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2 An act for the relief of Penny Tilley, as widow  
3 of Jack W. Tilley and beneficiary of his  
4 estate; providing an appropriation for the  
5 purpose of paying Penny Tilley the retirement  
6 benefits to which she would have been entitled  
7 as surviving spouse of Jack W. Tilley had Jack  
8 W. Tilley survived to the date on which he  
9 would have vested in the Florida System;  
10 providing a contingent effective date.  
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12 WHEREAS, Jack W. Tilley was employed by the State of  
13 Florida, Department of Corrections as a Correctional Officer  
14 at the Cross City Correctional Institute, and

15 WHEREAS, as an employee of the State of Florida,  
16 Department of Corrections, Jack W. Tilley was a member of the  
17 Florida Retirement System and had retirement contributions  
18 paid into the Florida Retirement System on his behalf, and

19 WHEREAS, Jack W. Tilley began his employment with the  
20 State of Florida, Department of Corrections in August 1987,  
21 and

22 WHEREAS, Jack W. Tilley died on June 26, 1997, and  
23 WHEREAS, at the time of his death, Jack W. Tilley was  
24 one month short of completing the required 10 years of  
25 creditable service required to vest for retirement benefits  
26 under the Florida Retirement System, having accumulated 9.92  
27 years of creditable service, and

28 WHEREAS, as a consequence of his death, there are no  
29 survivor benefits available under the Florida Retirement  
30 System for his surviving spouse, Penny Tilley, and  
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1           WHEREAS, had Jack W. Tilley lived into the month of  
2 July 1997, Penny Tilley, as surviving spouse of Jack W.  
3 Tilley, would have received a monthly benefit amount of  
4 \$331.14, effective August 1, 1997, and

5           WHEREAS, under the provisions of law governing the  
6 Florida Retirement System, any accrued leave at the time of  
7 death cannot be used by the employer to continue his  
8 employment beyond that date, nor are there provisions which  
9 would allow for the purchase of additional service credit, and

10           WHEREAS, upon his death, Jack W. Tilley had sufficient  
11 unused leave which, if credited toward his service, would have  
12 vested Jack W. Tilley in the Florida Retirement System, NOW,  
13 THEREFORE,

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

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17           Section 1. The facts stated in the preamble to this  
18 act are found and declared to be true.

19           Section 2. The Executive Office of the Governor is  
20 directed to transfer existing spending authority or establish  
21 spending authority from the General Revenue Fund in the State  
22 Treasury in an amount equal to a monthly retirement benefit of  
23 \$331.14, plus an annual cost of living allowance, which would  
24 have been due Penny Tilley, as surviving spouse of Jack W.  
25 Tilley, had Jack W. Tilley survived to the date on which he  
26 would have vested in the Florida Retirement System to a new  
27 category titled "Relief - Penny Tilley."

28           Section 3. The Comptroller is directed to draw his  
29 warrant in favor of Penny Tilley in the amount of \$3,973.68,  
30 and, thereafter, in an amount equal to the retirement benefit  
31 which would have been due Penny Tilley, as surviving spouse of

1 Jack W. Tilley, had Jack W. Tilley survived to the date on  
2 which he would have vested in the Florida Retirement System.

3           Section 4. This act shall take effect on July 1 of the  
4 year in which enacted, except that this act shall not take  
5 effect if an amendment adding subparagraph (f)1. to subsection  
6 (7) of section 121.091, Florida Statutes, becomes a law, which  
7 authorizes the use of a deceased member's accumulated leave in  
8 the Florida Retirement System to purchase additional  
9 creditable service.

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