

By Senator Burt

16-446-02

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A bill to be entitled

An act relating to the Florida Retirement System; amending s. 121.091, F.S.; providing that increased retirement disability benefits for special risk members apply to all such special risk members regardless of retirement date; providing an effective date.

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

Section 1. Paragraph (f) 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 required information or documents are not received.

(4) DISABILITY RETIREMENT BENEFIT.--

(f) Computation of disability retirement benefit.--The amount of each monthly payment shall be computed in the same manner as for a normal retirement benefit, in accordance with subsection (1), but shall be based on disability option 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, 2002, 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, 2002.

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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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