

1 A bill to be entitled
2 An act relating to the City of Tampa,
3 Hillsborough County, and particularly to the
4 City Pension Fund for Firefighters and Police
5 Officers in the City of Tampa; authorizing the
6 City of Tampa to enter into a supplemental
7 contract with certain firefighters and police
8 officers to provide for compliance with the
9 minimum standards and benefits with respect to
10 pension funds provided under chapters 175 and
11 185, Florida Statutes; confirming in part the
12 City of Tampa Firefighters and Police Officers
13 Pension Contract; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. The City of Tampa is authorized and
18 empowered to enter into a supplemental contract with each
19 firefighter or police officer who became an active or
20 contributing member of the City Pension Fund for Firefighters
21 and Police Officers in the City of Tampa on or after October
22 16, 1992, or who hereafter enters into a pension contract with
23 the City, amending Section 25 of the City of Tampa
24 Firefighters and Police Officers Pension Contract as
25 prescribed by Section 28-17 of the City of Tampa Code
26 (Ordinance No. 4746-A, enacted September 30, 1969), as amended
27 by Section 28-19 of the City of Tampa Code (Ordinance No.
28 6038-A, enacted September 17, 1974), pursuant to chapter
29 74-613, Laws of Florida, as further amended by chapter 92-231,
30 Laws of Florida, chapter 94-463, Laws of Florida, and chapter
31 98-515, Laws of Florida, to read:

1 Section 25.

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

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

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

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

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

28 Section 2. The City of Tampa is authorized and
29 empowered to enter into a supplemental contract with each
30 firefighter or police officer who became an active or
31 contributing member of the City Pension Fund for Firefighters

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

4 Section 25.

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

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

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

1 contributing member of the Fund on the date the amendments to
2 such contract provided in such ordinance become effective.

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

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

31

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.

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