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Private Acts of 1945 Chapter 72

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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Private Acts of 1945 Chapter 72

SECTION 1. That the purpose of this Act is to confer authority upon the Quarterly County Courts of all counties having a population of 300,000 or more by the Federal Census of 1940, or any subsequent Federal Census, if they elect and deem it expedient so to do, to provide a means whereby public employees who become superannuated or incapacitated as the result of age or disability, may be replaced by more capable employees, thus effecting economy and efficiency in public service without prejudice and without inflicting a hardship upon the employees removed, and at the same time to compensate such superannuated employees, or those who become incapacitated, by making provision for their retirement, and for those who may die, by providing for payment of death benefits.

SECTION 2. That the Quarterly County Courts in counties of a population as above set out, are hereby authorized in their discretion and by proper resolution to establish a retirement or pension system or systems for the officials and employees of the counties and may likewise so provide for the disability and retirement or pension system or systems to cover permanent, partial or temporary disabilities incurred by employees of such counties. If and when this retirement or pension system or systems shall be established, all public employees of such counties, who may be designated by the said Quarterly County Courts, shall be eligible to its benefits, including those employees who are partially imburshed by one of the counties coming within the provisions of this Act and partially imburshed by one of the municipalities of one of such counties, and such employees may be entitled to the benefits of such retirement or pension system or systems in accordance with the pro-rate part of their compensation which is paid by such counties. The benefits of such retirement or pension system or systems shall not, however, be extended to include any officials or employees of the Shelby County Board of Education, a previous insurance system now being in effect as to such Shelby County Board of Education employees.

SECTION 3. That if and when the Quarterly County Courts shall determine to establish by appropriate action a retirement or pension system or systems, said Quarterly County Courts shall determine who may be included as members of said retirement or pension system or systems, and whether membership therein shall be compulsory upon officials and employees of said counties or optional. Said Quarterly County Courts shall provide the method of making contributions to said pension fund and establish whether the same shall be supported and maintained wholly through contributions of the members thereof, or by contributions of the members and the counties jointly. The Quarterly County Courts may determine how the said contributions will be calculated and accumulated, the method of payment and who shall be the beneficiaries of said retirement or pension system or systems. The said Quarterly County Courts are authorized to make all administrative provisions necessary for the operation of said retirement or pension system or systems and determine how the administrative cost thereof shall be borne. Prior to the establishment of such a system or systems, the Quarterly County Courts may secure from competent actuary a report of the costs of establishing same and the method to be followed in the administration of same, if and when established.

The officials referred to in this Section with reference to being eligible to membership in said retirement or pension system or systems, shall include appointed or elected officials. Elected officials shall include those elected by the popular vote of the people or by the County Court. Provided that the provisions of the Retirement and Pension System shall constitute vested interests between the members including retired beneficiaries and the County of Shelby.

As amended by: Private Acts of 1951, Chapter 489
Private Acts of 1955, Chapter 197

SECTION 4. In addition to employees of the counties referred to in Section 1, 2 and 3 of the Act, employees of Shelby County Health Care Corporation who were participating on June 30, 1981 in the retirement or pension system established and maintained by the government of Shelby County, Tennessee (plus any persons who, while employed by Shelby County Health Care Corporation, were enrolled in said system at any time between June 30, 1981, and January 4, 1982) shall, under such criteria as may be approved by the Board of County Commissioners of Shelby County, Tennessee, be eligible to participate from and after June 30, 1981 in said retirement or pension system as is now in existence or as may be amended, and to receive service credit for time worked for Shelby County Health Care Corporation for purposes of said retirement or pension system; and the Board of County Commissioners of Shelby County, Tennessee may provide such funding as is necessary to provide benefits accrued or accruing to those employees under said retirement or pension system since June 30, 1981 or their date of enrollment.

As amended by: Private Acts of 1983, Chapter 82.

SECTION 5. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: January 25, 1945.

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