to define all terms and further empowered to rule on all specifications necessary for the design of the plan such as but not limited to: the purpose, the effective date of the system, the eligibility of employees as to membership in the retirement system, administration, contributions of the employees and Knox County on a matching fund basis, prior service, back service, and method of payment of same; military service, refund of members' contributions, service retirement, optional retirement, compulsory retirement, involuntary retirement, service retirement allowance, optional allowance on service retirement, ordinary disability retirement, ordinary disability retirement allowance, benefit for disability in line of duty, benefit for death in the line of duty, benefit for death not in the line of duty, recovery from the reexamination for disability, indeterminate period of service, group insurance, constitutionality, credited services, base earnings, excess earnings, average base earnings, average excess earnings, normal retirement date, beneficiary contingent annulant, et al. The Retirement Commission is further empowered to perform all the other necessary acts to fulfill all requirements necessary to administer the retirement pension fund.

SECTION 32. Notwithstanding provisions of Section 3 to the contrary, employees of the Hillcrest Medical Nursing Institute, Inc. may become members of the system, provided Hillcrest Institute pays, under such terms and conditions as may be directed by the Retirement and Pension Commission, the cost determined to be necessary to maintain an actuarially sound retirement system, including the cost of granting time for past employment, the employer contribution for current wages, and the cost of all actuarial studies related to Hillcrest Institute employees.

As amended by: Private Acts of 1975, Chapter 91

COMPILER'S NOTE: Private Acts of 1975, Chapter 91 amended Section 3 and designated that the amendment should be labeled as "Section 32."

SECTION 4. That the Commission shall prepare and publish an annual financial report showing all

receipts, disbursements, and liabilities of the system. All proceedings and records of the Commission shall be open and available for inspection by the public at all times. The pension fund shall be treated as any other fund and the County Auditor as such shall perform his duties accordingly.

SECTION 5. *Corrections of Errors.* That any change in records, or errors resulting in any members, survivors, beneficiaries, and et al, receiving from the system more or less than he or she would have been entitled to receive had the records been correct or had the error not been made, the Commission, upon discovery of such error, shall correct the error by adjusting, as far as practical, the payments in such a manner that the benefits to which the members, survivors, beneficiaries, et al are correctly entitled shall be paid.

SECTION 6. That after the completion of the system as designed by the Retirement and Pension Commission, said system shall be submitted for its approval to the Knox County Board of Commissioners, who shall appropriate funds of Knox County annually, sufficient to maintain the system on an actuarially sound basis. Also, after the completion of the system as designed by the Retirement and Pension Commission, all benefits payable to retired members, survivors, beneficiaries, et al, shall continue unimpaired, and such benefits shall be an obligation of the Retirement System and Knox County.

As amended by: Private Acts of 1969, Chapter 26
Private Acts of 1980, Chapter 282

SECTION 7. That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

SECTION 8. *False Statements--* That any person who shall knowingly make any false statements or shall falsify or permit to be falsified any record or records of the system in any attempt to defraud the system shall be guilty of a misdemeanor and upon conviction thereof shall be punished accordingly.

SECTION 9. That this Act shall become effective on and after its approval by a two-thirds (b) vote of the membership of the Quarterly County Court of Knox County. Its approval or non-approval shall be proclaimed by the Chairman of the Quarterly County Court of Knox County, Tennessee and shall be certified by him to the Secretary of State.

SECTION 10. That this Act shall take effect immediately from and after the day of passage, the public welfare requiring it.

Passed: May 23, 1967.

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