

1 A bill to be entitled
 2 An act relating to the Florida Retirement System; amending
 3 s. 121.111, F.S.; authorizing additional persons to
 4 purchase credit for prior military wartime service;
 5 providing an effective date.

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

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 9 Section 1. Subsection (2) of section 121.111, Florida
 10 Statutes, is amended to read:

11 121.111 Credit for military service.--

12 (2) Any member ~~whose initial date of employment is before~~
 13 ~~January 1, 1987,~~ who has military service as defined in s.
 14 121.021(20)(b) ~~and~~ and who does not claim such service under
 15 subsection (1) may receive creditable service for such military
 16 service if:

17 (a) The member is vested;

18 (b) Creditable service, not to exceed a total of 4 years,
 19 is claimed only as service earned in the Regular Class of
 20 membership; and

21 (c) The member pays into the proper retirement trust fund
 22 4 percent of gross salary, based upon his or her first year of
 23 salary subsequent to July 1, 1945, that he or she has credit for
 24 under this system, plus 4 percent interest thereon compounded
 25 annually from the date of first creditable service under this
 26 chapter until July 1, 1975, and 6.5 percent interest compounded
 27 annually thereafter, until payment is made to the proper
 28 retirement trust fund.

29 (d) The member may not receive credit for any wartime
 30 military service if the member also receives credit for such
 31 service under any federal, state, or local retirement or pension
 32 system where "length of service" is a factor in determining the
 33 amount of compensation received. However, credit for wartime
 34 military service may be received where the member also receives
 35 credit under a pension system providing retired pay for
 36 nonregular service in the Armed Forces of the United States in
 37 accordance with 10 U.S.C. ss. 1331 et seq., as follows:

38 1. Any person whose retirement date under the Florida
 39 Retirement System is prior to July 1, 1985, may claim such
 40 service at any time, as provided in this subsection, upon
 41 payment of contributions and interest as provided in paragraph
 42 (c), with interest computed to the retired member's retirement
 43 date. The benefit shall be recalculated and increased to include
 44 the additional service credit granted for such wartime military
 45 service, and a lump-sum payment shall be made to the retiree for
 46 the amount owed due to the additional service credit,
 47 retroactive to the date of retirement.

48 2. Any person whose retirement date is on or after July 1,
 49 1985, must claim such service and pay the required
 50 contributions, as provided in paragraph (c), prior to the
 51 commencement of his or her retirement benefits, as provided in
 52 this subsection.

53 (e) Any member claiming credit under this subsection must
 54 certify on the form prescribed by the department that credit for
 55 such service has not and will not be claimed for retirement
 56 purposes under any other federal, state, or local retirement or

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57 pension system where "length of service" is a factor in
58 determining the amount of compensation received, except where
59 credit for such service has been granted in a pension system
60 providing retired pay for nonregular service as provided in
61 paragraph (d). If the member dies prior to retirement, the
62 member's beneficiary must make the required certification before
63 credit may be claimed. If such certification is not made by the
64 member or the member's beneficiary, credit for wartime military
65 service shall not be allowed.

66 (f) Service credit awarded for wartime military service
67 shall be the total number of years, months, and days from and
68 including the date of entry into active duty through the date of
69 discharge from active duty, up to a maximum of 4 years. If the
70 military service includes a partial year, it shall be stated as
71 a fraction of a year. Creditable military service shall be
72 calculated in accordance with rule 60S-2.005(2)(j), Florida
73 Administrative Code.

74 Section 2. This act shall take effect July 1, 2005.