

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Vana offered the following:

Amendment to Amendment (483919) (with title amendment)

Remove line(s) 541-747, and insert:

or who are employees in public schools or the Florida School for the Deaf and the Blind and who have received authorization by the district school superintendent or the Board of Trustees of the Florida School for the Deaf and the Blind to participate in the DROP beyond 60 months, the 96-month limitation period as provided in subparagraph (b)1. When establishing eligibility of the member to participate in the DROP for the 60-month or, with respect to members who are instructional or administrative personnel employed by a community college in areas of critical need identified by the district board of trustees and who have received authorization by the district board of trustees to participate in the DROP beyond 60 months, or who are employees

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28 in public schools or the Florida School for the Deaf and the
29 Blind and who have received authorization by the district school
30 superintendent or the Board of Trustees of the Florida School
31 for the Deaf and the Blind to participate in the DROP beyond 60
32 months, the 96-month maximum participation period, the member
33 may elect to include or exclude any optional service credit
34 purchased by the member from the total service used to establish
35 the normal retirement date. A member with dual normal retirement
36 dates shall be eligible to elect to participate in DROP within
37 12 months after attaining normal retirement date in either
38 class.

39 3. The employer of a member electing to participate in the
40 DROP, or employers if dually employed, shall acknowledge in
41 writing to the division the date the member's participation in
42 the DROP begins and the date the member's employment and DROP
43 participation will terminate.

44 4. Simultaneous employment of a participant by additional
45 Florida Retirement System employers subsequent to the
46 commencement of participation in the DROP shall be permissible
47 provided such employers acknowledge in writing a DROP
48 termination date no later than the participant's existing
49 termination date or the 60-month limitation period as provided
50 in subparagraph (b)1.

51 5. A DROP participant may change employers while
52 participating in the DROP, subject to the following:

53 a. A change of employment must take place without a break
54 in service so that the member receives salary for each month of
55 continuous DROP participation. If a member receives no salary
56 during a month, DROP participation shall cease unless the

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57 employer verifies a continuation of the employment relationship
58 for such participant pursuant to s. 121.021(39)(b).

59 b. Such participant and new employer shall notify the
60 division on forms required by the division as to the identity of
61 the new employer.

62 c. The new employer shall acknowledge, in writing, the
63 participant's DROP termination date, which may be extended but
64 not beyond the original 60-month or, with respect to members who
65 are instructional or administrative personnel employed by a
66 community college in areas of critical need identified by the
67 district board of trustees and who have received authorization
68 by the district board of trustees to participate in the DROP
69 beyond 60 months, or who are employees in public schools or the
70 Florida School for the Deaf and the Blind and who have received
71 authorization by the district school superintendent or the Board
72 of Trustees of the Florida School for the Deaf and the Blind to
73 participate in the DROP beyond 60 months, the 96-month period
74 provided in subparagraph (b)1., shall acknowledge liability for
75 any additional retirement contributions and interest required if
76 the participant fails to timely terminate employment, and shall
77 be subject to the adjustment required in sub-subparagraph
78 (c)5.d.

79 6. Effective July 1, 2001, for instructional personnel as
80 defined in s. 1012.01(2), election to participate in the DROP
81 shall be made at any time following the date on which the member
82 first reaches normal retirement date. The member shall advise
83 his or her employer and the division in writing of the date on
84 which the Deferred Retirement Option Program shall begin. When
85 establishing eligibility of the member to participate in the

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86 DROP for the 60-month or, with respect to members who are
87 instructional or administrative personnel employed by a
88 community college in areas of critical need identified by the
89 district board of trustees and who have received authorization
90 by the district board of trustees to participate in the DROP
91 beyond 60 months, or who are employees in public schools or the
92 Florida School for the Deaf and the Blind and who have received
93 authorization by the district school superintendent or the Board
94 of Trustees of the Florida School for the Deaf and the Blind to
95 participate in the DROP beyond 60 months, the 96-month maximum
96 participation period, as provided in subparagraph (b)1., the
97 member may elect to include or exclude any optional service
98 credit purchased by the member from the total service used to
99 establish the normal retirement date. A member with dual normal
100 retirement dates shall be eligible to elect to participate in
101 either class.

102 (b) Participation in the DROP.--

103 1. An eligible member may elect to participate in the DROP
104 for a period not to exceed a maximum of 60 calendar months or,
105 with respect to members who are instructional or administrative
106 personnel employed by a community college in areas of critical
107 need identified by the district board of trustees and who have
108 received authorization by the district board of trustees to
109 participate in the DROP beyond the initial 60 calendar months on
110 an annual contractual basis, or who are employees in public
111 schools or the Florida School for the Deaf and the Blind and who
112 have received authorization by the district school
113 superintendent or the Board of Trustees of the Florida School
114 for the Deaf and the Blind to participate in the DROP beyond 60

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115 calendar months on an annual contractual basis, a maximum of 96
116 calendar months immediately following the date on which the
117 member first reaches his or her normal retirement date or the
118 date to which he or she is eligible to defer his or her election
119 to participate as provided in subparagraph (a)2. However, a
120 member who has reached normal retirement date prior to the
121 effective date of the DROP shall be eligible to participate in
122 the DROP for a period of time not to exceed 60 calendar months
123 or, with respect to members who are instructional or
124 administrative personnel employed by a community college in
125 areas of critical need identified by the district board of
126 trustees and who have received authorization by the district
127 board of trustees to participate in the DROP beyond the initial
128 60 calendar months on an annual contractual basis, or who are
129 employees in public schools or the Florida School for the Deaf
130 and the Blind and who have received authorization by the
131 district school superintendent or the Board of Trustees of the
132 Florida School for the Deaf and the Blind to participate in the
133 DROP beyond 60 calendar months on an annual contractual basis, a
134 maximum of 96 calendar months immediately following the
135 effective date of the DROP, except a member of the Special Risk
136 Class who has reached normal retirement date prior to the
137 effective date of the DROP and whose total accrued value exceeds
138 75 percent of average final compensation as of his or her
139 effective date of retirement shall be eligible to participate in
140 the DROP for no more than 36 calendar months immediately
141 following the effective date of the DROP.

142 2. Upon deciding to participate in the DROP, the member
143 shall submit, on forms required by the division:

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144 a. A written election to participate in the DROP;

145 b. Selection of the DROP participation and termination
146 dates, which satisfy the limitations stated in paragraph (a) and
147 subparagraph 1. Such termination date shall be in a binding
148 letter of resignation with the employer, establishing a deferred
149 termination date. The member may change the termination date
150 within the limitations of subparagraph 1., but only with the
151 written approval of his or her employer;

152 c. A properly completed DROP application for service
153 retirement as provided in this section; and

154 d. Any other information required by the division.

155 3. The DROP participant shall be a retiree under the
156 Florida Retirement System for all purposes, except for paragraph
157 (5)(f) and subsection (9) and ss. 112.3173, 112.363, 121.053,
158 and 121.122. However, participation in the DROP does not alter
159 the participant's employment status and such employee shall not
160 be deemed retired from employment until his or her deferred
161 resignation is effective and termination occurs as provided in
162 s. 121.021(39).

163 4. Elected officers shall be eligible to participate in
164 the DROP subject to the following:

165 a. An elected officer who reaches normal retirement date
166 during a term of office may defer the election to participate in
167 the DROP until the next succeeding term in that office. Such
168 elected officer who exercises this option may participate in the
169 DROP for up to 60 calendar months or a period of no longer than
170 such succeeding term of office, whichever is less.

171 b. An elected or a nonelected participant may run for a
172 term of office while participating in DROP and, if elected,

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173 extend the DROP termination date accordingly, except, however,
 174 if such additional term of office exceeds the 60-month
 175 limitation established in subparagraph 1., and the officer does
 176 not resign from office within such 60-month limitation, the
 177 retirement and the participant's DROP shall be null and void as
 178 provided in sub-subparagraph (c)5.d.

179 c. An elected officer who is dually employed and elects to
 180 participate in DROP shall be required to satisfy the definition
 181 of termination within the 60-month or, with respect to members
 182 who are instructional or administrative personnel employed by a
 183 community college in areas of critical need identified by the
 184 district board of trustees and who have received authorization
 185 by the district board of trustees to participate in the DROP
 186 beyond 60 months, or who are employees in public schools or the
 187 Florida School for the Deaf and the Blind and who have received
 188 authorization by the district school superintendent or the Board
 189 of Trustees of the Florida School for the Deaf and the Blind to
 190 participate in the DROP beyond 60 months, the 96-month
 191 limitation period as provided in

192
193 ===== T I T L E A M E N D M E N T =====

194 Remove line(s) 4827, and insert:

195 certain personnel who receive