

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Oliva offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 230 and 231, insert:

5 Section 4. Paragraph (c) of subsection (9) of section
6 121.091, Florida Statutes, is amended, and paragraph (f) is
7 added to that subsection to read:

8 121.091 Benefits payable under the system.—Benefits may
9 not be paid under this section unless the member has terminated
10 employment as provided in s. 121.021(39) (a) or begun
11 participation in the Deferred Retirement Option Program as
12 provided in subsection (13), and a proper application has been
13 filed in the manner prescribed by the department. The department

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14 may cancel an application for retirement benefits when the
15 member or beneficiary fails to timely provide the information
16 and documents required by this chapter and the department's
17 rules. The department shall adopt rules establishing procedures
18 for application for retirement benefits and for the cancellation
19 of such application when the required information or documents
20 are not received.

21 (9) EMPLOYMENT AFTER RETIREMENT; LIMITATION.—

22 (c) Any person whose retirement is effective on or after
23 July 1, 2010, or whose participation in the Deferred Retirement
24 Option Program terminates on or after July 1, 2010, who is
25 retired under this chapter, except under the disability
26 retirement provisions of subsection (4) or as provided in s.
27 121.053, may be reemployed by an employer that participates in a
28 state-administered retirement system and receive retirement
29 benefits and compensation from that employer. However, a person
30 may not be reemployed by an employer participating in the
31 Florida Retirement System before meeting the definition of
32 termination in s. 121.021 and may not receive both a salary from
33 the employer and retirement benefits for 6 calendar months after
34 meeting the definition of termination, except as provided in
35 paragraph (f). However, a DROP participant shall continue
36 employment and receive a salary during the period of
37 participation in the Deferred Retirement Option Program, as
38 provided in subsection (13).

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39 1. The reemployed retiree may not renew membership in the
40 Florida Retirement System, except as provided in s. 121.122.

41 2. The employer shall pay retirement contributions in an
42 amount equal to the unfunded actuarial liability portion of the
43 employer contribution that would be required for active members
44 of the Florida Retirement System in addition to the
45 contributions required by s. 121.76.

46 3. A retiree initially reemployed in violation of this
47 paragraph and an employer that employs or appoints such person
48 are jointly and severally liable for reimbursement of any
49 retirement benefits paid to the retirement trust fund from which
50 the benefits were paid, including the Florida Retirement System
51 Trust Fund and the Public Employee Optional Retirement Program
52 Trust Fund, as appropriate. The employer must have a written
53 statement from the employee that he or she is not retired from a
54 state-administered retirement system. Retirement benefits shall
55 remain suspended until repayment is made. Benefits suspended
56 beyond the end of the retiree's 6-month reemployment limitation
57 period shall apply toward the repayment of benefits received in
58 violation of this paragraph.

59 (f) A retired law enforcement officer may be reemployed as
60 a school resource officer by an employer that participates in
61 the Florida Retirement System and receive compensation from that
62 employer and retirement benefits after meeting the definition of
63 termination in s. 121.021, but may not receive both a salary

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64 from the employer and retirement benefits for 6 calendar months
65 immediately subsequent to the date of retirement. The reemployed
66 retired law enforcement officer may not renew membership in the
67 Florida Retirement System, except as provided in s. 121.122.
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70 **T I T L E A M E N D M E N T**

71 Remove line 11 and insert:
72 marshals; amending s. 121.091, F.S.; authorizing
73 certain retired law enforcement officers to be
74 reemployed as school resource officers after meeting
75 specified termination requirements; authorizing such
76 retired law enforcement officers to receive
77 compensation and retirement benefits after a specified
78 period; providing that such retired law enforcement
79 officers may not renew membership in the Florida
80 Retirement System, except as otherwise provided;
81 amending s. 166.0495, F.S.; authorizing a

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