

By Senators Brown-Waite, Latvala, Bronson, Saunders, Diaz de la Portilla, Campbell, Sullivan, Garcia and Miller

10-535-01

See HB 149

1 A bill to be entitled
2 An act relating to the Florida Retirement
3 System; amending s. 121.091, F.S.; providing
4 that increased retirement disability benefits
5 for special risk members apply to all such
6 special risk members regardless of retirement
7 date; providing an effective date.

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

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11 Section 1. Paragraph (f) of subsection (4) of section
12 121.091, Florida Statutes, is amended to read:

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

26 (4) DISABILITY RETIREMENT BENEFIT.--

27 (f) Computation of disability retirement benefit.--The
28 amount of each monthly payment shall be computed in the same
29 manner as for a normal retirement benefit, in accordance with
30 subsection (1), but shall be based on disability option
31 actuarial equivalency tables and the average monthly

1 compensation and creditable service of the member as of the
2 disability retirement date, subject to the following
3 conditions:

4 1. If the member's disability occurred in the line of
5 duty, the monthly Option 1 benefit shall not be less than:

6 a. Forty-two percent of average monthly compensation
7 as of the disability retirement date; or

8 b. Sixty-five percent of the average monthly
9 compensation as of the disability retirement date for a member
10 of the special risk class ~~who retires on or after July 1,~~
11 ~~2000~~; or

12 2. If the member's disability occurred other than in
13 the line of duty, the monthly Option 1 benefit shall not be
14 less than 25 percent of average monthly compensation as of the
15 disability retirement date.

16 Section 2. (1) Effective July 1, 2001, in order to
17 fund the benefits provided in section 1 of this act the
18 contribution rates that apply to the Special Risk Class of the
19 Florida Retirement System shall be increased by 0. percentage
20 points.

21 (2) This increase shall be in addition to all other
22 changes to such contribution rates which may be enacted into
23 law to take effect on that date. The Division of Statutory
24 Revision is directed to adjust accordingly the contribution
25 rates set forth in section 121.071, Florida Statutes.

26 Section 3. The Legislature finds that a proper and
27 legitimate state purpose is served when employees and retirees
28 of the state and of its political subdivisions, and the
29 dependents, survivors, and beneficiaries of such employees and
30 retirees, are extended the basic protections afforded by
31 governmental retirement systems that provide fair and adequate

1 benefits that are managed, administered, and funded in an
2 actuarially sound manner, as required by Section 14, Article X
3 of the State Constitution and part VII of chapter 112, Florida
4 Statutes. Therefore, the Legislature determines and declares
5 that this act fulfills an important state interest.

6 Section 4. This act shall take effect July 1, 2001.

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9 LEGISLATIVE SUMMARY

10 Provides that described disability retirement benefits
11 for members of the Special Risk Class of the Florida
12 Retirement System apply to all such special risk members,
13 regardless of the date of retirement.
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