

By Senator Webster

12-1127-99

See HB 1883

1 A bill to be entitled
2 An act relating to state-administered
3 retirement systems; amending s. 112.63, F.S.;
4 providing for review and comment on local
5 government retirement system actuarial
6 valuation reports and impact statements on a
7 triennial basis; clarifying the basis of
8 required payments; amending s. 112.65, F.S.;
9 modifying the limitation on benefits for
10 service under more than one retirement system
11 or plan; amending s. 121.011, F.S.; clarifying
12 requirements related to consolidation of
13 existing retirement systems and preservation of
14 rights; amending s. 121.021, F.S.; redefining
15 "creditable service" to conform the definition
16 to existing law; clarifying creditable service
17 provisions for certain school board employees;
18 amending s. 121.031, F.S.; authorizing the
19 Division of Retirement to adopt rules;
20 reenacting s. 121.051(6), F.S., relating to
21 Florida Retirement System membership status of
22 blind vending facility operators; reenacting
23 ss. 121.052(7)(a), 121.055(3)(a), 121.071(1),
24 F.S., relating to contribution rates; amending
25 ss. 121.052, 121.055, 121.071, F.S.; changing
26 contribution rates for specified classes and
27 subclasses of the system; correcting an error;
28 conforming provisions relating to de minimis
29 accounts to federal law; amending s. 121.081,
30 F.S.; clarifying provisions relating to past
31 service and prior service; amending s. 121.091,

1 F.S.; clarifying proof of disability
2 requirements; modifying provisions relating to
3 death benefits to permit purchase of certain
4 retirement credit by joint annuitants;
5 clarifying the contribution rate and interest
6 required to be paid for such purchases;
7 updating references; amending s. 121.122, F.S.;
8 correcting a reference; amending 121.24, F.S.;
9 authorizing the State Retirement Commission to
10 adopt rules; amending s. 121.35, F.S.;
11 conforming provisions relating to de minimis
12 accounts to federal law; amending s. 121.40,
13 F.S., to remove reemployment limitations and
14 reenacting subsection (12), relating to
15 contribution rates for the supplemental
16 retirement program for the Institute of Food
17 and Agricultural Sciences at the University of
18 Florida; reenacting s. 413.051(11), (12), F.S.,
19 relating to Florida Retirement System
20 membership eligibility and retirement
21 contribution payments for blind vending
22 facility operators; amending s. 112.18, F.S.;
23 providing presumptions that certain illnesses
24 incurred by law enforcement officers are done
25 so in the line of duty; repealing s. 121.027,
26 F.S., relating to the division's rulemaking
27 authority for ch. 97-180, Laws of Florida;
28 providing an effective date.

29
30 Be It Enacted by the Legislature of the State of Florida:
31

1 Section 1. Subsections (4) and (5) of section 112.63,
2 Florida Statutes, are amended to read:

3 112.63 Actuarial reports and statements of actuarial
4 impact; review.--

5 (4) Effective July 1, 1999, upon receipt, pursuant to
6 subsection (2), of an actuarial report, or upon receipt,
7 pursuant to subsection (3), of a statement of actuarial
8 impact, the division shall acknowledge such receipt, but shall
9 only review and comment on each retirement system's or plan's
10 ~~the~~ actuarial valuations at least on a triennial basis and
11 ~~statements.~~ If the division finds that the actuarial
12 valuation is not complete, accurate, or based on reasonable
13 assumptions, or if the division does not receive the actuarial
14 report or statement of actuarial impact, the division shall
15 notify the local government and request appropriate
16 adjustment. If, after a reasonable period of time, a
17 satisfactory adjustment is not made, the affected local
18 government or the division may petition for a hearing under
19 the provisions of ss. 120.569 and 120.57. If the
20 administrative law judge recommends in favor of the division,
21 the division shall perform an actuarial review or prepare the
22 statement of actuarial impact. The cost to the division of
23 performing such actuarial review or preparing such statement
24 shall be charged to the governmental entity of which the
25 employees are covered by the retirement system or plan. If
26 payment of such costs is not received by the division within
27 60 days after receipt by the governmental entity of the
28 request for payment, the division shall certify to the
29 Comptroller the amount due, and the Comptroller shall pay such
30 amount to the division from any funds payable to the
31 governmental entity of which the employees are covered by the

1 retirement system or plan. If the administrative law judge
2 recommends in favor of the local retirement system and the
3 division performs an actuarial review, the cost to the
4 division of performing the actuarial review shall be paid by
5 the division.

6 (5) Payments made to the fund as required by this
7 chapter shall be based on the normal and past service costs
8 contained in the ~~state-accepted version of the~~ most recent
9 actuarial valuation, subject to being state-accepted.

10 Section 2. Subsection (2) of section 112.65, Florida
11 Statutes, is amended to read:

12 112.65 Limitation of benefits.--

13 (2) No member of a retirement system or plan covered
14 by this part who is not now a member of such plan shall be
15 allowed to receive a retirement benefit or pension which is in
16 part or in whole based upon any service with respect to which
17 the member is already receiving, or will receive in the
18 future, a retirement benefit or pension from a different
19 employer's ~~another~~ retirement system or plan. This
20 restriction does not apply to social security benefits or
21 federal benefits under chapter 67, Title 10, U.S. Code.

22 Section 3. Paragraph (b) of subsection (2) of section
23 and paragraph (e) of subsection (3) of section 121.011,
24 Florida Statutes, 1998 Supplement, are amended to read:

25 121.011 Florida Retirement System.--

26 (2) CONSOLIDATION OF EXISTING SYSTEMS AND LAWS.--

27 (b) The chapters or retirement system laws named in
28 paragraph (a) are hereby consolidated as separate instruments
29 appended to the "Florida Retirement System Act" established by
30 this chapter, and the administration of said chapters or
31 retirement systems shall be consolidated with the

1 administration of the Florida Retirement System established by
2 this chapter, and the Florida Retirement System shall assume
3 all liabilities related to the payment of benefits to members
4 and their beneficiaries under the respective retirement
5 systems of the members and their beneficiaries.

6 (3) PRESERVATION OF RIGHTS.--

7 (e) Any member of the Florida Retirement System or any
8 member of an existing system under this chapter on July 1,
9 1975, who is not retired and who is, has been, or shall be,
10 suspended and reinstated without compensation shall receive
11 retirement service credit for the period of time from the date
12 of suspension to the date of reinstatement, provided:

13 1. The creditable service claimed for the period of
14 suspension does not exceed 24 months;

15 2. The member returns to active employment and remains
16 on the employer's payroll for at least 1 calendar month ~~30~~
17 ~~calendar days~~; and

18 3. The member pays into the Retirement System Trust
19 Fund the total required employer contributions plus the total
20 employee contributions, if applicable, based on the member's
21 monthly compensation in effect for the pay period immediately
22 preceding the period of suspension, prorated for the said
23 period of suspension, plus interest thereon at a rate of 4
24 percent per annum compounded annually until July 1, 1975, and
25 6.5 percent interest thereafter until paid. If permitted by
26 federal law, the member may pay into the Social Security Trust
27 Fund the total cost, if any, of providing social security
28 coverage for the period of suspension if any social security
29 payments have been made by the employer for the benefit of the
30 member during such period. Should there be any conflict as to
31 payment for social security coverage, the payment for

1 retirement service credit shall be made and retirement service
2 credit granted regardless of such conflict.

3 Section 4. Paragraph (a) of subsection (17) of section
4 121.021, Florida Statutes, 1998 Supplement, is amended to
5 read:

6 121.021 Definitions.--The following words and phrases
7 as used in this chapter have the respective meanings set forth
8 unless a different meaning is plainly required by the context:

9 (17)(a) "Creditable service" of any member means the
10 sum of his or her past service, prior service, military
11 service, out-of-state or non-FRS in-state service, workers'
12 compensation credit, leave-of-absence credit and future
13 service allowed within the provisions of this chapter if all
14 required contributions have been paid and all other
15 requirements of this chapter have been met. However, in no
16 case shall a member receive credit for more than a year's
17 service during any 12-month period. Service by ~~as applied to a~~
18 ~~teacher,~~or a nonacademic employee of a school board, or an
19 employee of a participating employer other than a school board
20 whose total employment is to provide services to a school
21 board for the school year only shall be based on contract
22 years of employment or school term years of employment, as
23 provided in chapters 122 and 238, rather than 12-month periods
24 of employment.

25 Section 5. Subsection (1) of section 121.031, Florida
26 Statutes, is amended to read:

27 121.031 Administration of system; appropriation;
28 oaths; actuarial studies; public records.--

29 (1) The Division of Retirement has the authority to
30 adopt ~~shall make such~~ rules pursuant to ss. 120.54 and
31 120.536(1) to implement the provisions of law conferring

1 duties upon the division and to adopt rules as are necessary
2 for the effective and efficient administration of this system.
3 The funds to pay the expenses for ~~such~~ administration of the
4 system are hereby appropriated from the interest earned on
5 investments made for the retirement and social security trust
6 funds and the assessments allowed under chapter 650.

7 Section 6. Subsection (6) of section 121.051, Florida
8 Statutes, 1998 Supplement, as amended by chapter 96-423, Laws
9 of Florida, is reenacted to read:

10 121.051 Participation in the system.--

11 (6) SEASONAL STATE EMPLOYMENT; BLIND VENDING FACILITY
12 OPERATORS.--

13 (a) Seasonal state employment shall be included under
14 this chapter, and the time limit and procedure for claiming
15 same as set forth in s. 122.07 shall continue under this
16 chapter for those members transferring to this system and for
17 all new members.

18 (b)1. All blind or partially sighted persons employed
19 or licensed by the Division of Blind Services as vending
20 facility operators on or after December 1, 1970, and prior to
21 July 1, 1996, are hereby declared to be state employees within
22 the meaning of this chapter, and all vending facility
23 operators licensed and employed during that period shall be
24 compulsory members of the Florida Retirement System in
25 compliance with this chapter for as long as the member is a
26 vending facility operator, except as provided in subparagraph
27 3.

28 2. Blindness shall not be deemed a retirement
29 disability within the provisions of this chapter for such
30 members as are contemplated by this paragraph.

31

1 3. Any vending facility operator as described in
2 subparagraph 1. may elect, on or before July 31, 1996, to
3 withdraw from the Florida Retirement System as provided in s.
4 413.051(11). The election to withdraw shall take effect as of
5 July 1, 1996, and the decision to withdraw is irrevocable. A
6 vending facility operator who withdraws from the Florida
7 Retirement System as provided in this subparagraph shall
8 retain all creditable service earned in the Florida Retirement
9 System through the month that retirement contributions ceased
10 to be reported, and no creditable service shall be earned as a
11 vending facility operator after such month. However, any such
12 person may participate in the Florida Retirement System in the
13 future if employed by a participating employer in a covered
14 position.

15 4. All blind or partially sighted persons employed or
16 licensed by the Division of Blind Services as vending facility
17 operators on or after July 1, 1996, shall be independent
18 contractors within the meaning of this chapter and shall not
19 be eligible for membership in the Florida Retirement System.

20 Section 7. Paragraph (a) of subsection (7) of section
21 121.052, Florida Statutes, 1998 Supplement, as amended by
22 chapters 96-423 and 98-413, Laws of Florida, is reenacted and
23 amended to read:

24 121.052 Membership class of elected officers.--

25 (7) CONTRIBUTIONS.--

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

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

1	October 1, 1981, through September 30, 1984		
2	Legislators	0%	19.30%
3	Governor, Lt. Governor, Cabinet		
4	Officers	0%	21.03%
5	State Attorneys, Public Defenders	0%	20.95%
6	Justices, Judges	0%	22.55%
7			
8	October 1, 1984, through September 30, 1986		
9	Legislators	0%	10.98%
10	Governor, Lt. Governor, Cabinet		
11	Officers	0%	10.98%
12	State Attorneys, Public Defenders	0%	10.98%
13	Justices, Judges	0%	21.79%
14	County Elected Officers	0%	16.97%
15			
16	October 1, 1986, through December 31, 1988		
17	Legislators	0%	11.50%
18	Governor, Lt. Governor, Cabinet		
19	Officers	0%	11.50%
20	State Attorneys, Public Defenders	0%	11.50%
21	Justices, Judges	0%	20.94%
22	County Elected Officers	0%	17.19%
23			
24	January 1, 1989, through December 31, 1989		
25	Legislators	0%	13.70%
26	Governor, Lt. Governor, Cabinet		
27	Officers	0%	13.70%
28	State Attorneys, Public Defenders	0%	13.70%
29	Justices, Judges	0%	22.58%
30	County Elected Officers	0%	18.44%
31			

1	January 1, 1990, through December 31, 1990		
2	Legislators	0%	15.91%
3	Governor, Lt. Governor, Cabinet		
4	Officers	0%	15.91%
5	State Attorneys, Public Defenders	0%	15.91%
6	Justices, Judges	0%	24.22%
7	County Elected Officers	0%	19.71%
8			
9	January 1, 1991, through December 31, 1991		
10	Legislators	0%	17.73%
11	Governor, Lt. Governor, Cabinet		
12	Officers	0%	17.73%
13	State Attorneys, Public Defenders	0%	17.73%
14	Justices, Judges	0%	26.63%
15	County Elected Officers	0%	23.32%
16			
17	January 1, 1992, through December 31, 1992		
18	Legislators	0%	19.94%
19	Governor, Lt. Governor, Cabinet		
20	Officers	0%	19.94%
21	State Attorneys, Public Defenders	0%	19.94%
22	Justices, Judges	0%	28.27%
23	County Elected Officers	0%	24.59%
24			
25	January 1, 1993, through December 31, 1993		
26	Legislators	0%	22.14%
27	Governor, Lt. Governor, Cabinet		
28	Officers	0%	22.14%
29	State Attorneys, Public Defenders	0%	22.14%
30	Justices, Judges	0%	29.91%
31	County Elected Officers	0%	25.84%

1			
2	January 1, 1994, through December 31, 1994		
3	Legislators	0%	22.65%
4	Governor, Lt. Governor, Cabinet		
5	Officers	0%	22.65%
6	State Attorneys, Public Defenders	0%	22.65%
7	Justices, Judges	0%	30.52%
8	County Elected Officers	0%	26.07%
9			
10	January 1, 1995, through December 31, 1995		
11	Legislators	0%	22.80%
12	Governor, Lt. Governor, Cabinet		
13	Officers	0%	22.80%
14	State Attorneys, Public Defenders	0%	22.80%
15	Justices, Judges	0%	30.21%
16	County Elected Officers	0%	27.48%
17			
18	January 1, 1996, through June 30, 1996		
19	Legislators	0%	22.90%
20	Governor, Lt. Governor, Cabinet		
21	Officers	0%	22.90%
22	State Attorneys, Public Defenders	0%	22.90%
23	Justices, Judges	0%	30.15%
24	County Elected Officers	0%	27.54%
25			
26	July 1, 1996, through June 30, 1998		
27	Legislators	0%	23.07%
28	Governor, Lt. Governor, Cabinet		
29	Officers	0%	23.07%
30	State Attorneys, Public Defenders	0%	23.07%
31	Justices, Judges	0%	29.55%

1	County Elected Officers	0%	27.33%
2			
3	Effective July 1, 1998, <u>through</u>		
4	<u>June 30, 1999</u>		
5	Legislators	0%	22.33%
6	Governor, Lt. Governor, Cabinet		
7	Officers	0%	22.33%
8	State Attorneys, Public Defenders	0%	22.33%
9	Justices, Judges	0%	27.21%
10	County Elected Officers	0%	26.99%
11			
12	<u>Effective July 1, 1999</u>		
13	<u>Legislators</u>	<u>0%</u>	<u>14.31%</u>
14	<u>Governor, Lt. Governor, Cabinet</u>		
15	<u>Officers</u>	<u>0%</u>	<u>14.31%</u>
16	<u>State Attorneys, Public</u>		
17	<u>Defenders</u>	<u>0%</u>	<u>14.31%</u>
18	<u>Justices, Judges</u>	<u>0%</u>	<u>20.48%</u>
19	<u>County Elected</u>		
20	<u>Officers</u>	<u>0%</u>	<u>17.05%</u>
21			

22 Section 8. Paragraph (a) of subsection (3) of section
23 121.055, Florida Statutes, 1998 Supplement, as amended by
24 chapters 96-423 and 98-413, Laws of Florida, is reenacted and
25 amended, and paragraph (e) of subsection (6) of that section
26 is amended, to read:

27 121.055 Senior Management Service Class.--There is
28 hereby established a separate class of membership within the
29 Florida Retirement System to be known as the "Senior
30 Management Service Class," which shall become effective
31 February 1, 1987.

1 (3)(a) The following table states the required
2 retirement contribution rates for members of the Senior
3 Management Service Class and their employers in terms of a
4 percentage of the member's gross compensation. A change in
5 the contribution rate is effective with the first salary paid
6 on or after the beginning date of the change. Contributions
7 shall be made for each pay period and are in addition to the
8 contributions required for social security and the Retiree
9 Health Insurance Subsidy Trust Fund.

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Dates of Contribution	Members	Employers
Rate Changes		
February 1, 1987, through December 31, 1988	0%	13.88%
January 1, 1989, through December 31, 1989	0%	14.95%
January 1, 1990, through December 31, 1990	0%	16.04%
January 1, 1991, through December 31, 1991	0%	18.39%
January 1, 1992, through December 31, 1992	0%	19.48%
January 1, 1993, through December 31, 1993	0%	20.55%
January 1, 1994, through December 31, 1994	0%	23.07%
January 1, 1995, through December 31, 1995	0%	23.88%
January 1, 1996, through June 30, 1996	0%	24.14%

1	July 1, 1996, through		
2	June 30, 1998	0%	21.58%
3	<u>Effective July 1, 1998, through</u>		
4	<u>June 30, 1999</u>	0%	23.10%
5	<u>Effective July 1, 1999</u>	<u>0%</u>	<u>11.19%</u>

6

7 (6)

8 (e) Benefits.--

9 1. Benefits shall be payable under the Senior

10 Management Service Optional Annuity Program only to

11 participants in the program, or their beneficiaries as

12 designated by the participant in the contract with a provider

13 company, and such benefits shall be paid by the designated

14 company in accordance with the terms of the annuity contract

15 or contracts applicable to the participant. A participant must

16 be terminated from all employment with all Florida Retirement

17 System employers as provided in s. 121.021(39) to begin

18 receiving the employer-funded benefit. Benefits funded by

19 employer contributions shall be payable only as a lifetime

20 annuity to the participant, his beneficiary, or his estate,

21 except for:

22 a. A lump-sum payment to the beneficiary upon the

23 death of the participant; or

24 b. A cash-out of a de minimis account upon the request

25 of a former participant who has been terminated for a minimum

26 of 6 months from the employment that entitled him to optional

27 annuity retirement program participation. A de minimis account

28 is an account with a provider company containing employer

29 contributions and accumulated earnings of not more than \$5,000

30 ~~\$3,500~~ made under the provisions of this chapter. Such

31 cash-out must be a complete liquidation of the account balance

1 with that company and is subject to the provisions of the
2 Internal Revenue Code.

3 2. The benefits payable to any person under the Senior
4 Management Service Optional Annuity Program, and any
5 contribution accumulated under such program, shall not be
6 subject to assignment, execution, or attachment or to any
7 legal process whatsoever.

8 3. A participant who receives optional annuity program
9 benefits funded by employer contributions shall be deemed to
10 be retired from a state-administered retirement system in the
11 event of subsequent employment with any employer that
12 participates in the Florida Retirement System.

13 Section 9. Subsection (1) of section 121.071, Florida
14 Statutes, 1998 Supplement, as amended by chapters 96-423 and
15 98-413, Laws of Florida, is reenacted and amended to read:

16 121.071 Contributions.--Contributions to the system
17 shall be made as follows:

18 (1) The following tables state the required retirement
19 contribution rates for members of the Regular Class, Special
20 Risk Class, or Special Risk Administrative Support Class and
21 their employers in terms of a percentage of the member's gross
22 compensation. A change in a contribution rate is effective
23 with the first salary paid on or after the beginning date of
24 the change. Contributions shall be made or deducted as may be
25 appropriate for each pay period and are in addition to the
26 contributions required for social security and the Retiree
27 Health Insurance Subsidy Trust Fund.

28 (a) Retirement contributions for regular members are
29 as follows:

30
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		Members	Employers
1	Dates of Contribution		
2	Rate Changes		
3			
4	December 1, 1970, through December		
5	31, 1974, for state agencies, state		
6	universities, community colleges,		
7	and district school boards	4%	4%
8			
9	December 1, 1970, through September		
10	30, 1975, for all other local		
11	government agencies	4%	4%
12			
13	January 1, 1975, through September		
14	30, 1978, for state agencies and		
15	state universities	0%	9%
16			
17	January 1, 1975, through July 31,		
18	1978, for community colleges and		
19	district school boards	0%	9%
20			
21	October 1, 1975, through September		
22	30, 1978, for all other local		
23	government agencies	0%	9%
24			
25	August 1, 1978, through September 30,		
26	1981, for community colleges and		
27	district school boards	0%	9.1%
28			
29	October 1, 1978, through September		
30	30, 1981, for all other agencies	0%	9.1%
31			

1	October 1, 1981, through		
2	September 30, 1984	0%	10.93%
3	October 1, 1984, through		
4	September 30, 1986	0%	12.24%
5	October 1, 1986, through		
6	December 31, 1988	0%	13.14%
7	January 1, 1989, through		
8	December 31, 1989	0%	13.90%
9	January 1, 1990, through		
10	December 31, 1990	0%	14.66%
11	January 1, 1991, through		
12	December 31, 1991	0%	15.72%
13	January 1, 1992, through		
14	December 31, 1992	0%	16.51%
15	January 1, 1993, through		
16	December 31, 1993	0%	17.27%
17	January 1, 1994, through		
18	December 31, 1994	0%	17.10%
19	January 1, 1995, through		
20	December 31, 1995	0%	16.91%
21	January 1, 1996, through		
22	June 30, 1996	0%	17.00%
23	July 1, 1996, through		
24	June 30, 1998	0%	16.77%
25	Effective <u>July 1, 1998, through</u>		
26	<u>June 30, 1999</u>	0%	15.51%
27	<u>Effective July 1, 1999</u>	0%	<u>9.21%</u>

28
29 (b) Retirement contributions for special risk members
30 are as follows:
31

	Members	Employers
1 Dates of Contribution		
2 Rate Changes		
3		
4 December 1, 1970, through		
5 September 30, 1974	6%	6%
6		
7 October 1, 1974, through December 31,		
8 1974, for state agencies, state		
9 universities, community colleges,		
10 and district school boards	8%	8%
11		
12 October 1, 1974, through September		
13 30, 1975, for all other local		
14 government agencies	8%	8%
15		
16 January 1, 1975, through September		
17 30, 1978, for state agencies, state		
18 universities, community colleges,		
19 and district school boards	0%	13%
20		
21 October 1, 1975, through September		
22 30, 1978, for other local		
23 government agencies	0%	13%
24		
25 October 1, 1978, through		
26 September 30, 1981	0%	13.95%
27 October 1, 1981, through		
28 September 30, 1984	0%	13.91%
29 October 1, 1984, through		
30 September 30, 1986	0%	14.67%
31 October 1, 1986, through		

1	December 31, 1988	0%	15.11%
2	January 1, 1989, through		
3	December 31, 1989	0%	17.50%
4	January 1, 1990, through		
5	December 31, 1990	0%	19.90%
6	January 1, 1991, through		
7	December 31, 1991	0%	25.52%
8	January 1, 1992, through		
9	December 31, 1992	0%	26.35%
10	January 1, 1993, through		
11	December 31, 1993	0%	27.14%
12	January 1, 1994, through		
13	December 31, 1994	0%	27.03%
14	January 1, 1995, through		
15	December 31, 1995	0%	26.83%
16	January 1, 1996, through		
17	June 30, 1996	0%	26.84%
18	July 1, 1996, through		
19	June 30, 1998	0%	26.44%
20	Effective <u>July 1, 1998, through</u>		
21	<u>June 30, 1999</u>	0%	24.38%
22	<u>Effective July 1, 1999</u>	<u>0%</u>	<u>20.14%</u>
23			
24	(c) Retirement contributions for special risk		
25	administrative support members are as follows:		
26			
27	Dates of Contribution		
28	Rate Changes	Members	Employers
29			
30	July 1, 1982, through		
31	September 30, 1984	0%	11.14%

1	October 1, 1984, through		
2	September 30, 1986	0%	13.09%
3	October 1, 1986, through		
4	December 31, 1988	0%	15.44%
5	January 1, 1989, through		
6	December 31, 1989	0%	14.76%
7	January 1, 1990, through		
8	December 31, 1990	0%	14.09%
9	January 1, 1991, through		
10	December 31, 1991	0%	20.16%
11	January 1, 1992, through		
12	December 31, 1992	0%	19.51%
13	January 1, 1993, through		
14	December 31, 1993	0%	18.83%
15	January 1, 1994, through		
16	December 31, 1994	0%	18.59%
17	January 1, 1995, through		
18	December 31, 1995	0%	17.81%
19	January 1, 1996, through		
20	June 30, 1996	0%	17.80%
21	July 1, 1996, through		
22	June 30, 1998	0%	17.20%
23	Effective <u>July 1, 1998, through</u>		
24	<u>June 30, 1999</u>	0%	14.64%
25	<u>Effective July 1, 1999</u>	<u>0%</u>	<u>11.53%</u>

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Section 10. Paragraph (i) of subsection (1) and
subsection (2) of section 121.081, Florida Statutes, 1998
Supplement, are amended to read:

1 121.081 Past service; prior service;
2 contributions.--Conditions under which past service or prior
3 service may be claimed and credited are:
4 (1)
5 (i) An employee of a state agency who was a member of
6 a state-administered retirement system and who was granted
7 educational leave with pay pursuant to a written educational
8 leave-with-pay policy may claim such period of educational
9 leave as past service subject to the following conditions:
10 1. The educational leave must have occurred prior to
11 December 31, 1971;
12 2. The member must have completed at least 10 years of
13 creditable service excluding the period of the educational
14 leave;
15 3. The employee must have returned to employment with
16 a state agency employer who participated in the retirement
17 system, which return was immediately upon termination of the
18 educational leave, and must have remained on the employer's
19 payroll for at least 1 calendar month ~~30 calendar days~~
20 following the return to employment;
21 4. The employee must be a member of the Florida
22 Retirement System at the time he or she claims such service;
23 5. Not more than 24 months of creditable service may
24 be claimed for such period of educational leave with pay;
25 6. The service must not be claimed under any other
26 state or federal retirement system; and
27 7. The member must pay to the retirement trust fund
28 for claiming such past-service credit an amount equal to 8
29 percent of his or her gross annual salary immediately prior to
30 the educational leave with pay for each year of past service
31 claimed, plus 4 percent interest thereon compounded annually

1 each June 30 from the first year of service claimed until July
2 1, 1975, and 6.5 percent interest thereafter on the unpaid
3 balance compounded annually each June 30 until paid.

4 (2) Prior service, as defined in s. 121.021(19), may
5 be claimed as creditable service under the Florida Retirement
6 System after a member has been reemployed for 1 complete year
7 of creditable service within a period of 12 consecutive
8 ~~continuous~~ months, except as provided in paragraph (c).

9 Service performed as a participant of the optional retirement
10 program for the State University System under s. 121.35 or the
11 Senior Management Service Optional Annuity Program under s.
12 121.055 may be used to satisfy the reemployment requirement of
13 1 complete year of creditable service ~~12 continuous-month~~
14 ~~requirement~~. The member shall not be permitted to make any
15 contributions for prior service until after completion of the
16 1 year of creditable service ~~12-month period~~. The required
17 contributions for claiming the various types of prior service
18 are:

19 (a) For prior service performed prior to the date the
20 system becomes noncontributory for the member and for which
21 the member had credit under one of the existing retirement
22 systems and received a refund of contributions upon
23 termination of employment, the member shall contribute 4
24 percent of all salary received during the period being
25 claimed, plus 4 percent interest compounded annually from date
26 of refund until July 1, 1975, and 6.5 percent interest
27 compounded annually thereafter, until full payment is made to
28 the Retirement Trust Fund. A member who elected to transfer to
29 the Florida Retirement System from an existing system may
30 receive credit for prior service under the existing system if
31 he or she was eligible under the existing system to claim the

1 prior service at the time of the transfer. Contributions for
2 such prior service shall be determined by the applicable
3 provisions of the system under which the prior service is
4 claimed and shall be paid by the member, with matching
5 contributions paid by the employer at the time the service was
6 performed. Effective July 1, 1978, the account of a person who
7 terminated under s. 238.05(3) may not be charged interest for
8 contributions that remained on deposit in the Annuity Savings
9 Trust Fund established under chapter 238, upon retirement
10 under this chapter or chapter 238.

11 (b) For prior service performed prior to the date the
12 system becomes noncontributory for the member and for which
13 the member had credit under the Florida Retirement System and
14 received a refund of contributions upon termination of
15 employment, the member shall contribute at the rate that was
16 required of him or her during the period of service being
17 claimed, on all salary received during such period, plus 4
18 percent interest compounded annually from date of refund until
19 July 1, 1975, and 6.5 percent interest compounded annually
20 thereafter, until the full payment is made to the Retirement
21 Trust Fund.

22 (c) For prior service as defined in s. 121.021(19)(b)
23 and (c) during which no contributions were made because the
24 member did not participate in a retirement system, the member
25 shall contribute 14.38 percent of all salary received during
26 such period or 14.38 percent of \$100 per month during such
27 period, whichever is greater, plus 4 percent interest
28 compounded annually from the first year of service claimed
29 until July 1, 1975, and 6.5 percent interest compounded
30 annually thereafter, until full payment is made to the
31 Retirement Trust Fund.

1 (d) In order to claim credit for prior service as
2 defined in s. 121.021(19)(d) for which no retirement
3 contributions were paid during the period of such service, the
4 member shall contribute the total employee and employer
5 contributions which were required to be made to the Highway
6 Patrol Pension Trust Fund, as provided in chapter 321, during
7 the period claimed, plus 4 percent interest compounded
8 annually from the first year of service until July 1, 1975,
9 and 6.5 percent interest compounded annually thereafter, until
10 full payment is made to the Retirement Trust Fund. However,
11 any governmental entity which employed such member may elect
12 to pay up to 50 percent of the contributions and interest
13 required to purchase this prior service credit.

14 (e) For service performed under the Florida Retirement
15 System after December 1, 1970, that was never reported to the
16 division due to error, retirement credit may be claimed by a
17 member of the Florida Retirement System. The division shall
18 adopt rules establishing criteria for claiming such credit and
19 detailing the documentation required to substantiate the
20 error.

21 (f) The employer may not be required to make
22 contributions for prior service credit for any member, except
23 that the employer shall pay the employer portion of
24 contributions for any legislator who elects to withdraw from
25 the Florida Retirement System and later rejoins the system and
26 pays any employee contributions required in accordance with s.
27 121.052(3)(d).

28 Section 11. Paragraph (c) of subsection (4), paragraph
29 (f) of subsection (7), and paragraphs (a) and (i) of
30 subsection (13) of section 121.091, Florida Statutes, 1998
31 Supplement, are amended to read:

1 121.091 Benefits payable under the system.--Benefits
2 may not be paid under this section unless the member has
3 terminated employment as provided in s. 121.021(39)(a) or
4 begun participation in the Deferred Retirement Option Program
5 as provided in subsection (13), and a proper application has
6 been filed in the manner prescribed by the division. The
7 division may cancel an application for retirement benefits
8 when the member or beneficiary fails to timely provide the
9 information and documents required by this chapter and the
10 division's rules. The division shall adopt rules establishing
11 procedures for application for retirement benefits and for the
12 cancellation of such application when the required information
13 or documents are not received.

14 (4) DISABILITY RETIREMENT BENEFIT.--

15 (b) Total and permanent disability.--A member shall be
16 considered totally and permanently disabled if, in the opinion
17 of the administrator, he or she is prevented, by reason of a
18 medically determinable physical or mental impairment, from
19 rendering useful and efficient service as an officer or
20 employee.

21 (c) Proof of disability.--The administrator, before
22 approving payment of any disability retirement benefit, shall
23 require proof that the member is totally and permanently
24 disabled as provided herein:

25 1. Such, which proof shall include the certification
26 of the member's total and permanent disability by two licensed
27 physicians of the state and such other evidence of disability
28 as the administrator may require, including reports from
29 vocational rehabilitation, evaluation, or testing specialists
30 who have evaluated the applicant for employment.

31 2. It must be documented that:

1 a. The member's medical condition occurred or became
2 symptomatic during the time the member was employed in an
3 employee/employer relationship with his or her employer;

4 b. The member was totally and permanently disabled at
5 the time he or she terminated covered employment; and

6 c. The member has not been employed with any other
7 employer after such termination.

8 3. If the application is for in-line-of-duty
9 disability, in addition to the requirements of subparagraph
10 2., it must be documented by competent medical evidence that
11 the disability was caused by a job-related illness or accident
12 which occurred while the member was in an employee/employer
13 relationship with his or her employer.

14 4. The unavailability of an employment position that
15 the member is physically and mentally capable of performing
16 will not be considered as proof of total and permanent
17 disability.

18 (7) DEATH BENEFITS.--

19 (f) Notwithstanding any other provisions in this
20 chapter to the contrary and upon application to the
21 administrator, an eligible joint annuitant, of a member whose
22 employment is terminated by death within 1 year of such member
23 satisfying the service requirements for vesting and retirement
24 eligibility, shall be permitted to purchase only the
25 additional service credit necessary to vest and qualify for
26 retirement benefits, not to exceed a total of 1 year of
27 credit, by one or a combination of the following methods:

28 1. Such eligible joint annuitant may use the deceased
29 member's accumulated hours of annual, sick, and compensatory
30 leave to purchase additional creditable service, on an hour by
31 hour basis, provided that such deceased member's accumulated

1 leave is sufficient to cover the additional months required.
2 For each month of service credit needed prior to the final
3 month, credit for the total number of work hours in that month
4 must be purchased, using an equal number of the deceased
5 member's accumulated leave hours. Service credit required for
6 the final month in which the deceased member would have become
7 vested shall be awarded upon the purchase of 1 hour of credit.
8 Such eligible joint annuitant shall pay the contribution rate
9 in effect for the period of time being claimed for ~~at the time~~
10 ~~of purchase of~~ the deceased member's class of membership,
11 multiplied by such member's monthly salary at the time of
12 death, plus 6.5 percent interest compounded annually. The
13 accumulated leave payment used in the average final
14 compensation shall not include that portion of the payment
15 that represents any leave hours used in the purchase of such
16 creditable service.

17 2. Such eligible joint annuitant may purchase
18 additional months of creditable service, ~~up to a maximum of 1~~
19 ~~year,~~ for any periods of out-of-state service as provided in
20 s. 121.1115, and ~~or~~ in-state service as provided in s.
21 121.1122, that the deceased member would have been eligible to
22 purchase prior to his or her death.

23
24 Service purchased under this paragraph shall be added to the
25 creditable service of the member and used to vest for
26 retirement eligibility, and shall be used in the calculation
27 of any benefits which may be payable to the eligible joint
28 annuitant. Any benefits paid in accordance with this
29 paragraph shall only be made prospectively.

30 (13) DEFERRED RETIREMENT OPTION PROGRAM.--In general,
31 and subject to the provisions of this section, the Deferred

1 Retirement Option Program, hereinafter referred to as the
2 DROP, is a program under which an eligible member of the
3 Florida Retirement System may elect to participate, deferring
4 receipt of retirement benefits while continuing employment
5 with his or her Florida Retirement System employer. The
6 deferred monthly benefits shall accrue in the System Trust
7 Fund on behalf of the participant, plus interest compounded
8 monthly, for the specified period of the DROP participation,
9 as provided in paragraph (c). Upon termination of employment,
10 the participant shall receive the total DROP benefits and
11 begin to receive the previously determined normal retirement
12 benefits. Participation in the DROP does not guarantee
13 employment for the specified period of DROP.

14 (a) Eligibility of member to participate in the
15 DROP.--All active Florida Retirement System members in a
16 regularly established position, and all active members of
17 either the Teachers' Retirement System established in chapter
18 238 or the State and County Officers' and Employees'
19 Retirement System established in chapter 122 which systems are
20 consolidated within the Florida Retirement System under s.
21 121.011, are eligible to elect participation in the DROP
22 provided that:

23 1. The member is not a renewed member of the Florida
24 Retirement System under s. 121.122, or a member of the State
25 Community College System Optional Retirement Program under s.
26 121.051, the Senior Management Service Optional Annuity
27 Program under s. 121.055, or the optional retirement program
28 for the State University System under s. 121.35.

29 2. Election to participate is made within 12 months
30 immediately following the date on which the member first
31 reaches normal retirement date, or, for a member who reaches

1 normal retirement date based on service before he or she
2 reaches age 62, or age 55 for Special Risk Class members,
3 election to participate may be deferred to the 12 months
4 immediately following the date the member attains 57, or age
5 50 for Special Risk Class members. For a member who first
6 reached normal retirement date or the deferred eligibility
7 date described above prior to the effective date of this
8 section, election to participate shall be made within 12
9 months after the effective date of this section. A member who
10 fails to make an election within such 12-month limitation
11 period shall forfeit all rights to participate in the DROP.
12 The member shall advise his or her employer and the division
13 in writing of the date on which the DROP shall begin. Such
14 beginning date may be subsequent to the 12-month election
15 period, but must be within the 60-month limitation period as
16 provided in subparagraph (b)1. When establishing eligibility
17 of the member to participate in the DROP or the 60-month
18 maximum participation period, the member may elect to include
19 or exclude any optional service credit purchased by the member
20 from the total service used to establish the normal retirement
21 date. A member with dual normal retirement dates shall be
22 eligible to elect to participate in DROP within 12 months
23 after attaining normal retirement date in either class.

24 3. The employer of a member electing to participate in
25 the DROP, or employers if dually employed, shall acknowledge
26 in writing to the division the date the member's participation
27 in the DROP begins and the date the member's employment and
28 DROP participation will terminate.

29 4. Simultaneous employment of a participant by
30 additional Florida Retirement System employers subsequent to
31 the commencement of participation in the DROP shall be

1 permissible provided such employers acknowledge in writing a
2 DROP termination date no later than the participant's existing
3 termination date or the 60-month limitation period as provided
4 in subparagraph (b)1.

5 5. A DROP participant may change employers while
6 participating in the DROP, subject to the following:

7 a. A change of employment must take place without a
8 break in service so that the member receives salary for each
9 month of continuous DROP participation. If a member receives
10 no salary during a month, DROP participation shall cease
11 unless the employer verifies a continuation of the employment
12 relationship for such participant pursuant to s.
13 121.021(39)(b).

14 b. Such participant and new employer shall notify the
15 division on forms required by the division as to the identity
16 of the new employer.

17 c. The new employer shall acknowledge, in writing, the
18 participant's DROP termination date, which may be extended but
19 not beyond the original 60-month period provided in
20 subparagraph (b)1., shall acknowledge liability for any
21 additional retirement contributions and interest required if
22 the participant fails to timely terminate employment, and
23 shall be subject to the adjustment required in
24 sub-subparagraph (c)5.d~~(c)4.d~~.

25 (i) Contributions.--

26 1. All employers paying the salary of a DROP
27 participant filling a regularly established position shall
28 contribute 11.56 percent of such participant's gross
29 compensation, which shall constitute the entire employer DROP
30 contribution with respect to such participant. Such
31 contributions, payable to the System Trust Fund in the same

1 manner as required in s. 121.071, shall be made as appropriate
2 for each pay period and are in addition to contributions
3 required for social security and the Retiree Health Insurance
4 Subsidy Trust Fund. Such employer, social security, and
5 health insurance subsidy contributions are not included in the
6 DROP.

7 2. The employer shall, in addition to subparagraph 1.,
8 also withhold one-half of the entire social security
9 contribution required for the participant. Contributions for
10 social security by each participant and each employer, in the
11 amount required for social security coverage as now or
12 hereafter provided by the federal Social Security Act, shall
13 be in addition to contributions specified in subparagraph 1.

14 3. All employers paying the salary of a DROP
15 participant filling a regularly established position shall
16 contribute the 0.66 percent of such participant's gross
17 compensation required in s. 121.071(4), which shall constitute
18 the employer's health insurance subsidy contribution with
19 respect to such participant. Such contributions shall be
20 deposited by the administrator in the Retiree Health Insurance
21 Subsidy Trust Fund.

22 Section 12. Subsection (3) of section 121.122, Florida
23 Statutes, 1998 Supplement, is amended to read:

24 121.122 Renewed membership in system.--Except as
25 provided in s. 121.053, effective July 1, 1991, any retiree of
26 a state-administered retirement system who is employed in a
27 regularly established position with a covered employer shall
28 be enrolled as a compulsory member of the Regular Class of the
29 Florida Retirement System or, effective July 1, 1997, any
30 retiree of a state-administered retirement system who is
31 employed in a position included in the Senior Management

1 Service Class shall be enrolled as a compulsory member of the
2 Senior Management Service Class of the Florida Retirement
3 System as provided in s. 121.055, and shall be entitled to
4 receive an additional retirement benefit, subject to the
5 following conditions:

6 (3) Such member shall be entitled to purchase
7 additional retirement credit in the Regular Class or the
8 Senior Management Service Class, as applicable, for any
9 postretirement service performed in a regularly established
10 position as follows:

11 (a) For regular class service prior to July 1, 1991,
12 by paying the Regular Class applicable employee and employer
13 contributions for the period being claimed, plus 4 percent
14 interest compounded annually from first year of service
15 claimed until July 1, 1975, and 6.5 percent interest
16 compounded thereafter, until full payment is made to the
17 Florida Retirement System Trust Fund; or

18 (b) For Senior Management Service Class prior to June
19 1, 1997, as provided in s. 121.055(1)(i)(~~h~~).

20
21 The contribution for postretirement service between July 1,
22 1985, and July 1, 1991, for which the reemployed retiree
23 contribution was paid, shall be the difference between such
24 contribution and the total applicable contribution for the
25 period being claimed, plus interest. The employer of such
26 member may pay the applicable employer contribution in lieu of
27 the member. If a member does not wish to claim credit for all
28 of the postretirement service for which he or she is eligible,
29 the service the member claims must be the most recent service.

30
31

1 Section 13. Present subsection (5) of section 121.24,
2 Florida Statutes, is renumbered as subsection (6), and a new
3 subsection (5) is added to that section, to read:

4 121.24 Conduct of commission business; legal and other
5 assistance; compensation.--

6 (5) The State Retirement Commission has the authority
7 to adopt rules pursuant to ss. 120.54 and 120.536(1) to
8 implement the provisions of law conferring duties upon the
9 commission.

10 Section 14. Paragraph (a) of subsection (5) of section
11 121.35, Florida Statutes, 1998 Supplement, is amended to read:

12 121.35 Optional retirement program for the State
13 University System.--

14 (5) BENEFITS.--

15 (a) Benefits shall be payable under the optional
16 retirement program only to vested participants in the program,
17 or their beneficiaries as designated by the participant in the
18 contract with a provider company, and such benefits shall be
19 paid only by the designated company in accordance with the
20 terms of the annuity contract or contracts applicable to the
21 participant. The participant must be terminated from all
22 employment with all Florida Retirement System employers, as
23 provided in s. 121.021(39), to begin receiving the
24 employer-funded benefit. Benefits funded by employer
25 contributions shall be payable only as a lifetime annuity to
26 the participant, his beneficiary, or his estate, except for:

27 1. A lump-sum payment to the beneficiary upon the
28 death of the participant; or

29 2. A cash-out of a de minimis account upon the request
30 of a former participant who has been terminated for a minimum
31 of 6 months from the employment that entitled him to optional

1 retirement program participation. A de minimis account is an
2 account with a provider company containing employer
3 contributions and accumulated earnings of not more than \$5,000
4 ~~\$3,500~~ made under the provisions of this chapter. Such
5 cash-out must be a complete liquidation of the account balance
6 with that company and is subject to the provisions of the
7 Internal Revenue Code.

8 Section 15. Paragraph (e) of subsection (4) and
9 subsection (11) of section 121.40, Florida Statutes, 1998
10 Supplement, are amended, and subsection (12) of that section,
11 as amended by chapters 96-423 and 98-413, Laws of Florida, is
12 reenacted to read:

13 121.40 Cooperative extension personnel at the
14 Institute of Food and Agricultural Sciences; supplemental
15 retirement benefits.--

16 (4) ELIGIBILITY FOR SUPPLEMENT.--To be eligible for a
17 benefit pursuant to the provisions of this section, a person
18 must meet all of the following eligibility criteria:

19 (e) The person must not be entitled to any benefit
20 from a state-supported retirement system or from social
21 security based upon service as a cooperative extension
22 employee of the institute. Participation in the Institute of
23 Food and Agricultural Sciences Supplemental Retirement Program
24 shall not constitute membership in the Florida Retirement
25 System.

26 (11) EMPLOYMENT AFTER RETIREMENT: LIMITATION.--

27 ~~(a)~~ Any person who is receiving a supplemental
28 retirement benefit under this section may be reemployed by any
29 private or public employer after retirement and receive
30 supplemental retirement benefits pursuant to this section and
31 compensation from his or her employer, without any

1 limitations. However, if a retired participant who is
2 receiving a supplemental retirement benefit under this section
3 is reemployed at the institute in a position as a cooperative
4 extension employee of the institute, he or she shall forfeit
5 all rights to supplemental retirement benefits in accordance
6 with the eligibility provisions of paragraph (4)(e)., except
7 ~~that no person may receive both a salary from reemployment~~
8 ~~with any agency participating in the Florida Retirement System~~
9 ~~and supplemental retirement benefits under this section for a~~
10 ~~period of 12 months immediately subsequent to the date of~~
11 ~~retirement.~~

12 ~~(b) Each person to whom the limitation in paragraph~~
13 ~~(a) applies who violates such reemployment limitation and who~~
14 ~~is reemployed with any agency participating in the Florida~~
15 ~~Retirement System prior to completion of the 12-month~~
16 ~~limitation period shall give timely notice of this fact in~~
17 ~~writing to the employer and to the division and shall have his~~
18 ~~or her supplemental retirement benefits suspended for the~~
19 ~~balance of the 12-month limitation period. Any person~~
20 ~~employed in violation of this subsection and any employing~~
21 ~~agency which knowingly employs or appoints such person without~~
22 ~~notifying the Division of Retirement to suspend retirement~~
23 ~~benefits shall be jointly and severally liable for~~
24 ~~reimbursement to the retirement trust fund of any benefits~~
25 ~~paid during the reemployment limitation period. To avoid~~
26 ~~liability, such employing agency shall have a written~~
27 ~~statement from the retiree that he or she is not retired from~~
28 ~~a state-administered retirement system. Any supplemental~~
29 ~~retirement benefits received while reemployed during this~~
30 ~~reemployment limitation period shall be repaid to the trust~~
31 ~~fund, and supplemental retirement benefits shall remain~~

1 ~~suspended until such repayment has been made. Supplemental~~
2 ~~benefits suspended beyond the reemployment limitation shall~~
3 ~~apply toward repayment of supplemental benefits received in~~
4 ~~violation of the reemployment limitation.~~

5 ~~(c) The reemployment by an employer participating in~~
6 ~~the Florida Retirement System of any person receiving~~
7 ~~supplemental retirement benefits under this section shall have~~
8 ~~no effect on the amount of the supplemental benefit of that~~
9 ~~person. Prior to July 1, 1991, upon employment of any person,~~
10 ~~other than an elected officer as provided in s. 121.053, who~~
11 ~~is receiving supplemental retirement benefits under this~~
12 ~~section, the employer shall pay retirement contributions in an~~
13 ~~amount equal to the unfunded actuarial accrued liability~~
14 ~~portion of the employer contribution which would be required~~
15 ~~for regular members of the Florida Retirement System.~~
16 ~~Effective July 1, 1991, contributions shall be made as~~
17 ~~provided in s. 121.122 for renewed membership.~~

18 ~~(d) The limitations of this subsection apply to~~
19 ~~reemployment in any capacity with an "employer" as defined in~~
20 ~~s. 121.021(10), irrespective of the category of funds from~~
21 ~~which the person is compensated.~~

22 (12) CONTRIBUTIONS.--

23 (a) For the purposes of funding the supplemental
24 benefits provided by this section, the institute is authorized
25 and required to pay, commencing July 1, 1985, the necessary
26 monthly contributions from its appropriated budget. These
27 amounts shall be paid into the Institute of Food and
28 Agricultural Sciences Supplemental Retirement Trust Fund,
29 which is hereby created.

30 (b) The monthly contributions required to be paid
31 pursuant to paragraph (a) on the gross monthly salaries, from

1 all sources with respect to such employment, paid to those
2 employees of the institute who hold both state and federal
3 appointments and who participate in the federal Civil Service
4 Retirement System shall be as follows:

5	6	7	8
	Dates of Contribution		Percentage
	Rate Changes		Due
9	July 1, 1985, through December 31, 1988		6.68%
10	January 1, 1989, through December 31, 1993		6.35%
11	January 1, 1994, through December 31, 1994		6.69%
12	January 1, 1995, through June 30, 1996		6.82%
13	July 1, 1996, through June 30, 1998		5.64%
14	Effective July 1, 1998		7.17%

15
16 Section 16. Subsection (11) of section 413.051,
17 Florida Statutes, 1998 Supplement, as amended by chapter
18 96-423, Laws of Florida, and subsection (12) of that section,
19 as amended by chapters 96-423 and 98-149, Laws of Florida, are
20 reenacted to read:

21 413.051 Eligible blind persons; operation of vending
22 stands.--

23 (11) Effective July 1, 1996, blind licensees who
24 remain members of the Florida Retirement System pursuant to s.
25 121.051(6)(b)1. shall pay any unappropriated retirement costs
26 from their net profits or from program income. Within 30 days
27 after the effective date of this act, each blind licensee who
28 is eligible to maintain membership in the Florida Retirement
29 System under s. 121.051(6)(b)1., but who elects to withdraw
30 from the system as provided in s. 121.051(6)(b)3., must, on or
31 before July 31, 1996, notify the Division of Blind Services

1 and the Division of Retirement in writing of his or her
2 election to withdraw. Failure to timely notify the divisions
3 shall be deemed a decision to remain a compulsory member of
4 the Florida Retirement System. However, if, at any time after
5 July 1, 1996, sufficient funds are not paid by a blind
6 licensee to cover the required contribution to the Florida
7 Retirement System, that blind licensee shall become ineligible
8 to participate in the Florida Retirement System on the last
9 day of the first month for which no contribution is made or
10 the amount contributed is insufficient to cover the required
11 contribution. For any blind licensee who becomes ineligible
12 to participate in the Florida Retirement System as described
13 in this subsection, no creditable service shall be earned
14 under the Florida Retirement System for any period following
15 the month that retirement contributions ceased to be reported.
16 However, any such person may participate in the Florida
17 Retirement System in the future if employed by a participating
18 employer in a covered position.

19 (12) The Division of Blind Services may adopt rules to
20 permit the division to establish and maintain vending
21 facilities, issue licenses, establish and maintain a vending
22 facility training program, provide vendors access to financial
23 data of the program, set aside funds from net proceeds of the
24 vending facility, provide for the transfer and promotion of
25 vendors, establish a vendors committee, provide for an
26 operation agreement, provide duties and responsibilities of
27 the division with respect to the vending facility program, and
28 provide procedures for newspaper vending sales.

29 Section 17. Section 112.18, Florida Statutes, is
30 amended to read:

31

1 112.18 Firefighters and law enforcement officers;
2 special provisions relative to disability.--

3 (1) Any condition or impairment of health of any
4 Florida state, municipal, county, port authority, special tax
5 district, or fire control district firefighter or law
6 enforcement officer caused by tuberculosis, heart disease, or
7 hypertension resulting in total or partial disability or death
8 shall be presumed to have been accidental and to have been
9 suffered in the line of duty unless the contrary be shown by
10 competent evidence. However, any such firefighter or law
11 enforcement officer shall have successfully passed a physical
12 examination upon entering into any such service as a
13 firefighter or law enforcement officer, which examination
14 failed to reveal any evidence of any such condition. Such
15 presumption shall not apply to benefits payable under or
16 granted in a policy of life insurance or disability insurance,
17 unless the insurer and insured have negotiated for such
18 additional benefits to be included in the policy contract.

19 (2) This section shall be construed to authorize the
20 above governmental entities to negotiate policy contracts for
21 life and disability insurance to include accidental death
22 benefits or double indemnity coverage which shall include the
23 presumption that any condition or impairment of health of any
24 firefighter caused by tuberculosis, heart disease, or
25 hypertension resulting in total or partial disability or death
26 was accidental and suffered in the line of duty, unless the
27 contrary be shown by competent evidence.

28 Section 18. Section 121.027, Florida Statutes, is
29 repealed.

30 Section 19. This act shall take effect upon becoming a
31 law, except that the reenactment of subsection (6) of section

1 121.051, paragraph (a) of subsection (7) of section 121.052,
2 paragraph (a) of subsection (3) of section 121.055, subsection
3 (1) of section 121.071, subsection (12) of section 121.40, and
4 subsections (11) and (12) of section 413.051, Florida
5 Statutes, shall operate retroactively to June 7, 1996.

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7 *****

8 LEGISLATIVE SUMMARY

9
10 Revises provisions of law relating to state-administered
retirement systems to:

- 11 1. Provide for review and comment on local
12 government retirement system actuarial valuation reports
and impact statements on a triennial basis and to provide
13 clarification on the basis of required payments.
14 2. Modify the limitation on benefits for service
under more than one retirement system or plan.
15 3. Clarify requirements relating to consolidation
of existing systems and preservation of rights.
16 4. Redefine the term "creditable service" under the
Florida Retirement System and clarify creditable service
17 provisions for described school board employees.
18 5. Revise language to authorize the Division of
Retirement to make rules and to create the Florida
Retirement System Actuarial Assumption Conference.
19 6. Revise contribution rates under the Florida
Retirement System.
20 7. Clarify proof of disability requirements, modify
provisions related to death benefits to permit purchase
21 of described retirement credits by joint annuitants, and
clarify the contribution rate and interest required to be
22 paid for such purchases.
23 8. Authorize the State Retirement Commission to
adopt rules.

24 (See bill for details.)
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