

By Senator Burt

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

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

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

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

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

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

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

- 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.

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

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SENATE SUMMARY

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

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