

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 The Committee on Governmental Operations offered the
12 following:

14 **Amendment (with title amendment)**

15 Remove from the bill: Everything after the enacting clause
16
17 and insert in lieu thereof:

18 Section 1. The City of Tampa is authorized and
19 empowered to enter into a supplemental contract with each
20 firefighter or police officer who became an active or
21 contributing member of the City Pension Fund for Firefighters
22 and Police Officers in the City of Tampa on or after October
23 16, 1992, or who hereafter enters into a pension contract with
24 the City, amending Section 25 of the City of Tampa
25 Firefighters and Police Officers Pension Contract as
26 prescribed by Section 28-17 of the City of Tampa Code
27 (Ordinance No. 4746-A, enacted September 30, 1969), as amended
28 by Section 28-19 of the City of Tampa Code (Ordinance No.
29 6038-A, enacted September 17, 1974), pursuant to chapter
30 74-613, Laws of Florida, as further amended by chapter 92-231,
31 Laws of Florida, chapter 94-463, Laws of Florida, and chapter

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1 98-515, Laws of Florida, to read:

2 Section 25.

3 (A) To the extent that any provision of this contract
4 is in conflict with sections 112.60-.67, Florida Statutes, or
5 other ~~these~~ provisions of the Florida Statutes made applicable
6 to the Fund, excluding chapters 175 and 185, Florida Statutes,
7 that apply to local law plans established by municipal
8 ordinance or special act, or provisions of Florida Statutes
9 made applicable to pension funds established by special act,
10 these provisions of Florida Statutes shall prevail. To the
11 extent that any provision of this contract would result in a
12 forfeiture of the right of the Pension Fund to participate in
13 the distribution of the tax funds established in chapters 175
14 and 185, Florida Statutes, those provisions of the Florida
15 Statutes shall prevail.

16 (B) To the extent that any provision of this contract
17 would result in the loss of the tax-exempt status of the Fund,
18 such contractual provision shall be null and void.

19 (C) To the extent any provision of this contract is
20 not in compliance with the minimum benefits provisions of
21 chapters 175 and 185, Florida Statutes, that apply to the
22 Fund, the non-compliance with which would result in a
23 forfeiture of the right the loss of tax exempt status of the
24 Fund, such contractual provision shall be null and void to
25 participate in the distribution of the premium tax funds
26 established in chapters 175 and 185, Florida Statutes, the
27 City is authorized to amend this contract by local ordinance
28 to cure such non-compliance, only to the extent that
29 additional premium tax revenues become available to
30 incrementally fund the cost of such compliance, such ordinance
31 is consistent with the terms of a collective bargaining

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1 agreement entered into among the City and the certified
2 bargaining agents for firefighters and police officers, the
3 procedures for the adoption of such ordinance are consistent
4 with section 112.63(3), Florida Statutes, and such ordinance
5 is adopted prior to March 31, 2003. Any local ordinance
6 adopted by the City pursuant to this subparagraph shall be
7 incorporated by reference into the pension contract of each
8 firefighter and police officer who is an active or
9 contributing member of the Fund on the date the amendments to
10 such contract provided in such ordinance become effective.

11 (D) To the extent that any provision of this contract
12 is not in compliance with the minimum standards provisions of
13 chapters 175 and 185, Florida Statutes, that apply to the
14 Fund, the non-compliance with which would result in a
15 forfeiture of the right of the Fund to participate in the
16 distribution of the premium tax funds established in chapters
17 175 and 185, Florida Statutes, the City is authorized to amend
18 this contract by local ordinance to cure such non-compliance,
19 provided such ordinance is consistent with the terms of a
20 collective bargaining agreement entered into among the City
21 and the certified bargaining agents for firefighters and
22 police officers, and such ordinance is adopted prior to March
23 31, 2003. Any local ordinance adopted by the City pursuant to
24 this subparagraph shall be incorporated by reference into the
25 pension contract of each firefighter and police officer who is
26 an active or contributing member of the Fund on the date the
27 amendments to such contract provided in such ordinance become
28 effective.

29 Section 2. The City of Tampa is authorized and
30 empowered to enter into a supplemental contract with each
31 firefighter or police officer who became an active or

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1 contributing member of the City Pension Fund for Firefighters
2 and Police Officers in the City of Tampa prior to October 16,
3 1992, creating Section 25 of the City of Tampa Firefighters
4 and Police Officers Pension Contract to read:

5 Section 25.

6 (A) To the extent that any provision of this contract
7 is in conflict with sections 112.60-.67, Florida Statutes, or
8 other provisions of the Florida Statutes made applicable to
9 the Fund, excluding chapters 175 and 185, Florida Statutes,
10 those provisions of the Florida Statutes shall prevail.

11 (B) To the extent that any provision of this contract
12 would result in the loss of the tax-exempt status of the Fund,
13 such contractual provision shall be null and void.

14 (C) To the extent that any provision of this contract
15 is not in compliance with the minimum benefits provisions of
16 chapters 175 and 185, Florida Statutes, that apply to the
17 Fund, the non-compliance with which would result in a
18 forfeiture of the right of the Fund to participate in the
19 distribution of the premium tax funds established in chapters
20 175 and 185, Florida Statutes, the City is authorized to amend
21 this contract by local ordinance to cure such non-compliance,
22 only to the extent that additional premium tax revenues become
23 available to incrementally fund the cost of such compliance,
24 such ordinance is consistent with the terms of a collective
25 bargaining agreement entered into among the City and the
26 certified bargaining agents for firefighters and police
27 officers, the procedures for the adoption of such ordinance
28 are consistent with section 112.63(3), Florida Statutes, and
29 such ordinance is adopted prior to March 31, 2003. Any local
30 ordinance adopted by the City pursuant to this subparagraph
31 shall be incorporated by reference into the pension contract

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1 of each firefighter and police officer who is an active or
2 contributing member of the Fund on the date the amendments to
3 such contract provided in such ordinance become effective.

4 (D) To the extent that any provision of this contract
5 is not in compliance with the minimum standards provisions to
6 chapters 175 and 185, Florida Statutes, that apply to the
7 Fund, the non-compliance with which would result in a
8 forfeiture of the right of the Fund to participate in the
9 distribution of the premium tax funds established in chapters
10 175 and 185, Florida Statutes, the City is authorized to amend
11 this contract by local ordinance to cure such non-compliance,
12 provided such ordinance is consistent with the terms of a
13 collective bargaining agreement entered into among the City
14 and the certified bargaining agents for firefighters and
15 police officers, and such ordinance is adopted prior to March
16 31, 2003. Any local ordinance adopted by the City pursuant to
17 this subparagraph shall be incorporated by reference into the
18 pension contract of each firefighter and police officer who is
19 an active or contributing member of the Fund on the date the
20 amendments to such contract provided in such ordinance become
21 effective.

22 Section 3. The City of Tampa Firefighters and Police
23 Officers Pension Contract as prescribed by Section 28-17 of
24 the City of Tampa Code (Ordinance No. 4746-A, enacted
25 September 30, 1969), as amended by Section 28-19 of the City
26 of Tampa Code (Ordinance No. 6038-A, enacted September 17,
27 1974), pursuant to chapter 74-613, Laws of Florida; as further
28 amended by Ordinance No. 89-314, enacted December 21, 1989,
29 and approved, ratified, validated, and confirmed by chapter
30 90-391, Laws of Florida, and as further amended by chapter
31 94-463, Laws of Florida, and chapter 98-515, Laws of Florida,

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1 is in all other respects approved, ratified, validated, and
2 confirmed.

3 Section 4. This act shall take effect upon becoming a
4 law.

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7 ===== T I T L E A M E N D M E N T =====

8 And the title is amended as follows:

9 remove from the title of the bill: the entire title
10
11 and insert in lieu thereof:

12 A bill to be entitled
13 An act relating to the City of Tampa,
14 Hillsborough County, and particularly to the
15 City Pension Fund for Firefighters and Police
16 Officers in the City of Tampa; authorizing the
17 City of Tampa to enter into a supplemental
18 contract with certain firefighters and police
19 officers to provide for compliance with the
20 minimum standards and benefits with respect to
21 pension funds provided under chapters 175 and
22 185, Florida Statutes; confirming in part the
23 City of Tampa Firefighters and Police Officers
24 Pension Contract; providing an effective date.

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