



State of Tennessee
PUBLIC CHAPTER NO. 389

SENATE BILL NO. 728

By Watson

Substituted for: House Bill No. 954

By Curtis Johnson

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 25, Part 1 and Title 49, Chapter 7, Part 8, relative to procurement.

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

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 25, Part 1, is amended by adding a new, appropriately designated section as follows:

8-25-113.

The trustees of any deferred or tax sheltered compensation plans established pursuant to this part are expressly authorized to contract for investment management services, personal services, professional services and consultant services for the deferred compensation programs. The trustees shall provide for the powers, duties, functions and compensation of any investment managers, professionals or consultants so engaged. Any contract for investment management services, personal services, professional services and consultant services may be procured in the manner prescribed by the trustees without regard to the requirements of § 12-4-109, if it is determined that the services are necessary or desirable for the efficient administration of the deferred compensation programs. All expenses and fees incidental to the procurement of services shall be charged to and paid from participant accounts.

SECTION 2. Tennessee Code Annotated, Section 49-7-805(5), is amended by deleting this subsection in its entirety and substituting it instead with the following language:

(5) Contract with financial consultants, actuaries, auditors, investment managers and other consultants and professionals as necessary to carry out its responsibilities under this part. These services may be procured in the manner prescribed by the board without regard to the requirements of § 12-4-109, if the board determines that the services are necessary or desirable for the efficient administration of the board programs. All expenses and fees incidental to securing these services shall be charged to and paid from earnings.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 728

PASSED: April 16, 2013



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 14th day of May 2013



BILL HASLAM, GOVERNOR