

By Senator Aronberg

27-137-06

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

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

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

121.111 Credit for military service.--

~~(2)(a)~~ Any member ~~whose initial date of employment is before January 1, 1987,~~ who has military service as defined in s. 121.021(20)(b)~~7~~ and who does not claim such service under subsection (1) may receive creditable service for such military service if:

1.(a) The member is vested;

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

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

(b)(d) The member may not receive credit for any wartime military service if the member also receives credit

1 | for such service under any federal, state, or local retirement
2 | or pension system where "length of service" is a factor in
3 | determining the amount of compensation received. However,
4 | credit for wartime military service may be received where the
5 | member also receives credit under a pension system providing
6 | retired pay for nonregular service in the Armed Forces of the
7 | United States in accordance with 10 U.S.C. ss. 1331 et seq.,
8 | as follows:

9 | 1. Any person whose retirement date under the Florida
10 | Retirement System is prior to July 1, 1985, may claim such
11 | service at any time, as provided in this subsection, upon
12 | payment of contributions and interest as provided in paragraph
13 | (c), with interest computed to the retired member's retirement
14 | date. The benefit shall be recalculated and increased to
15 | include the additional service credit granted for such wartime
16 | military service, and a lump-sum payment shall be made to the
17 | retiree for the amount owed due to the additional service
18 | credit, retroactive to the date of retirement.

19 | 2. Any person whose retirement date is on or after
20 | July 1, 1985, must claim such service and pay the required
21 | contributions, as provided in paragraph (a)3.~~(e)~~, prior to
22 | the commencement of his or her retirement benefits, as
23 | provided in this subsection.

24 | ~~(c)(e)~~ Any member claiming credit under this
25 | subsection must certify on the form prescribed by the
26 | department that credit for such service has not and will not
27 | be claimed for retirement purposes under any other federal,
28 | state, or local retirement or pension system where "length of
29 | service" is a factor in determining the amount of compensation
30 | received, except where credit for such service has been
31 | granted in a pension system providing retired pay for

1 nonregular service as provided in paragraph (b)~~(d)~~. If the
2 member dies prior to retirement, the member's beneficiary must
3 make the required certification before credit may be claimed.
4 If such certification is not made by the member or the
5 member's beneficiary, credit for wartime military service
6 shall not be allowed.

7 (d)~~(f)~~ Service credit awarded for wartime military
8 service shall be the total number of years, months, and days
9 from and including the date of entry into active duty through
10 the date of discharge from active duty, up to a maximum of 4
11 years. If the military service includes a partial year, it
12 shall be stated as a fraction of a year. Creditable military
13 service shall be calculated in accordance with rule
14 60S-2.005(2)(j), Florida Administrative Code.

15 Section 2. This act shall take effect July 1, 2006.

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18 SENATE SUMMARY

19 Authorizes a member of the Florida Retirement System to
20 purchase credit for prior military wartime service
21 regardless of when the member initially began his or her
22 employment.
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