

1 A bill to be entitled
2 An act relating to firefighter and municipal
3 police pensions; creating s. 175.025, F.S.;
4 providing a short title; creating s. 175.1015,
5 F.S.; authorizing the Department of Revenue to
6 create and maintain a database for use by
7 insurers that report and remit an excise tax on
8 property insurance premiums; providing
9 incentives to insurers for using the database
10 and penalties for failure to use the database;
11 requiring local governments to provide
12 information to the department; appropriating
13 funds to the department for the administration
14 of the database; authorizing the department to
15 adopt rules; creating s. 185.015, F.S.;
16 providing a short title; creating s. 185.085,
17 F.S.; authorizing the Department of Revenue to
18 create and maintain a database for use by
19 insurers that report and remit an excise tax on
20 casualty insurers premiums; providing
21 incentives to insurers for using the database
22 and penalties for failure to use the database;
23 requiring local governments to provide
24 information to the department; appropriating
25 funds to the department for the administration
26 of the database; authorizing the department to
27 adopt rules; providing for distribution of tax
28 revenues through 2007; amending s. 175.351,,
29 F.S.; providing for the meaning of the term
30 "extra benefits" with respect to pension plans
31 for firefighters; amending s. 185.35, F.S.;

1 providing for the meaning of the term "extra
2 benefits" with respect to pension plans for
3 municipal police officers; amending s. 175.061,
4 F.S.; authorizing the plan administrator to
5 withhold certain funds; amending s. 185.05,
6 F.S.; authorizing the plan administrator to
7 withhold certain funds; providing an
8 appropriation to the Department of Revenue;
9 providing an effective date.

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

12
13 Section 1. Section 175.025, Florida Statutes, is
14 created to read:

15 175.025 Short title.--This chapter may be cited as the
16 "Marvin B. Clayton Firefighters Pension Trust Fund Act."

17 Section 2. Section 175.1015, Florida Statutes, is
18 created to read:

19 175.1015 Determination of local premium tax situs.--

20 (1)(a) Any insurance company that is obligated to
21 report and remit the excise tax on property insurance premiums
22 imposed under s. 175.101 shall be held harmless from any
23 liability, including, but not limited to, liability for taxes,
24 interest, or penalties that would otherwise be due solely as a
25 result of an assignment of an insured property to an incorrect
26 local taxing jurisdiction if the insurance company exercises
27 due diligence in applying an electronic database provided by
28 the Department of Revenue under subsection (2). Insurance
29 companies that do not use the electronic database provided by
30 the Department of Revenue or that do not exercise due
31 diligence in applying the electronic database for tax years on

1 or after January 1, 2006, are subject to a 0.5 percent penalty
2 on the portion of the premium pertaining to any insured risk
3 that is improperly assigned, whether assigned to an improper
4 local taxing jurisdiction, not assigned to a local taxing
5 jurisdiction when it should be assigned to a local taxing
6 jurisdiction, or assigned to a local taxing jurisdiction when
7 it should not be assigned to a local taxing jurisdiction.

8 (b) Any insurance company that is obligated to report
9 and remit the excise tax on commercial property insurance
10 premiums imposed under s. 175.101 and is unable, after due
11 diligence, to assign an insured property to a specific local
12 taxing jurisdiction for purposes of complying with
13 paragraph(a) shall remit the excise tax on commercial property
14 insurance premiums using a methodology of apportionment in a
15 manner consistent with the remittance for the 2004 calendar
16 year. An insurance company which makes two contacts with the
17 agent responsible for a commercial property insurance
18 application for the purpose of verifying information on the
19 application necessary for the assignment to the appropriate
20 taxing jurisdiction, shall be considered to have exercised due
21 diligence. Any insurance company which complies with the
22 provisions of this paragraph shall not be subject to the
23 penalty provided in paragraph (a).

24 (2)(a) The Department of Revenue shall, subject to
25 legislative appropriation, create as soon as practical and
26 feasible, and thereafter shall maintain, an electronic
27 database that conforms to any format approved by the American
28 National Standards Institute's Accredited Standards Committee
29 X12 and that designates for each street address and address
30 range in the state, including any multiple postal street
31 addresses applicable to one street location, the local taxing

1 jurisdiction in which the street address and address range is
2 located, and the appropriate code for each such participating
3 local taxing jurisdiction, identified by one nationwide
4 standard numeric code. The nationwide standard numeric code
5 must contain the same number of numeric digits, and each digit
6 or combination of digits must refer to the same level of
7 taxing jurisdiction throughout the United States and must be
8 in a format similar to FIPS 55-3 or other appropriate standard
9 approved by the Federation of Tax Administrators and the
10 Multistate Tax Commission. Each address or address range must
11 be provided in standard postal format, including the street
12 number, street number range, street name, and zip code. Each
13 year after the creation of the initial database, the
14 Department of Revenue shall annually create and maintain a
15 database for the current tax year. Each annual database must
16 be calendar-year specific.

17 (b)1. Each participating local taxing jurisdiction
18 shall furnish to the Department of Revenue all information
19 needed to create the electronic database as soon as practical
20 and feasible. The information furnished to the Department of
21 Revenue must specify an effective date.

22 2. Each participating local taxing jurisdiction shall
23 furnish to the Department of Revenue all information needed to
24 create and update the current year's database, including
25 changes in annexations, incorporations, and reorganizations
26 and any other changes in jurisdictional boundaries, as well as
27 changes in eligibility to participate in the excise tax
28 imposed under this chapter. The information must specify an
29 effective date and must be furnished to the Department of
30 Revenue by July 1 of the current year.

31

1 3. The Department of Revenue shall create and update
2 the current year's database in accordance with the information
3 furnished by participating local taxing jurisdictions under
4 subparagraph 1. or subparagraph 2., as appropriate. To the
5 extent practicable, the Department of Revenue shall post each
6 new annual database on a web site by September 1 of each year.
7 Each participating local taxing jurisdiction shall have access
8 to this web site and, within 30 days thereafter, shall provide
9 any corrections to the Department of Revenue. The Department
10 of Revenue shall finalize the current year's database and post
11 it on a web site by November 1 of the current year. If a
12 dispute in jurisdictional boundaries cannot be resolved so
13 that changes in boundaries may be included, as appropriate, in
14 the database by November 1, the changes may not be
15 retroactively included in the current year's database and the
16 boundaries will remain the same as in the previous year's
17 database. The finalized database must be used in assigning
18 policies and premiums to the proper local taxing jurisdiction
19 for the insurance premium tax return due on the following
20 March 1 for the tax year 2005. For subsequent tax years, the
21 finalized database must be used in assigning policies and
22 premiums to the proper local taxing jurisdiction for the
23 insurance premium tax return due for the tax year beginning on
24 or after the January 1 following the website posting of the
25 database. Information contained in the electronic database is
26 conclusive for purposes of this chapter. The electronic
27 database is not an order, a rule, or a policy of general
28 applicability.

29 4. Each annual database must identify the additions,
30 deletions, and other changes to the preceding version of the
31 database.

1 (3)(a) As used in this section, the term "due
2 diligence" means the care and attention that is expected from
3 and is ordinarily exercised by a reasonable and prudent person
4 under the circumstances.

5 (b) Notwithstanding any law to the contrary, an
6 insurance company is exercising due diligence if the insurance
7 company complies with the provisions of paragraph (1)(b) or if
8 the insurance company assigns an insured's premium to local
9 taxing jurisdictions in accordance with the Department of
10 Revenue's annual database and with respect to such database:

11 1. Expends reasonable resources to accurately and
12 reliably implement such method;

13 2. Maintains adequate internal controls to correctly
14 include in its database of policyholders the location of the
15 property insured, in the proper address format, so that
16 matching with the department's database is accurate; and

17 3. Corrects errors in the assignment of addresses to
18 local taxing jurisdictions within 120 days after the insurance
19 company discovers the errors.

20 (4) There is annually appropriated from the moneys
21 collected under this chapter and deposited in the Police and
22 Firefighter's Premium Tax Trust Fund an amount sufficient to
23 pay the expenses of the Department of Revenue in administering
24 this section, but not to exceed \$50,000 annually, adjusted
25 annually by the lesser of a 5 percent increase or the
26 percentage of growth in the total collections.

27 (5) The Department of Revenue shall adopt rules
28 necessary to administer this section, including rules
29 establishing procedures and forms.

30 (6) Any insurer that is obligated to collect and remit
31 the tax on property insurance imposed under s. 175.101 shall

1 be held harmless from any liability, including, but not
2 limited to, liability for taxes, interest, or penalties that
3 would otherwise be due solely as a result of an assignment of
4 an insured property to an incorrect local taxing jurisdiction,
5 based on the collection and remission of the tax accruing
6 before January 1, 2005, if the insurer collects and reports
7 this tax consistent with filings for periods before January 1,
8 2005. Further, any insurer that is obligated to collect and
9 remit the tax on property insurance imposed under this section
10 is not subject to an examination under s. 624.316 or s.
11 624.3161 which would occur solely as a result of an assignment
12 of an insured property to an incorrect local taxing
13 jurisdiction, based on the collection and remission of such
14 tax accruing before January 1, 2005.

15 Section 3. Section 185.015, Florida Statutes, is
16 created to read:

17 185.015 Short title.--This chapter may be cited as the
18 "Marvin B. Clayton Police Officers Pension Trust Fund Act."

19 Section 4. Section 185.085, Florida Statutes, is
20 created to read:

21 185.085 Determination of local premium tax situs.--

22 (1)(a) Any insurance company that is obligated to
23 report and remit the excise tax on casualty insurance premiums
24 imposed under s. 185.08 shall be held harmless from any
25 liability, including, but not limited to, liability for taxes,
26 interest, or penalties that would otherwise be due solely as a
27 result of an assignment of an insured property to an incorrect
28 local taxing jurisdiction if the insurance company exercises
29 due diligence in applying an electronic database provided by
30 the Department of Revenue under subsection (2). Insurance
31 companies that do not use the electronic database provided by

1 the Department of Revenue or that do not exercise due
2 diligence in applying the electronic database for tax years on
3 or after January 1, 2006, are subject to a 0.5 percent penalty
4 on the portion of the premium pertaining to any insured risk
5 that is improperly assigned, whether assigned to an improper
6 local taxing jurisdiction, not assigned to a local taxing
7 jurisdiction when it should be assigned to a local taxing
8 jurisdiction, or assigned to a local taxing jurisdiction when
9 it should not be assigned to a local taxing jurisdiction.

10 (b) Any insurance company that is obligated to report
11 and remit the excise tax on commercial casualty insurance
12 premiums imposed under s. 185.08 and is unable, after due
13 diligence, to assign an insured property to a specific local
14 taxing jurisdiction for purposes of complying with
15 paragraph(a) shall remit the excise tax on commercial casualty
16 insurance premiums using a methodology of apportionment in a
17 manner consistent with the remittance for the 2004 calendar
18 year. An insurance company which makes two contacts with the
19 agent responsible for a commercial casualty insurance
20 application for the purpose of verifying information on the
21 application necessary for the assignment to the appropriate
22 taxing jurisdiction, shall be considered to have exercised due
23 diligence. Any insurance company which complies with the
24 provisions of this paragraph shall not be subject to the
25 penalty provided in paragraph (a).

26 (2)(a) The Department of Revenue shall, subject to
27 legislative appropriation, create as soon as practical and
28 feasible, and thereafter shall maintain, an electronic
29 database that conforms to any format approved by the American
30 National Standards Institute's Accredited Standards Committee
31 X12 and that designates for each street address and address

1 range in the state, including any multiple postal street
2 addresses applicable to one street location, the local taxing
3 jurisdiction in which the street address and address range is
4 located, and the appropriate code for each such participating
5 local taxing jurisdiction, identified by one nationwide
6 standard numeric code. The nationwide standard numeric code
7 must contain the same number of numeric digits, and each digit
8 or combination of digits must refer to the same level of
9 taxing jurisdiction throughout the United States and must be
10 in a format similar to FIPS 55-3 or other appropriate standard
11 approved by the Federation of Tax Administrators and the
12 Multistate Tax Commission. Each address or address range must
13 be provided in standard postal format, including the street
14 number, street number range, street name, and zip code. Each
15 year after the creation of the initial database, the
16 Department of Revenue shall annually create and maintain a
17 database for the current tax year. Each annual database must
18 be calendar-year specific.

19 (b)1. Each participating local taxing jurisdiction
20 shall furnish to the Department of Revenue all information
21 needed to create the electronic database as soon as practical
22 and feasible. The information furnished to the Department of
23 Revenue must specify an effective date.

24 2. Each participating local taxing jurisdiction shall
25 furnish to the Department of Revenue all information needed to
26 create and update the current year's database, including
27 changes in annexations, incorporations, and reorganizations
28 and any other changes in jurisdictional boundaries, as well as
29 changes in eligibility to participate in the excise tax
30 imposed under this chapter. The information must specify an
31

1 effective date and must be furnished to the Department of
2 Revenue by July 1 of the current year.

3 3. The Department of Revenue shall create and update
4 the current year's database in accordance with the information
5 furnished by participating local taxing jurisdictions under
6 subparagraph 1. or subparagraph 2., as appropriate. To the
7 extent practicable, the Department of Revenue shall post each
8 new annual database on a web site by September 1 of each year.
9 Each participating local taxing jurisdiction shall have access
10 to this web site and, within 30 days thereafter, shall provide
11 any corrections to the Department of Revenue. The Department
12 of Revenue shall finalize the current year's database and post
13 it on a web site by November 1 of the current year. If a
14 dispute in jurisdictional boundaries cannot be resolved so
15 that changes in boundaries may be included, as appropriate, in
16 the database by November 1, the changes may not be
17 retroactively included in the current year's database and the
18 boundaries will remain the same as in the previous year's
19 database. The finalized database must be used in assigning
20 policies and premiums to the proper local taxing jurisdiction
21 for the insurance premium tax return due on the following
22 March 1 for the tax year 2005. For subsequent tax years, the
23 finalized database must be used in assigning policies and
24 premiums to the proper local taxing jurisdiction for the
25 insurance premium tax return due for the tax year beginning on
26 or after the January 1 following the website posting of the
27 database. Information contained in the electronic database is
28 conclusive for purposes of this chapter. The electronic
29 database is not an order, a rule, or a policy of general
30 applicability.

31

1 4. Each annual database must identify the additions,
2 deletions, and other changes to the preceding version of the
3 database.

4 (3)(a) As used in this section, the term "due
5 diligence" means the care and attention that is expected from
6 and is ordinarily exercised by a reasonable and prudent person
7 under the circumstances.

8 (b) Notwithstanding any law to the contrary, an
9 insurance company is exercising due diligence if the insurance
10 company complies with the provisions of paragraph (1)(b) or if
11 the insurance company assigns an insured's premium to local
12 taxing jurisdictions in accordance with the Department of
13 Revenue's annual database and with respect to such database:

14 1. Expends reasonable resources to accurately and
15 reliably implement such method;

16 2. Maintains adequate internal controls to correctly
17 include in its database of policyholders the location of the
18 property insured, in the proper address format, so that
19 matching with the department's database is accurate; and

20 3. Corrects errors in the assignment of addresses to
21 local taxing jurisdictions within 120 days after the insurance
22 company discovers the errors.

23 (4) There is annually appropriated from the moneys
24 collected under this chapter and deposited in the Police and
25 Firefighter's Premium Tax Trust Fund an amount sufficient to
26 pay the expenses of the Department of Revenue in administering
27 this section, but not to exceed \$50,000 annually, adjusted
28 annually by the lesser of a 5 percent increase or the
29 percentage of growth in the total collections.

30
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1 (5) The Department of Revenue shall adopt rules
2 necessary to administer this section, including rules
3 establishing procedures and forms.

4 (6)(a) Notwithstanding any other law, a methodology,
5 formula, or database that is adopted in any year after January
6 1, 2005, may not result in a distribution to a participating
7 municipality that has a retirement plan created pursuant to
8 this chapter of an amount of excise tax which is less than the
9 amount distributed to such participating municipality for
10 calendar year 2004. However, if the total proceeds to be
11 distributed for the current year from the excise tax imposed
12 under s. 185.08 are less than the total amount distributed for
13 calendar year 2004, each participating municipality shall
14 receive a current year distribution that is proportionate to
15 its share of the total 2004 calendar year distribution. If the
16 total proceeds to be distributed for the current year from the
17 excise tax imposed under s. 185.08 are greater than or equal
18 to the total amount distributed for calendar year 2004, each
19 participating municipality shall initially be distributed a
20 minimum amount equal to the amount received for calendar year
21 2004. The remaining amount to be distributed for the current
22 year, which equals the total to be distributed for the current
23 year, less minimum distribution amount, shall be distributed
24 to those municipalities with an amount reported for the
25 current year which is greater than the amount distributed to
26 such municipality for calendar year 2004. Each municipality
27 eligible for distribution of this remaining amount shall
28 receive its proportionate share of the remaining amount based
29 upon the amount reported for that municipality, above the
30 calendar year 2004 distribution for the current year, to the
31 total amount over the calendar year 2004 distribution for all

1 municipalities with an amount reported for the current year
2 which is greater than the calendar year 2004 distribution.

3 (b) If a new municipality elects to participate under
4 this chapter during any year after January 1, 2005, such
5 municipality shall receive the total amount reported for the
6 current- year for such municipality. All other participating
7 municipalities shall receive a current year distribution,
8 calculated as provided in this section, which is proportionate
9 to their share of the total 2004 calendar year distribution
10 after subtracting the amount paid to the new participating
11 plans.

12 (c) This subsection expires January 1, 2008.

13 (7) Any insurer that is obligated to collect and remit
14 the tax on casualty insurance imposed under s. 185.08 shall be
15 held harmless from any liability, including, but not limited
16 to, liability for taxes, interest, or penalties that would
17 otherwise be due solely as a result of an assignment of an
18 insured risk to an incorrect local taxing jurisdiction, based
19 on the collection and remission of the tax accruing before
20 January 1, 2005, if the insurer collects and reports this tax
21 consistent with filings for periods before January 1, 2005.
22 Further, any insurer that is obligated to collect and remit
23 the tax on casualty insurance imposed under this section is
24 not subject to an examination under s. 624.316 or s. 624.3161
25 which would occur solely as a result of an assignment of an
26 insured risk to an incorrect local taxing jurisdiction, based
27 on the collection and remission of such tax accruing before
28 January 1, 2005.

29 Section 5. Subsection (1) of section 175.351, Florida
30 Statutes, is amended to read:

31

1 175.351 Municipalities and special fire control
2 districts having their own pension plans for
3 firefighters.--For any municipality, special fire control
4 district, local law municipality, local law special fire
5 control district, or local law plan under this chapter, in
6 order for municipalities and special fire control districts
7 with their own pension plans for firefighters, or for
8 firefighters and police officers, where included, to
9 participate in the distribution of the tax fund established
10 pursuant to s. 175.101, local law plans must meet the minimum
11 benefits and minimum standards set forth in this chapter.

12 (1) PREMIUM TAX INCOME.--If a municipality has a
13 pension plan for firefighters, or a pension plan for
14 firefighters and police officers, where included, which in the
15 opinion of the division meets the minimum benefits and minimum
16 standards set forth in this chapter, the board of trustees of
17 the pension plan, as approved by a majority of firefighters of
18 the municipality, may:

19 (a) Place the income from the premium tax in s.
20 175.101 in such pension plan for the sole and exclusive use of
21 its firefighters, or for firefighters and police officers,
22 where included, where it shall become an integral part of that
23 pension plan and shall be used to pay extra benefits to the
24 firefighters included in that pension plan; or

25 (b) Place the income from the premium tax in s.
26 175.101 in a separate supplemental plan to pay extra benefits
27 to firefighters, or to firefighters and police officers where
28 included, participating in such separate supplemental plan.

29
30 The premium tax provided by this chapter shall in all cases be
31 used in its entirety to provide extra benefits to

1 firefighters, or to firefighters and police officers, where
2 included. However, local law plans in effect on October 1,
3 1998, shall be required to comply with the minimum benefit
4 provisions of this chapter only to the extent that additional
5 premium tax revenues become available to incrementally fund
6 the cost of such compliance as provided in s. 175.162(2)(a).
7 When a plan is in compliance with such minimum benefit
8 provisions, as subsequent additional premium tax revenues
9 become available, they shall be used to provide extra
10 benefits. For the purpose of this chapter, "additional premium
11 tax revenues" means revenues received by a municipality or
12 special fire control district pursuant to s. 175.121 which
13 ~~that~~ exceed that amount received for calendar year 1997, and
14 the term "extra benefits" means benefits in addition to or
15 greater than those provided to general employees of the
16 municipality and in addition to those in existence for
17 firefighters on March 12, 1999. Local law plans created by
18 special act before May 23, 1939, shall be deemed to comply
19 with this chapter.

20 Section 6. Subsection (1) of section 185.35, Florida
21 Statutes, is amended to read:

22 185.35 Municipalities having their own pension plans
23 for police officers.--For any municipality, chapter plan,
24 local law municipality, or local law plan under this chapter,
25 in order for municipalities with their own pension plans for
26 police officers, or for police officers and firefighters where
27 included, to participate in the distribution of the tax fund
28 established pursuant to s. 185.08, local law plans must meet
29 the minimum benefits and minimum standards set forth in this
30 chapter:

31

1 (1) PREMIUM TAX INCOME.--If a municipality has a
2 pension plan for police officers, or for police officers and
3 firefighters where included, which, in the opinion of the
4 division, meets the minimum benefits and minimum standards set
5 forth in this chapter, the board of trustees of the pension
6 plan, as approved by a majority of police officers of the
7 municipality, may:

8 (a) Place the income from the premium tax in s. 185.08
9 in such pension plan for the sole and exclusive use of its
10 police officers, or its police officers and firefighters where
11 included, where it shall become an integral part of that
12 pension plan and shall be used to pay extra benefits to the
13 police officers included in that pension plan; or

14 (b) May place the income from the premium tax in s.
15 185.08 in a separate supplemental plan to pay extra benefits
16 to the police officers, or police officers and firefighters
17 where included, participating in such separate supplemental
18 plan.

19
20 The premium tax provided by this chapter shall in all cases be
21 used in its entirety to provide extra benefits to police
22 officers, or to police officers and firefighters, where
23 included. However, local law plans in effect on October 1,
24 1998, shall be required to comply with the minimum benefit
25 provisions of this chapter only to the extent that additional
26 premium tax revenues become available to incrementally fund
27 the cost of such compliance as provided in s. 185.16(2). When
28 a plan is in compliance with such minimum benefit provisions,
29 as subsequent additional tax revenues become available, they
30 shall be used to provide extra benefits. For the purpose of
31 this chapter, "additional premium tax revenues" means revenues

1 received by a municipality pursuant to s. 185.10 which ~~that~~
2 exceed the amount received for calendar year 1997, and the
3 term "extra benefits" means benefits in addition to or greater
4 than those provided to general employees of the municipality
5 and in addition to those in existence for police officers on
6 March 12, 1999. Local law plans created by special act before
7 May 23, 1939, shall be deemed to comply with this chapter.

8 Section 7. Subsection (7) is added to section 175.061,
9 Florida Statutes, to read:

10 175.061 Board of trustees; members; terms of office;
11 meetings; legal entity; costs; attorney's fees.--For any
12 municipality, special fire control district, chapter plan,
13 local law municipality, local law special fire control
14 district, or local law plan under this chapter:

15 (7) The board of trustees may, upon written request by
16 the retiree of the plan, or by a dependent, when authorized by
17 the retiree or the retiree's beneficiary, authorize the plan
18 administrator to withhold from the monthly retirement payment
19 those funds that are necessary to pay for the benefits being
20 received through the governmental entity from which the
21 employee retired, to pay the certified bargaining agent of the
22 governmental entity, and to make any payments required by law.

23 Section 8. Present subsection (6) of section 185.05,
24 Florida Statutes, is redesignated as subsection (7), and a new
25 subsection (6) is added to that section, to read:

26 185.05 Board of trustees; members; terms of office;
27 meetings; legal entity; costs; attorney's fees.--For any
28 municipality, chapter plan, local law municipality, or local
29 law plan under this chapter:

30 (6) The board of trustees may, upon written request by
31 the retiree of the plan, or by a dependent, when authorized by

1 the retiree or the retiree's beneficiary, authorize the plan
2 administrator to withhold from the monthly retirement payment
3 those funds that are necessary to pay for the benefits being
4 received through the governmental entity from which the
5 employee retired, to pay the certified bargaining agent of the
6 governmental entity, and to make any payments for child
7 support or alimony.

8 Section 9. The sum of \$300,000 is appropriated from
9 the General Revenue Fund to the Department of Revenue for the
10 one-time expense of creating the original database called for
11 by sections 1 and 2 of this act and to support the
12 implementation process for use of the database. It is the
13 intent of the Legislature in providing this appropriation that
14 the database for sections 1 and 2 of this act be available for
15 use in determining the allocation of premiums to the various
16 municipalities and special fire control districts for the 2005
17 insurance premium tax return that is due by March 1, 2006.

18 Section 10. The Legislature finds that a proper and
19 legitimate state purpose is served when employees and retirees
20 of the state and its political subdivisions, and the
21 dependents, survivors, and beneficiaries of such employees and
22 retirees, are extended the basic protections afforded by
23 governmental retirement systems. These persons must be
24 provided benefits that are fair and adequate and that are
25 managed, administered, and funded in an actuarially sound
26 manner, as required by Section 14, Article X of the State
27 Constitution, and part VII of chapter 112, Florida Statutes.
28 Therefore, the Legislature determines and declares that this
29 act fulfills an important state interest.

30 Section 11. This act shall take effect upon becoming a
31 law.