

By Representative Ziebarth

1 A bill to be entitled
2 An act relating to the Florida Retirement
3 System; amending s. 121.021, F.S.; redefining
4 the term "creditable service" to exclude
5 service as a part-time elected official;
6 amending s. 121.052, F.S.; deleting reference
7 to part-time elected officials from the
8 membership class of elected state and county
9 officers; providing an effective date.

10

11 Be It Enacted by the Legislature of the State of Florida:

12

13 Section 1. Paragraph (c) is added to subsection (17)
14 of section 121.021, Florida Statutes, 1996 Supplement, to
15 read:

16 21.021 Definitions.--The following words and phrases
17 as used in this chapter have the respective meanings set forth
18 unless a different meaning is plainly required by the context:

19 (17)(a) "Creditable service" of any member means the
20 sum of his or her past service, prior service, military
21 service, out-of-state service, workers' compensation credit,
22 and future service allowed within the provisions of this
23 chapter if all required contributions have been paid and all
24 other requirements of this chapter have been met. However, in
25 no case shall a member receive credit for more than a year's
26 service during any 12-month period. Service as applied to a
27 teacher or a nonacademic employee of a school board shall be
28 based on contract years of employment or school term years of
29 employment, as provided in chapters 122 and 238, rather than
30 12-month periods of employment.

31

1 (b) For purposes of the definition of "creditable
2 service," monthly service credit under the Florida Retirement
3 System and existing state systems shall be awarded as follows:

4 1. One month of service credit shall be awarded for
5 each month of service performed prior to July 1, 1974.

6 2. One month of service credit shall be awarded for
7 each month of service performed on and after July 1, 1974, in
8 which the member was paid a salary of \$100 or more. If the
9 member was paid less than \$100 during a month of employment,
10 the service credit for that month shall be a fraction of one
11 month of credit, such fraction to be determined by dividing
12 the actual salary by \$100.

13 3. One month of service credit shall be awarded for
14 each month of service performed on and after July 1, 1979, for
15 which the member was paid a salary of \$250 or more, including
16 any amount which was set aside for participation in a deferred
17 compensation plan. If the member was paid less than \$250
18 during a month of employment, the service credit for that
19 month shall be a fraction of one month of credit, such
20 fraction to be determined by dividing the actual salary
21 payment by \$250.

22 4. On and after July 1, 1985, one month of service
23 credit shall be awarded for each month salary is paid for
24 service performed.

25 (c) Effective January 1, 1998, "creditable service"
26 does not include any period of service as a part-time elected
27 official in the offices of legislator, district school board
28 member, or county commissioner or county council member.

29 Section 2. Paragraphs (a) and (d) of subsection (2)
30 and paragraph (a) of subsection (7) of section 121.052,
31 Florida Statutes, 1996 Supplement, are amended to read:

1 121.052 Membership class of elected state and county
2 officers.--

3 (2) MEMBERSHIP.--The following holders of state and
4 county elective office, hereinafter referred to as "elected
5 officers," whether assuming elective office by election,
6 reelection, or appointment, are members of the Elected State
7 and County Officers' Class, except as provided in subsection
8 (3):

9 (a) Any Governor, Lieutenant Governor, Cabinet
10 officer, ~~legislator~~, Supreme Court justice, district court of
11 appeal judge, circuit judge, or state attorney assuming office
12 on or after July 1, 1972.

13 (d) Any constitutional county elected officer assuming
14 office on or after July 1, 1981, including any sheriff, tax
15 collector, property appraiser, supervisor of elections, clerk
16 of the circuit court, ~~county commissioner, school board~~
17 ~~member~~, or elected school board superintendent, or any elected
18 officer of any entity with countywide jurisdiction assuming
19 office on or after July 1, 1981, who, pursuant to general or
20 special law, exercises powers and duties that, but for such
21 general or special law, would be exercised by any of the
22 constitutional county elected officers set forth in this
23 paragraph.

24 (7) CONTRIBUTIONS.--

25 (a) The following table states the required retirement
26 contribution rates for members of the Elected State and County
27 Officers' Class and their employers in terms of a percentage
28 of the member's gross compensation. A change in a contribution
29 rate is effective with the first salary paid on or after the
30 beginning date of the change. Contributions shall be made or
31 deducted as may be appropriate for each pay period and are in

1	addition to the contributions required for social security and		
2	the Retiree Health Insurance Subsidy Trust Fund.		
3			
4	Dates of Contribution		
5	Rate Changes	Members	Employers
6			
7	July 1, 1972, through September 30, 1977		
8	Legislators	8%	8%
9	All Other Members	8%	8%
10			
11	October 1, 1977, through September 30, 1978		
12	Legislators	8%	8%
13	All Other Members	4%	12%
14			
15	October 1, 1978, through September 30, 1979		
16	Legislators	8%	10.57%
17	All Other Members	4%	16.78%
18			
19	October 1, 1979, through September 30, 1981		
20	Legislators	8%	10.57%
21	Governor, Lt. Governor, Cabinet		
22	Officers	4%	16.78%
23	All Other Members	0%	20.78%
24			
25	July 1, 1981, through June 30, 1984		
26	County Elected Officers	0%	19.30%
27			
28	July 1, 1984, through September 30, 1984		
29	County Elected Officers	0%	20.25%
30			
31	October 1, 1981, through September 30, 1984		

1	Legislators	0%	19.30%
2	Governor, Lt. Governor, Cabinet		
3	Officers	0%	21.03%
4	State Attorneys, Public Defenders	0%	20.95%
5	Justices, Judges	0%	22.55%
6			
7	October 1, 1984, through September 30, 1986		
8	Legislators	0%	10.98%
9	Governor, Lt. Governor, Cabinet		
10	Officers	0%	10.98%
11	State Attorneys, Public Defenders	0%	10.98%
12	Justices, Judges	0%	21.79%
13	County Elected Officers	0%	16.97%
14			
15	October 1, 1986, through December 31, 1988		
16	Legislators	0%	11.50%
17	Governor, Lt. Governor, Cabinet		
18	Officers	0%	11.50%
19	State Attorneys, Public Defenders	0%	11.50%
20	Justices, Judges	0%	20.94%
21	County Elected Officers	0%	17.19%
22			
23	January 1, 1989, through December 31, 1989		
24	Legislators	0%	13.70%
25	Governor, Lt. Governor, Cabinet		
26	Officers	0%	13.70%
27	State Attorneys, Public Defenders	0%	13.70%
28	Justices, Judges	0%	22.58%
29	County Elected Officers	0%	18.44%
30			
31	January 1, 1990, through December 31, 1990		

1	Legislators	0%	15.91%
2	Governor, Lt. Governor, Cabinet		
3	Officers	0%	15.91%
4	State Attorneys, Public Defenders	0%	15.91%
5	Justices, Judges	0%	24.22%
6	County Elected Officers	0%	19.71%
7			
8	January 1, 1991, through December 31, 1991		
9	Legislators	0%	17.73%
10	Governor, Lt. Governor, Cabinet		
11	Officers	0%	17.73%
12	State Attorneys, Public Defenders	0%	17.73%
13	Justices, Judges	0%	26.63%
14	County Elected Officers	0%	23.32%
15			
16	January 1, 1992, through December 31, 1992		
17	Legislators	0%	19.94%
18	Governor, Lt. Governor, Cabinet		
19	Officers	0%	19.94%
20	State Attorneys, Public Defenders	0%	19.94%
21	Justices, Judges	0%	28.27%
22	County Elected Officers	0%	24.59%
23			
24	January 1, 1993, through December 31, 1993		
25	Legislators	0%	22.14%
26	Governor, Lt. Governor, Cabinet		
27	Officers	0%	22.14%
28	State Attorneys, Public Defenders	0%	22.14%
29	Justices, Judges	0%	29.91%
30	County Elected Officers	0%	25.84%
31			

1	January 1, 1994, through December 31, 1994		
2	Legislators	0%	22.65%
3	Governor, Lt. Governor, Cabinet		
4	Officers	0%	22.65%
5	State Attorneys, Public Defenders	0%	22.65%
6	Justices, Judges	0%	30.52%
7	County Elected Officers	0%	26.07%
8			
9	January 1, 1995, through December 31, 1995		
10	Legislators	0%	22.80%
11	Governor, Lt. Governor, Cabinet		
12	Officers	0%	22.80%
13	State Attorneys, Public Defenders	0%	22.80%
14	Justices, Judges	0%	30.21%
15	County Elected Officers	0%	27.48%
16			
17	January 1, 1996, through June 30, 1996		
18	Legislators	0%	22.90%
19	Governor, Lt. Governor, Cabinet		
20	Officers	0%	22.90%
21	State Attorneys, Public Defenders	0%	22.90%
22	Justices, Judges	0%	30.15%
23	County Elected Officers	0%	27.54%
24			
25	Effective July 1, 1996		
26	Legislators	0%	23.07%
27	Governor, Lt. Governor, Cabinet		
28	Officers	0%	23.07%
29	State Attorneys, Public Defenders	0%	23.07%
30	Justices, Judges	0%	29.55%
31	County Elected Officers	0%	27.33%

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Section 3. This act shall take effect upon becoming a law.

HOUSE SUMMARY

Revises the definition of the term "creditable service" with respect to the Florida Retirement System to eliminate service as a part-time elected official in the office of legislator, district school board member, or county commissioner or county council member. See bill for details.