

Bill No. SB 992

Barcode 495042

CHAMBER ACTION

Senate

House

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The Committee on Governmental Oversight and Productivity  
(Lawson) recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 1, line 12,

insert:

Section 1. The Legislature declares that firefighters, emergency medical technicians, paramedics, law enforcement officers, correctional officers, and correctional probation officers, as defined in this act, perform state and municipal functions; that it is their duty to protect life and property at their own risk and peril; that it is their duty to continuously instruct school personnel, public officials, and private citizens about safety; and that their activities are vital to the public safety. Therefore, the Legislature declares that it is a proper and legitimate state purpose to provide a uniform retirement system for the benefit of firefighters, emergency medical technicians, paramedics, law enforcement officers, correctional officers, and correctional probation officers, as defined in this act, and intends, in

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1 implementing the provisions of Section 14, Article X of the  
 2 State Constitution as they relate to municipal and special  
 3 district pension trust fund systems and plans, that such  
 4 retirement systems or plans be managed, administered,  
 5 operated, and funded in such manner as to maximize the  
 6 protection of pension trust funds. Pursuant to Section 18,  
 7 Article VII of the State Constitution, the Legislature  
 8 determines and declares that this act fulfills an important  
 9 state interest.

10           Section 2. Paragraph (b) of subsection (4) of section  
 11 121.091, Florida Statutes, is amended to read:

12           121.091 Benefits payable under the system.--Benefits  
 13 may not be paid under this section unless the member has  
 14 terminated employment as provided in s. 121.021(39)(a) or  
 15 begun participation in the Deferred Retirement Option Program  
 16 as provided in subsection (13), and a proper application has  
 17 been filed in the manner prescribed by the department. The  
 18 department may cancel an application for retirement benefits  
 19 when the member or beneficiary fails to timely provide the  
 20 information and documents required by this chapter and the  
 21 department's rules. The department shall adopt rules  
 22 establishing procedures for application for retirement  
 23 benefits and for the cancellation of such application when the  
 24 required information or documents are not received.

25           (4) DISABILITY RETIREMENT BENEFIT.--

26           (b) Total and permanent disability.--A member shall be  
 27 considered totally and permanently disabled if, in the opinion  
 28 of the administrator, he or she is prevented, by reason of a  
 29 medically determinable physical or mental impairment, from  
 30 rendering useful and efficient service as an officer or  
 31 employee. A Special Risk Class member who is an officer as

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1 defined in s. 943.10(1), (2), or (3); a firefighter as defined  
2 in s. 633.30(1); an emergency medical technician as defined in  
3 s. 401.23(11); or a paramedic as defined in s. 401.23(17) who  
4 is catastrophically injured as defined in s. 121.091(4) in the  
5 line of duty shall be considered totally and permanently  
6 disabled and unable to render useful and efficient service as  
7 an officer, unless the administrator can provide documented  
8 competent medical evidence that the officer is able to render  
9 useful and efficient service as an officer. For purposes of  
10 this subsection, the term "officer" includes law enforcement  
11 officers, correctional officers, and correctional probation  
12 officers as defined in s. 943.10(1), (2), and (3) and  
13 firefighters, emergency medical technicians, and paramedics.

14 Section 3. Effective July 1, 2005, in order to fund  
15 the benefits provided in section 121.091, Florida Statutes, as  
16 amended by this act:

17 (1) The contribution rate that applies to the Special  
18 Risk Class of the defined benefit program of the Florida  
19 Retirement System shall be increased by 0.03 percentage  
20 points.

21 (2) The contribution rate that applies to the Special  
22 Risk Administrative Support Class of the defined benefit  
23 program of the Florida Retirement System shall be increased by  
24 0.20 percentage points.

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26 These increases shall be in addition to all other changes to  
27 such contribution rates which may be enacted into law to take  
28 effect on that date. The Division of Statutory Revision is  
29 directed to adjust accordingly the contribution rates set  
30 forth in section 121.71, Florida Statutes.

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1 (Redesignate subsequent sections.)

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4 ===== T I T L E A M E N D M E N T =====

5 And the title is amended as follows:

6 On page 1, lines 2 and 3, delete the words "the retiree  
7 health insurance subsidy"

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9 and insert:

10 retirement; providing legislative intent;  
11 amending s. 121.091, F.S.; revising provisions  
12 relating to benefits payable for total and  
13 permanent disability for certain Special Risk  
14 Class members of the Florida Retirement System  
15 who are injured in the line of duty; providing  
16 for contribution rate increases to fund  
17 benefits provided in s. 121.091, F.S., as  
18 amended; directing the Division of Statutory  
19 Revision to adjust contribution rates set forth  
20 in s. 121.71, F.S.;

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