

By Senators Hargrett, Lee, Grant and Sebesta

21-906A-00

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, F.S.; confirming in part the City of Tampa  
12          Firefighters and Police Officers Pension  
13          Contract; providing an effective date.

14  
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 was 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 the date  
22 this act becomes a law, or who hereafter enters into a pension  
23 contract with the City, amending Section 25 of the City of  
24 Tampa 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 112.60-112.67 ~~112.60-.67~~, Florida  
4 Statutes, or other those provisions of the Florida Statutes  
5 made applicable to pension funds established by special act,  
6 excluding chapters 175 and 185, Florida Statutes that apply to  
7 local law plans established by municipal ordinance or special  
8 act, or provisions of Florida Statutes made applicable to  
9 pension funds established by special act, those provisions of  
10 Florida Statutes shall prevail. To the extent that any  
11 provision of this contract would result in a forfeiture of the  
12 right of the Pension Fund to participate in the distribution  
13 of the tax funds established in chapters 175 and 185, Florida  
14 Statutes, those provisions of the Florida Statutes shall  
15 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  
18 Pension Fund, such contractual provision shall be null and  
19 void.

20 (C) To the extent that any provision of this contract  
21 is not in compliance with the minimum standards and benefits  
22 provisions of chapters 175 and 185, Florida Statutes, that  
23 apply to local law plans established by municipal ordinance or  
24 special act, the non-compliance with which would result in a  
25 forfeiture of the right the loss of tax exempt status of the  
26 Pension Fund to participate in the distribution of the premium  
27 tax funds established in chapters 175 and 185, Florida  
28 Statutes, the City is authorized to amend this contract by  
29 local ordinance to cure such noncompliance, if additional  
30 premium tax revenues become available to incrementally fund  
31 the cost of such compliance and such ordinance is consistent

1 with the terms of a collective bargaining agreement entered  
2 into among the City and the certified bargaining agents for  
3 firefighters and police officers, ~~such contractual provision~~  
4 ~~shall be null and void.~~

5           Section 2. The City of Tampa Firefighters and Police  
6 Officers Pension Contract as prescribed by Section 28-17 of  
7 the City of Tampa Code [Ordinance No. 4746-A, enacted  
8 September 30, 1969], as amended by Section 28-19 of the City  
9 of Tampa Code [Ordinance No. 6038-A, enacted September 17,  
10 1974], pursuant to chapter 74-613, Laws of Florida; as further  
11 amended by Ordinance No. 89-314, enacted December 21, 1989,  
12 and approved, ratified, validated, and confirmed by chapter  
13 90-391, Laws of Florida; and as further amended by chapter  
14 94-463, Laws of Florida, and chapter 98-515, Laws of Florida,  
15 is in all other respects approved, ratified, validated, and  
16 confirmed.

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