

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

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

Representative(s) Pruitt offered the following:

Amendment (with title amendment)

On page 78, between lines 5 and 6

insert:

Section 30. Effective July 1, 2001, paragraph (a) of subsection (4) of section 121.091, Florida Statutes, is amended to read:

121.091 Benefits payable under the system.--Benefits may not be paid under this section unless the member has terminated employment as provided in s. 121.021(39)(a) or begun participation in the Deferred Retirement Option Program as provided in subsection (13), and a proper application has been filed in the manner prescribed by the department. The department may cancel an application for retirement benefits when the member or beneficiary fails to timely provide the information and documents required by this chapter and the department's rules. The department shall adopt rules establishing procedures for application for retirement benefits and for the cancellation of such application when the

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1 required information or documents are not received.

2 (4) DISABILITY RETIREMENT BENEFIT.--

3 (a) Disability retirement; entitlement and effective
4 date.--

5 1.a. A member who becomes totally and permanently
6 disabled, as defined in paragraph (b), after completing 5
7 years of creditable service, or a member who becomes totally
8 and permanently disabled in the line of duty regardless of
9 service, shall be entitled to a monthly disability benefit;
10 except that any member with less than 5 years of creditable
11 service on July 1, 1980, or any person who becomes a member of
12 the Florida Retirement System on or after such date must have
13 completed 10 years of creditable service prior to becoming
14 totally and permanently disabled in order to receive
15 disability retirement benefits for any disability which occurs
16 other than in the line of duty. However, if a member employed
17 on July 1, 1980, with less than 5 years of creditable service
18 as of that date, becomes totally and permanently disabled
19 after completing 5 years of creditable service and is found
20 not to have attained fully insured status for benefits under
21 the federal Social Security Act, such member shall be entitled
22 to a monthly disability benefit.

23 b. Effective July 1, 2001, a member of the defined
24 benefit retirement program who becomes totally and permanently
25 disabled, as defined in paragraph (b), after completing 8
26 years of creditable service, or a member who becomes totally
27 and permanently disabled in the line of duty regardless of
28 service, shall be entitled to a monthly disability benefit.

29 2. If the division has received from the employer the
30 required documentation of the member's termination of
31 employment, the effective retirement date for a member who

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1 applies and is approved for disability retirement shall be
2 established by rule of the division.

3 3. For a member who is receiving Workers' Compensation
4 payments, the effective disability retirement date may not
5 precede the date the member reaches Maximum Medical
6 Improvement (MMI), unless the member terminates employment
7 prior to reaching MMI.

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9
10 ===== T I T L E A M E N D M E N T =====

11 And the title is amended as follows:

12 On page 2, line 11, after the semicolon

13
14 insert:

15 amending s. 121.091, F.S.; reducing the service
16 time required to qualify for disability
17 benefits to 8 years;

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