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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.

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

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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,

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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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