

Bond Case Briefs

Municipal Finance Law Since 1971

PENSIONS - TENNESSEE

Dodd v. City of Chattanooga, Tennessee

United States Court of Appeals, Sixth Circuit - January 18, 2017 - 846 F.3d 180

Police officer brought action against city, which amended its ordinance governing fire and police pension fund to eliminate default death benefit, alleging that this change violated his rights under the Contract Clause, Due Process Clause, and Takings Clause.

The United States District Court granted city's motion for summary judgment. Officer appealed.

The Court of Appeals held that:

- Officer did not have a contract right to default death benefit, and thus was not entitled to relief under the Contract Clause;
- Officer did not have a protected property interest in default death benefit, and thus was not entitled to relief under the Due Process Clause or the Takings Clause; and
- City validly amended its charter to permit ordinances to be passed after two readings, and thus, amendment of pension ordinance after only two readings was valid.