TN Department of Human Resources

POLICY

Approved by: Rebecca R. Hunter, Commissioner	**Policy Number:** 12-015
Signature: Rebecca R Hunter	**Supersedes:** 11-021
Application: Executive Branch Agencies, Human Resource Officers	**Effective Date:** October 3, 2012
Authority: T.C.A. § 4-3-1703, T.C.A. § 8-30-104, T.C.A. § 8-35-124	**Rule:** N/A

Subject:

Potential Forfeiture of Pension Benefits For Convicted Felons

Pursuant to Tenn. Code Ann. § 8-35-124, members of the Tennessee Consolidated Retirement System (TCRS) could be denied retirement benefits if convicted of a state or federal crime arising from their employment or official capacity. Tenn. Code Ann. § 8-35-124 outlines the requirements of pension forfeiture due to official misconduct that results in a felony conviction.

The law is applicable to those TCRS members who join after July 1, 1982, if convicted of a state felony, or May 31, 1993, if convicted of a federal felony.

It is the responsibility of the employing agency to report felony convictions arising out of employment to TCRS no later than ten (10) working days after receiving notice of the conviction. Arrests and indictments are not considered convictions and do not need to be reported pursuant to this section.

Questions regarding this policy may be directed to TCRS.