

By Representatives Justice, Stansel, Richardson, Wiles,
Siplin, Romeo, Seiler, Henriquez and Benson

1 A bill to be entitled
2 An act relating to retirement; amending s.
3 121.021, F.S.; redefining the term "bonus," for
4 purposes of determining compensation under the
5 Florida Retirement System, to exclude certain
6 payments under the Florida Mentor Teacher
7 School Pilot Program and the Excellent Teaching
8 Program; providing an effective date.

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

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12 Section 1. Subsection (47) of section 121.021, Florida
13 Statutes, is amended to read:

14 121.021 Definitions.--The following words and phrases
15 as used in this chapter have the respective meanings set forth
16 unless a different meaning is plainly required by the context:

17 (47) "Bonus" means a payment made in addition to an
18 employee's regular or overtime salary. A bonus is usually
19 nonrecurring, does not increase the employee's base rate of
20 pay, and includes no commitment for payment in a subsequent
21 year. Such payments are not considered compensation. Effective
22 July 1, 1989, employers may not report such payments to the
23 division as salary, and may not make retirement contributions
24 on such payments.

25 (a) A payment is a bonus if any of the following
26 circumstances apply:

- 27 1. The payment is not made according to a formal
28 written policy that applies to all eligible employees equally.
29 2. The payment commences later than the 11th year of
30 employment.
31 3. The payment is not based on permanent eligibility.

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- 1 4. The payment is made less frequently than annually.
- 2 (b) Bonuses shall include, but not be limited to, the
- 3 following:
- 4 1. Exit bonus or severance pay.
- 5 2. Longevity payments in conformance with the
- 6 provisions of paragraph (a).
- 7 3. Salary increases granted pursuant to an employee's
- 8 agreement to retire, including increases paid over several
- 9 months or years prior to retirement.
- 10 4. Payments for accumulated overtime or compensatory
- 11 time, reserve time, or holiday time worked, if not made within
- 12 11 months of the month in which the work was performed.
- 13 5. Quality Instruction Incentives Program (QUIIP)
- 14 Payments, except payments made pursuant to ss. 231.700 and
- 15 236.08106, which shall be considered compensation pursuant to
- 16 subsection (22).
- 17 6. Lump sum payments in recognition of employees'
- 18 accomplishments.

19 Section 2. This act shall take effect July 1, 2001.

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22 SENATE SUMMARY

23 Redefines the term "bonus," for purposes of the Florida
24 Retirement System, to exclude from that definition
25 payments made under the Florida Mentor Teacher School
26 Pilot Program and the Excellent Teaching Program; such
27 payments would constitute compensation for the purposes
28 of calculating retirement benefits.
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