ORDINANCE NO. _____

ORDINANCE TO AMEND CHAPTER 25, CODE OF ORDINANCES, CITY OF MEMPHIS, TO REVISE THE DEFINITION OF CERTAIN TERMS INCLUDED THEREIN, ADJUST RETURN MULTIPLES AND AMEND SECTION 25-56

WHEREAS, Chapter 25, Article I, Section 25-1 of the existing City Code of Ordinances sets forth the definitions of various terms and includes an actuarial table utilized for the purpose of calculating retirement benefits; and

WHEREAS, Section 25-6 currently specifies the process by which retired employees may continue to receive insurance benefits through the City following retirement; and

WHEREAS, it is deemed appropriate and in the best interest of the City of Memphis that Section 25-1 and Section 25-6 be amended.

NOW THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 25, Article I, Section 25-1, subsection (1)(b) is hereby amended by revising the table included therein to read as follows:

Years of Service	Return Multiple
Less than 5	1.0
5	1.5
6	1.7
7	1.9
8	2.1
9	2.3
10	2.5
11	2.6
12	2.7
13	2.8
14	2.9
15	3.0
16	3.2
17	3.4
18	3.6
19	3.8
20	4.0

SECTION 2. BE IT FURTHER ORDAINED, that Chapter 25, Article I, Section 25-1 is hereby further amended by revising the following subsections to read as follows:

(6) *Child*:

(a) *Child*: As of any date, the legitimate, legally adopted, or legally recognized son or daughter of a participant who:

1. Has not reached age eighteen (18) and has a legal guardian; or

2. Is disabled as defined in subsection (b) herein; or

3. For purposes of insurance coverage only satisfies each of the following conditions:

   - has reached age eighteen (18), but not age twenty-five (25)
   - is unmarried
   - is not employed on a full-time basis
   - is in full-time attendance as a student at an educational institution

   A student is considered full-time if enrolled in a non-correspondence course and carrying a subject load that is considered full-time for day students under the institution's standards and practices. In case of high schools and vocational schools (including technical, trade, business and similar schools), a student is considered to be in full-time attendance if the school considers him or her a full-time student under its standards and practices.

   Certification by the educational institution of full-time attendance is required to satisfy the definition under this subsection (6)(a)(3). For purposes of this subsection (6), "educational institution" is defined as all public schools, colleges and universities, all accredited private schools, colleges and universities, and any non-accredited school, college or university if its credits are acceptable in an institution that is state approved and/or accredited by one of the six regional accrediting organizations recognized by the U.S. Department of Education.

(b) *Disabled child*: Any child who has reached age eighteen (18), is unmarried and is severely disabled, but who is not in the custodial care of a governmental institution. A child shall be considered severely disabled if he or she is unable to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment where such impairment results from anatomical, physiological or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques presented in an acceptable and satisfactory manner to the board, both for initial determination and ongoing confirmation of status as a disabled child.

(40) *Spouse*: A lawful spouse of a participant, active or retired, as determined by a legally recognized certificate of marriage. Common-law marriage shall not be recognized as valid regardless of the fact that such marriage may be considered lawful in a state or jurisdiction where the couple lives or formerly lived.

SECTION 3. BE IT FURTHER ORDAINED, that Section 25-56 is hereby amended to read as follows:

Any participant in the city service who retires may, on request, continue his or her group life and hospitalization insurance by paying to the City the current premium on a monthly or bi-weekly basis which shall be adjusted periodically upon notice to the participant.

SECTION 4. BE IT FURTHER ORDAINED, that the provisions of this Ordinance are hereby severable. If any section, provision, sentence, clause, phrase, or part is held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 5. BE IT FURTHER ORDAINED, that this Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of Mayor in writing by the Comptroller and become effective as otherwise provided by law.

MYRON LOWERY
Council Chairman