



State of Tennessee

PUBLIC CHAPTER NO. 687

SENATE BILL NO. 2083

By Johnson, Walley, Powers

Substituted for: House Bill No. 1887

By Lamberth, Cochran, Boyd, Davis

AN ACT to amend Tennessee Code Annotated, Section 8-33-110 and Section 58-1-230, relative to employment benefits for Tennessee service members.

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

SECTION 1. Tennessee Code Annotated, Section 8-33-110(a)(1), is amended by deleting the language "§ 58-1-106" and substituting "§ 58-1-106, § 58-1-108, § 58-1-113, or § 58-1-205".

SECTION 2. Tennessee Code Annotated, Section 58-1-230(a)(2), is amended by deleting the subdivision and substituting:

(2) A death benefit paid pursuant to subdivision (a)(1) must equal the death benefit calculated pursuant to the Workers' Compensation Law of this state, compiled in title 50, chapter 6; provided, however, that:

(A) The benefit must be based on and determined by the average weekly wage of the guard member, as determined by the greater of:

(i) The average weekly wage earned by the guard member in the guard member's civilian employment at the time the state active duty orders were issued; or

(ii) The average weekly wage the guard member would have received while on active federal duty;

(B) Notwithstanding subdivision (a)(2)(A), the minimum death benefit to be paid is one hundred thousand dollars (\$100,000); and

(C) At the option of the beneficiaries, the amount must be paid in a lump sum and without being commuted.

SECTION 3. Tennessee Code Annotated, Section 58-1-230(b), is amended by deleting the subsection and substituting:

(b) **Injuries.** When a member of the national guard is injured while performing full-time training, or duty under § 58-1-106, § 58-1-108, or § 58-1-205, the division of claims and risk management shall compensate the guard member in the same manner and to the same extent as provided under the Workers' Compensation Law of this state, compiled in title 50, chapter 6; provided, however, that:

(1) The compensation must be based on the average weekly wage of the guard member, as determined by the greater of:

(A) The average weekly wage earned by the guard member in the guard member's civilian employment at the time the state active duty orders were issued; or

(B) The average weekly wage the guard member would have received while on active federal duty; and

(2) The compensation for permanent partial disability must be payable in a lump sum without commutation. Compensation for temporary disability and permanent total disability may be paid periodically in the same manner as provided under the Workers' Compensation Law of this state, compiled in title 50, chapter 6.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

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PASSED: April 1, 2024



RANDY McNALLY
SPEAKER OF THE SENATE



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 11th day of April 2024



BILL LEE, GOVERNOR