

1
2 An act relating to the General Pension and
3 Retirement Fund of the City of Pensacola,
4 Escambia County; amending chapter 99-474, Laws
5 of Florida; redefining "salary"; revising
6 membership requirements and exclusions;
7 revising provisions of eligible rollover
8 distributions; revising provisions providing
9 for separation from service and reemployment;
10 revising provisions relating to normal
11 retirement with 20 or more years of credited
12 service; revising provisions providing for
13 early retirement at 25 years of credited
14 service; revising provisions providing for
15 normal retirement with less than 20 years of
16 credited service; revising provisions providing
17 for disability injury or illness in the line of
18 duty and for disability injury or illness not
19 in the line of duty; revising provisions
20 relating to other benefit provisions; providing
21 for election of members to participate in other
22 defined benefit pension plans; providing for
23 additional benefits; providing for repeal of
24 conflicting laws; providing an effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:

27
28 Section 1. Subsection (29) of section 2 of chapter
29 99-474, Laws of Florida, is amended to read:

30
31

1 Section 2. Definitions.--The words and phrases as used
2 in this act shall have the following meanings unless a
3 different meaning is plainly required by the context:

4 (29) Salary.--The total cash remuneration paid to the
5 member of the plan by the city for services rendered before
6 all pretax, salary deferral, or salary reduction contributions
7 made to the General Pension and Retirement Fund on behalf of
8 the general pension plan member under section 404(h)(2) of the
9 Internal Revenue Code and any code section 457 plan and
10 section 125 plan of the city. Unless otherwise provided by the
11 city council, "salary" shall exclude any educational incentive
12 pay, field training pay, certificate pay, specialized duty
13 pay, pistol qualifications pay, clothing allowance, education
14 benefit, accumulated sick leave pay at retirement, accumulated
15 vacation pay at retirement, shift differential pay,
16 nonsubstantiated business expenses, noncash benefits such as
17 employer-provided vehicles, or any other city-provided
18 benefit, severance pay, or similar lump-sum payment made upon
19 separation of service,and any other pay excluded by the city
20 council.

21 Section 2. Section 7 of chapter 99-474, Laws of
22 Florida, is amended to read:

23 Section 7. Membership requirements and exclusions.--

24 ~~(1)~~ All permanent full-time employees of the city
25 automatically become, upon employment, members of the General
26 Pension and Retirement Fund of the city, except that the city
27 may by ordinance amend or revise the foregoing membership
28 criteria in the General Pension and Retirement Fund, provided,
29 however, that in no event shall the following be permitted to
30 participate in the General Pension and Retirement Fund:

31

1 ~~(1)(a)~~ Employees ~~Members of the fire department~~ of the
2 city who are eligible to participate in ~~under~~ the
3 Firefighters' Firemen's Relief and Pension Fund.

4 ~~(2)(b)~~ Any officer or employee of the police
5 department hired on or after October 1, 1979, who is eligible
6 to participate in the Police Officers' Retirement Fund of the
7 city.

8 ~~(3)(c)~~ City fire and police department public safety
9 cadets.

10 ~~(4)(d)~~ All permanent full-time employees of the city
11 hired prior to October 6, 1997, making an election not to
12 participate in the plan and having continuous service from
13 October 6, 1997, until retirement.

14 ~~(5)(e)~~ Any individual who is drawing a normal
15 retirement or early retirement benefit and who is subsequently
16 reemployed by the city. Such individual shall not be eligible
17 for current participation in the plan and shall continue to
18 draw a pension benefit from the plan.

19 ~~(6)(f)~~ Elected officials of the city.

20 (7) Any employee hired on or after October 18, 1999,
21 who is eligible for membership in another of the city's
22 defined benefit pension plans.

23 (8) All employees who participate in another of the
24 city's defined benefit pension plans except for employees
25 hired prior to October 1, 1979, who have continuously
26 participated in this plan and the Police Officers' Retirement
27 Fund.

28 ~~(2) As a condition of eligibility of such employees to~~
29 ~~credit toward future retirement benefits based upon prior~~
30 ~~years of service as an employee of the city, there shall be~~
31 ~~paid to the fund or transferred from qualified plans~~

1 ~~maintained by the city or other qualified retirement plans an~~
2 ~~amount determined by the plan administrator to be sufficient~~
3 ~~to cover such prior years of service at 8 percent interest~~
4 ~~compounded annually. However, the plan from which such funds~~
5 ~~are transferred must permit the transfer to be made and the~~
6 ~~transfer must not jeopardize the tax-exempt status of this~~
7 ~~plan or create adverse tax consequences for the city.~~

8 Section 3. Section 10 of chapter of 99-474, Laws of
9 Florida, is amended to read:

10 Section 10. Eligible rollover distributions.--

11 (1) For distributions made on or after January 1,
12 1993, notwithstanding any provision of the plan to the
13 contrary that would otherwise limit a distributee's election
14 under this section, a distributee may elect, at the time and
15 in the manner prescribed by the plan administrator ~~rules and~~
16 ~~regulations of the board~~, to have any portion of any eligible
17 rollover distribution paid directly to an eligible retirement
18 plan specified by the distributee in a direct rollover.

19 (2) The following words and phrases, as used in this
20 section, shall have the following meanings unless a different
21 meaning is plainly required by the context:

22 (a) Eligible rollover distribution.--An eligible
23 rollover distribution is any distribution of all or any
24 portion of the balance of the General Pension and Retirement
25 Fund to the credit of the distributee. Eligible rollover
26 distribution, however, does not include:

27 1. Any distribution that is one of a series of
28 substantially equal periodic payments, not less frequently
29 than annually, made for the life, or life expectancy, of the
30 distributee or the joint lives, or joint life expectancies, of
31

1 the distributee and the distributee's designated beneficiary,
2 or for a specified period of 10 years or more.

3 2. Any distribution to the extent such distribution is
4 required under section 401(a)(9) of the Internal Revenue Code
5 of 1986, ~~as amended~~.

6 3. The portion of any distribution that is not
7 includable in gross income (determined without regard to the
8 exclusion for net unrealized appreciation with respect to
9 employer securities) ~~of the distributee, such as that portion~~
10 ~~of a distribution attributable to employee after-tax~~
11 ~~contributions to the plan.~~

12 (b) Eligible retirement plan.--An eligible retirement
13 plan is an individual retirement account described in section
14 408(a) of the Internal Revenue Code, an individual retirement
15 annuity described in section 408(b) of the code, an annuity
16 plan described in section 403(a) of the code, or a qualified
17 trust described in section 401(a) of the code that accepts the
18 distributee's eligible rollover distribution. However, in the
19 case of an eligible rollover distribution to the surviving
20 spouse, an eligible retirement plan is an individual
21 retirement account or individual retirement annuity.

22 (c) Distributee.--A distributee includes an employee
23 or former employee ~~who receives any distributions from the~~
24 ~~General Pension and Retirement Fund~~. In addition, the
25 employee's or former employee's surviving spouse and the
26 employee's or former employee's spouse or former spouse who is
27 the alternate payee under a qualified domestic relations
28 order, as defined in section 414(p) of the Internal Revenue
29 Code, are distributees with regard to the interest of the
30 spouse or former spouse.

31

1 (d) Direct rollover.--A direct rollover is a payment
2 by the plan to the eligible retirement plan specified by the
3 distributee.

4 Section 4. Subsections (1) and (2) of section 13 of
5 chapter 99-474, Laws of Florida, are amended to read:

6 Section 13. Separation from service and
7 reemployment.--

8 (1) Former members of the plan.--Any employee who has
9 separated from employment with the city for any reason except
10 normal retirement or early retirement, hereinafter referred to
11 as "nonemployment," and who withdrew his or her contribution
12 to the plan, shall upon reemployment, if within 10 years after
13 the last separation date, be entitled to buy back his or her
14 prior service years under the plan for the purpose of
15 computing the period of service under the plan. The employee
16 shall not be entitled to buy back periods of nonemployment
17 except as provided by section 14 ~~of this act~~. Upon
18 reemployment, if the employee elects to repay the
19 contributions or to transfer funds from qualified plans
20 maintained by the city, or other qualified retirement plans
21 ~~upon reemployment~~, he or she shall have 6 months from the
22 reemployment date to repay the withdrawn contributions plus 8
23 percent interest compounded annually from the date of
24 withdrawal. However, the plan from which such funds are
25 transferred must permit the transfer to be made and the
26 transfer must not jeopardize the tax-exempt status of this
27 plan or create adverse tax consequences for the city.

28 (2) Former nonmembers of the plan.--Any employee who
29 has separated from employment, hereinafter referred to as
30 "nonemployment," with the city for any reason, who has never
31 been a member of the General Pension and Retirement Fund, and

1 who is reemployed within 10 years after the last separation
2 date may elect to have his or her eligible prior service years
3 added to his or her subsequent service for the purpose of
4 computing the period of service under the plan. The employee
5 shall not be entitled to buy back periods of nonemployment
6 except as provided by section 14 of this act. Service years
7 eligible for another city-defined benefit plan shall not be
8 included in the calculation of the period of service under the
9 General Pension and Retirement Fund. The employee shall have 6
10 months from the date of reemployment to pay or transfer funds
11 from qualified plans maintained by the city, or other
12 qualified retirement plans, an amount determined by the plan
13 administrator to be sufficient to cover such period of
14 eligible prior service years at 8 percent interest compounded
15 annually. However, the plan from which such funds are
16 transferred must permit the transfer to be made and the
17 transfer must not jeopardize the tax-exempt status of this
18 plan or create adverse tax consequences for the city.

19 Section 5. Section 17 of chapter 99-474, Laws of
20 Florida, is amended to read:

21 Section 17. Normal retirement with 20 or more years of
22 credited service under the plan.--

23 (1) All members of the plan who have attained the age
24 of 55 years who have at least 20 credited service years under
25 the plan or, effective October 1, 1999, who regardless of age
26 have 30 credited service years preceding the date of
27 ~~application for retirement~~ may apply for and be entitled to
28 benefits under the provisions of this act. In calculating the
29 years of service under the plan, a major fraction of a year
30 shall be computed as a whole year. A member of the plan must
31 be separated from the employment of the city to receive a

1 pension under the plan pursuant to this section, except as
2 otherwise provided for in section 27.

3 (2) If any member of the plan has not attained the age
4 of 55 years after a period of 20 credited service years under
5 the plan and does not make withdrawal of funds from the
6 General Pension and Retirement Fund, such employee shall be
7 eligible to receive a pension after attaining the age of 55
8 years. It is the intent of this provision that said member
9 shall of the plan must have a vested right to said pension. A
10 major fraction of a year of credited service shall be computed
11 as a whole year for the purpose of vesting rights.

12 (3) For the purpose of determining the monthly pension
13 of an employee:

14 (a) The General Pension and Retirement Fund of the
15 city shall pay to each member of the plan retired hereafter,
16 whose credited service years under the plan are not less than
17 20 years and who has attained the age of 55 years or,
18 effective October 1, 1999, who regardless of age has 30
19 credited service years, a pension which has as its basis for
20 calculation the selection of the best 2 years out of the last
21 5 years immediately preceding retirement, and thereby arrive
22 at the average monthly salary of such member. Based upon such
23 average monthly salary, a pension shall be paid according to
24 the following table:

25	
26	75% upon the first.....\$200
27	50% upon the next.....\$100
28	40% upon all in excess thereof; and
29	

30 (b) Any employee who has attained 20 credited years of
31 service under the plan and who elects to remain employed after

1 reaching 55 years of age shall upon retirement be entitled to
2 all of the rights and benefits provided for in this act, and,
3 in addition, the monthly pension shall be increased by 1
4 percent for each year of credited service between the age of
5 55 years and the actual age of retirement, but not for any
6 year beyond the age of 70; or

7 (c) The monthly pension for a member of the plan who
8 retires on or after July 1, 1988, shall be equal to 2 percent
9 of the average monthly salary of the member during the best 2
10 years out of the last 5 years immediately preceding retirement
11 times the number of years of credited service under the plan
12 not in excess of 30 credited service years, unless the
13 payments would be greater if calculated by the applicable
14 formulas set forth above in this subsection; or-

15 (d) The monthly pension for a member of the plan who
16 retires on or after July 1, 2000, shall be equal to 2.1
17 percent of the average monthly salary of the member during the
18 best 2 years out of the last 5 years immediately preceding
19 retirement times the number of years of credited service under
20 the plan not in excess of 30 credited service years, unless
21 the payments would be greater if calculated by the applicable
22 formulas set forth above in this section.

23 (4) The monthly pension shall in no event be less than
24 \$25 for each year of credited service under the plan not in
25 excess of 20 years.

26 Section 6. Section 18 of chapter 99-474, Laws of
27 Florida, is amended to read:

28 Section 18. Early retirement at 25 years of credited
29 service, ~~having attained the age of 45 years.--~~

30 (1)(a) Any member of the plan who has 25 credited
31 service years under the plan prior to attaining the age of 55

1 years may retire at any time ~~after reaching the age of 45~~
 2 ~~years~~ and receive a reduced pension, which shall have as its
 3 basis for calculation the selection of the best 2 years out of
 4 the last 5 years immediately preceding retirement, and thereby
 5 arrive at the average monthly salary of such member. A major
 6 fraction of a year of credited service under the plan shall be
 7 computed as a whole year. A member of the plan must be
 8 separated from the employment of the city to receive a pension
 9 under the plan pursuant to this section, except as otherwise
 10 provided for in section 27.Based upon such average monthly
 11 salary, a pension shall be paid according to the following
 12 table:

13

14	75% upon the first.....	\$200
15	50% upon the next.....	\$100
16	40% upon all in excess thereof; or	

17

18 (b) The monthly pension for a member of the plan who
 19 retires on or after July 1, 1988, shall be equal to 2 percent
 20 of the average monthly salary of the member during the best 2
 21 years out of the last 5 years immediately preceding retirement
 22 times the number of years of credited service under the plan
 23 not in excess of 30 years, unless the payments would be
 24 greater if calculated by the formula set forth above.

25 (2) After said amount has been determined, the sum
 26 payable shall be adjusted by the following factors for early
 27 retirement as may be applicable to the member's age at the
 28 time of retirement:

29

30 Retirement Factors

31

	Age at retirement	Factor
1		
2		
3		
4	55	1.000
5	54	.928
6	53	.856
7	52	.784
8	51	.730
9	50	.676
10	49	.622
11	48	.586
12	47	.550
13	46	.514
14	45	.478
15		

16 (3) The monthly pension shall in no event be less than
17 \$25 for each year of credited service not in excess of 20
18 years.

19 (4)(a) Notwithstanding subsections (1)(b) and (2),
20 effective July 1, 2000, the monthly pension for a member of
21 the plan who retires on or after July 1, 2000, shall be equal
22 to 2.1 percent of the average monthly salary of the member
23 during the best 2 years out of the last 5 years immediately
24 preceding retirement times the number of years of credited
25 service under the plan not in excess of 30 credited service
26 years, unless the payments would be greater if calculated by
27 the applicable formulas set forth above in this section.

28 (b) After said amount has been determined, the sum
29 payable shall be adjusted by the following factors for early
30 retirement as may be applicable to the member's age at the
31 time of retirement if less than the age of 55, or the member's

1 years of credited service if less than 30 years but greater
 2 than 25 years, whichever will provide the greater benefit:

3
 4 Retirement Factors (Age)

<u>Age at retirement</u>	<u>Factor</u>
<u>55</u>	<u>1.00</u>
<u>54</u>	<u>.97</u>
<u>53</u>	<u>.94</u>
<u>52</u>	<u>.91</u>
<u>51</u>	<u>.88</u>
<u>50</u>	<u>.85</u>
<u>49</u>	<u>.82</u>
<u>48</u>	<u>.79</u>
<u>47</u>	<u>.76</u>
<u>46</u>	<u>.73</u>
<u>45</u>	<u>.70</u>
<u>44</u>	<u>.67</u>
<u>43</u>	<u>.64</u>
<u>42</u>	<u>.61</u>
<u>41</u>	<u>.58</u>

24
 25 Retirement Factors (Years)

<u>Years of Service</u>	<u>Factor</u>
<u>30</u>	<u>1.00</u>
<u>29</u>	<u>.97</u>

1	<u>28</u>	<u>.94</u>
2	<u>27</u>	<u>.91</u>
3	<u>26</u>	<u>.88</u>
4	<u>25</u>	<u>.85</u>

5 Section 7. Section 19 of chapter 99-474, Laws of
6 Florida, is amended to read:

7 Section 19. Normal retirement with less than 20 years
8 of credited service under the plan.--After a period of 10
9 credited years of service under the plan, any member of the
10 plan not having made withdrawal of funds from the General
11 Pension and Retirement Fund shall be eligible to receive a
12 pension upon attaining the age of 60 years. Said member of the
13 plan shall have a vested right to said pension. However, any
14 member of the plan leaving employment must have a period of
15 not less than 10 credited service years under the plan in
16 order to obtain a vested interest and right to pension
17 benefits. A major fraction of a year of credited service shall
18 not be computed as a whole year for the purpose of vesting
19 rights. A member of the plan must be separated from the
20 employment of the city to receive a pension under the plan
21 pursuant to this section, except as otherwise provided for in
22 section 27.

23 (1)(a) The General Pension and Retirement Fund of the
24 city shall pay to those members of the plan with less than 20
25 credited service years under the plan a pension which shall
26 have as its basis for calculation the selection of the best 2
27 years out of the last 5 years immediately preceding
28 retirement, and thereby arrive at the average monthly salary
29 of such member. A major fraction of a year of credited service
30 under the plan shall be computed as a whole year. Based upon
31

1 such average monthly salary, a pension shall be paid according
2 to the following table:

3	
4	75% upon the first.....\$200
5	50% upon the next.....\$100
6	40% upon all in excess thereof; and
7	

8 (b) After said amount has been determined, the sum
9 payable shall be reduced to the percentage set opposite the
10 number of years of credited service shown in the following
11 schedule:

12	
13	For 10 years of service.....60%
14	For 11 years of service.....63%
15	For 12 years of service.....66%
16	For 13 years of service.....69%
17	For 14 years of service.....72%
18	For 15 years of service.....75%
19	For 16 years of service.....80%
20	For 17 years of service.....85%
21	For 18 years of service.....90%
22	For 19 years of service.....95%
23	

24 (2) The monthly pension shall in no event be less than
25 \$25 for each year of credited service under the plan not in
26 excess of 20 years.

27 Section 8. Subsection (1) of section 21 of chapter
28 99-474, Laws of Florida, is amended to read:

29 Section 21. Disability injury or illness in line of
30 duty.--If any member of the plan, due to injury or illness in
31 the line of duty, makes application for retirement and is

1 entitled to the benefits under this act, the General Pension
2 and Retirement Fund of the city shall pay according to the
3 following schedule:

4 (1)(a) The General Pension and Retirement Fund of the
5 city shall pay to each member of the plan retired hereafter
6 because of injury or illness in the line of duty, whose period
7 of credited service under the plan is not less than 20 years,
8 a pension which has as its basis for calculation the selection
9 of the best 2 years out of the last 5 years immediately
10 preceding retirement, and thereby arrive at the average
11 monthly salary of such member. Based upon such average monthly
12 salary, a pension shall be paid according to the following
13 table:

- 14
- 15 75% upon the first.....\$200
- 16 50% upon the next.....\$100
- 17 40% upon all in excess thereof; and
- 18

19 (b) Any employee who has attained 20 years of credited
20 service under the plan and who elects to remain employed after
21 reaching 55 years of age shall upon disability retirement be
22 entitled to all of the rights and benefits provided for in
23 this act, and, in addition, the monthly pension shall be
24 increased by 1 percent for each year of service between the
25 age of 55 years and the actual age of disability retirement,
26 but not for any year beyond the age of 70; or

27 (c) The monthly pension for a member of the plan who
28 retires on or after July 1, 1988, shall be equal to 2 percent
29 of the average monthly salary of the member during the best 2
30 years out of the last 5 years immediately preceding disability
31 retirement times the number of years of credited service under

1 the plan not in excess of 30 years, unless the payments would
2 be greater if calculated by the applicable formulas set forth
3 above in this section; or-

4 (d) The monthly pension for a member of the plan who
5 retires on or after July 1, 2000, shall be equal to 2.1
6 percent of the average monthly salary of the member during the
7 best 2 years out of the last 5 years immediately preceding
8 retirement times the number of years of credited service under
9 the plan not in excess of 30 credited service years, unless
10 the payments would be greater if calculated by the applicable
11 formulas set forth above in this section.

12 Section 9. Section 23 of chapter 99-474, Laws of
13 Florida, is amended to read:

14 Section 23. Disability injury or illness not in the
15 line of duty.--

16 (1) If any member of the plan who, due to injuries or
17 illness not in the line of duty, makes application for
18 disability retirement and is entitled to the benefits under
19 this act, the General Pension and Retirement Fund of the City
20 of Pensacola shall pay according to the following schedule. In
21 computing the number of years of credited service under the
22 plan, a major fraction of a year shall be computed as a whole.
23 The disability benefits provided for shall be in addition to
24 any other benefits payable.

25 (2)~~(1)~~(a) The General Pension and Retirement Fund of
26 the city shall pay to each member of the plan retired
27 hereafter because of injuries or illness not in the line of
28 duty, whose period of credited service is not less than 20
29 years, a pension which has as its basis for calculation the
30 selection of the best 2 years out of the last 5 years
31 immediately preceding retirement, and thereby arrive at the

1 average monthly salary of such member. Based upon such average
2 monthly salary, a pension shall be paid according to the
3 following table:

4
5 75% upon the first.....\$200
6 50% upon the next.....\$100
7 40% upon all in excess thereof; and

8
9 (b) Any employee who has attained 20 years of credited
10 service under the plan and who elects to remain employed after
11 reaching 55 years of age shall upon retirement be entitled to
12 all of the rights and benefits provided in this act, and, in
13 addition, the monthly pension shall be increased by 1 percent
14 for each year of credited service between the age of 55 years
15 and the actual age of retirement, but not for any year beyond
16 the age of 70; or

17 (c) The monthly pension for a member of the plan who
18 retires on or after July 1, 1988, shall be equal to 2 percent
19 of the average monthly salary of the member during the best 2
20 years out of the last 5 years immediately preceding retirement
21 times the number of years of credited service under the plan
22 not in excess of 30 years, unless the payments would be
23 greater if calculated by the applicable formulas set forth
24 above in this section; ~~or~~

25 (d) The monthly pension for a member of the plan who
26 retires on or after July 1, 2000, shall be equal to 2.1
27 percent of the average monthly salary of the member during the
28 best 2 years out of the last 5 years immediately preceding
29 retirement times the number of years of credited service under
30 the plan not in excess of 30 credited service years, unless

31

1 the payments would be greater if calculated by the applicable
2 formulas set forth above in this section.

3 (3)~~(2)~~(a) The General Pension and Retirement Fund of
4 the city shall pay to those members of the plan retired
5 hereafter because of injury or illness not in the line of
6 duty, whose period of credited service under the plan is less
7 than 20 years, a pension which has as its basis for
8 calculation the selection of the best 2 years out of the last
9 5 years immediately preceding retirement, and thereby arrive
10 at the average monthly salary of such member. Based upon such
11 average monthly salary, a pension shall be paid according to
12 the following table:

13	
14	75% upon the first.....\$200
15	50% upon the next.....\$100
16	40% upon all in excess thereof; and
17	

18 (b) After said amount has been determined, the sum
19 payable shall be reduced to the percentage set opposite the
20 number of years of credited service shown in the following
21 schedule:

22	
23	For 10 years of service.....60%
24	For 11 years of service.....63%
25	For 12 years of service.....66%
26	For 13 years of service.....69%
27	For 14 years of service.....72%
28	For 15 years of service.....75%
29	For 16 years of service.....80%
30	For 17 years of service.....85%
31	For 18 years of service.....90%

1 For 19 years of service.....95%

2

3 ~~(4)~~(3) The monthly pension shall in no event be less
4 than \$25 for each year of credited service under the plan not
5 in excess of 20 years.

6 ~~(5)~~(4) In the event any member of the plan with less
7 than 10 years of credited service under the plan becomes
8 totally or partially disabled not in the line of duty and such
9 member is disabled to such an extent that he or she cannot
10 properly discharge the duties of his or her employment, such
11 member shall receive, in lieu of a pension, a refund of the
12 total amount of his or her contributions to the General
13 Pension and Retirement Fund. A major fraction of a year of
14 credited service shall not be computed as a whole year for the
15 purpose of vesting rights.

16 (a) The maximum amount of a refund of contributions
17 shall equal the amount of contributions by the member of the
18 plan less any amount of pension benefit received by the member
19 of the plan.

20 (b) Distribution election and distribution of a refund
21 of contributions shall be made within 90 days after
22 eligibility. If no election is made, distribution shall be in
23 a lump-sum payment.

24 (c) Any refund of the member's contributions under
25 this act shall be in full satisfaction of any and all claims
26 by any person against the General Pension and Retirement Fund.

27 Section 10. Paragraph (b) of subsection (2) of section
28 24 of chapter 99-474, Laws of Florida, is amended to read:

29 Section 24. Other benefit provisions.--

30 (2) In the event of the death of an individual
31 eligible to receive benefits under this act, his or her

1 dependents or beneficiaries shall become immediately entitled
2 to the benefits herein provided.

3 (b) If there is no surviving spouse or eligible
4 dependent children, then the member's beneficiary, if any, a
5 ~~beneficiary~~ shall be entitled only to a refund of the
6 contributions of the deceased member of the plan.

7 1. The maximum amount of a refund of contributions
8 shall equal the amount of contributions by the member of the
9 plan less any amount of pension benefit received by the member
10 of the plan and/or the member's dependents.

11 2. Distribution election and distribution of a refund
12 of contributions shall be made within 90 days after
13 eligibility. If no election is made, distribution shall be in
14 a lump-sum payment.

15 3. Any refund of the member's contributions under this
16 act shall be in full satisfaction of any and all claims by any
17 person against the General Pension and Retirement Fund.

18 Section 11. Section 31 of chapter 99-474, Laws of
19 Florida, is created to read:

20 Section 31. Election of members to participate in
21 other defined benefit pension plans.--

22 (1) On or after October 18, 1999, if a member of this
23 plan elects to participate in another of the city's defined
24 benefit pension plans, contributions to this plan required
25 under sections 32 and 33 shall cease. If such an election is
26 made, nonvested members of the plan shall receive a refund of
27 their contributions. Vested members may receive a refund of
28 contributions in lieu of a future pension benefit or they may
29 leave their contributions in the plan with their pension
30 commencing as otherwise provided for herein. In such case, the
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1 pension benefit shall be calculated at the time contributions
2 cease and further benefits shall not accrue.

3 (2) Members of the plan as described in subsection
4 (1), who remain in the employment of the city, and who once
5 again become eligible to participate in this plan, shall be
6 entitled to the benefits provided in section 13.

7 Section 12. Section 37 of chapter 99-474, Laws of
8 Florida, is created to read:

9 Section 37. Additional benefits.--The city may by
10 ordinance increase the benefits of the members of the plan.

11 Section 13. All laws or parts of laws in conflict
12 herewith are hereby repealed.

13 Section 14. This act shall take effect upon becoming a
14 law.

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