

1                                   A bill to be entitled  
 2           An act relating to the Florida Retirement System; amending  
 3           s. 121.021, F.S.; redefining the term "compensation" to  
 4           include certain supplementary payments made to  
 5           firefighters, paramedics, and emergency medical  
 6           technicians and to certain employer-reported retirement  
 7           contributions; providing an effective date.

8  
 9   Be It Enacted by the Legislature of the State of Florida:

10  
 11           Section 1. Paragraph (a) of subsection (22) of section  
 12           121.021, Florida Statutes, is amended to read:

13           121.021 Definitions.--The following words and phrases as  
 14           used in this chapter have the respective meanings set forth  
 15           unless a different meaning is plainly required by the context:

16           (22) "Compensation" means the monthly salary paid a member  
 17           by his or her employer for work performed arising from that  
 18           employment.

19           (a) Compensation shall include:

- 20           1. Overtime payments paid from a salary fund.
- 21           2. Accumulated annual leave payments.
- 22           3. Payments in addition to the employee's base rate of pay
- 23           if all the following apply:

- 24           a. The payments are paid according to a formal written
- 25           policy that applies to all eligible employees equally;

- 26           b. The policy provides that payments shall commence no
- 27           later than the 11th year of employment;

28 c. The payments are paid for as long as the employee  
29 continues his or her employment; and

30 d. The payments are paid at least annually.

31 4. Amounts withheld for tax sheltered annuities or  
32 deferred compensation programs, or any other type of salary  
33 reduction plan authorized under the Internal Revenue Code.

34 5. Payments made in lieu of a permanent increase in the  
35 base rate of pay, whether made annually or in 12 or 26 equal  
36 payments within a 12-month period, when the member's base pay is  
37 at the maximum of his or her pay range. When a portion of a  
38 member's annual increase raises his or her pay range and the  
39 excess is paid as a lump sum payment, such lump sum payment  
40 shall be compensation for retirement purposes.

41 6. Effective July 1, 2002, salary supplements made  
42 pursuant to s. 1012.72 requiring a valid National Board for  
43 Professional Standards certificate, notwithstanding the  
44 provisions of subparagraph 3.

45 7. Effective July 1, 2005, salary supplements made to  
46 firefighters, paramedics, or emergency medical technicians for  
47 the successful completion of employer-approved educational  
48 training or for additional job-related duties and  
49 responsibilities, notwithstanding the provisions of subparagraph  
50 3. For all periods prior to July 1, 2005, employer-reported  
51 retirement contributions on these supplemental payments shall be  
52 compensation.

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