

Bill No. SB 1342

Barcode 354912

CHAMBER ACTION

Senate

House

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The Committee on Community Affairs (Bennett) recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 1, between lines 30 and 31,

insert:

Section 2. 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

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1 year of salary subsequent to July 1, 1945, that he or she has  
 2 credit for under this system, plus 4 percent interest thereon  
 3 compounded annually from the date of first creditable service  
 4 under this chapter until July 1, 1975, and 6.5 percent  
 5 interest compounded annually thereafter, until payment is made  
 6 to the proper retirement trust fund.

7       ~~(b)(d)~~ The member may not receive credit for any  
 8 wartime military service if the member also receives credit  
 9 for such service under any federal, state, or local retirement  
 10 or pension system where "length of service" is a factor in  
 11 determining the amount of compensation received. However,  
 12 credit for wartime military service may be received where the  
 13 member also receives credit under a pension system providing  
 14 retired pay for nonregular service in the Armed Forces of the  
 15 United States in accordance with 10 U.S.C. ss. 1331 et seq.,  
 16 as follows:

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

27           2. Any person whose retirement date is on or after  
 28 July 1, 1985, must claim such service and pay the required  
 29 contributions, as provided in paragraph (a)3. ~~(c)~~, prior to  
 30 the commencement of his or her retirement benefits, as  
 31 provided in this subsection.

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1           ~~(c)(e)~~ Any member claiming credit under this  
2 subsection must certify on the form prescribed by the  
3 department that credit for such service has not and will not  
4 be claimed for retirement purposes under any other federal,  
5 state, or local retirement or pension system where "length of  
6 service" is a factor in determining the amount of compensation  
7 received, except where credit for such service has been  
8 granted in a pension system providing retired pay for  
9 nonregular service as provided in paragraph~~(b)~~ ~~(d)~~. If the  
10 member dies prior to retirement, the member's beneficiary must  
11 make the required certification before credit may be claimed.  
12 If such certification is not made by the member or the  
13 member's beneficiary, credit for wartime military service  
14 shall not be allowed.

15           ~~(d)(f)~~ Service credit awarded for wartime military  
16 service shall be the total number of years, months, and days  
17 from and including the date of entry into active duty through  
18 the date of discharge from active duty, up to a maximum of 4  
19 years. If the military service includes a partial year, it  
20 shall be stated as a fraction of a year. Creditable military  
21 service shall be calculated in accordance with rule  
22 60S-2.005(2)(j), Florida Administrative Code.

23           Section 3. Effective July 1, 2006, in order to fund  
24 the benefits provided by this act:

25           (1) The contribution rate that applies to the Regular  
26 Class of the Florida Retirement System shall be increased by  
27 0.11 percentage points.

28           (2) The contribution rate that applies to the Special  
29 Risk Class of the Florida Retirement System shall be increased  
30 by 0.16 percentage points.

31           (3) The contribution rate that applies to the Special

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1 Risk Administrative Support Class of the Florida Retirement

2 System shall be increased by 0.21 percentage points.

3 (4) The contribution rate that applies to the Judicial  
4 subclass of the Elected Officers' Class of the Florida  
5 Retirement System shall be increased by 0.20 percentage  
6 points.

7 (5) The contribution rate that applies to the  
8 legislative-attorney-Cabinet subclass of the Elected Officers'  
9 Class of the Florida Retirement System shall be increased by  
10 0.19 percentage points.

11 (6) The contribution rate that applies to the County  
12 Officers' subclass of the Elected Officers' Class of the  
13 Florida Retirement System shall be increased by 0.22  
14 percentage points.

15 (7) The contribution rate that applies to the Senior  
16 Management Service Class of the Florida Retirement System  
17 shall be increased by 0.18 percentage points.

18  
19 These increases shall be in addition to all other changes to  
20 such contribution rates which may be enacted into law to take  
21 effect on that date. The Division of Statutory Revision is  
22 directed to adjust the contribution rates set forth in  
23 sections 121.052, 121.055, and 121.071, Florida Statutes.

24 Section 4. The Legislature finds that a proper and  
25 legitimate state purpose is served when employees and retirees  
26 of the state and its political subdivisions, and the  
27 dependents, survivors, and beneficiaries of such employees and  
28 retirees, are extended the basic protections afforded by  
29 governmental retirement systems. These persons must be  
30 provided benefits that are fair and adequate and that are  
31 managed, administered, and funded in an actuarially sound

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1 manner, as required by Section 14, Article X of the State  
 2 Constitution, and part VII of chapter 112, Florida Statutes.  
 3 Therefore, the Legislature determines and declares that this  
 4 act fulfills an important state interest.

5           Section 5. Present subsections (7) and (8) of section  
 6 322.051, Florida Statutes, are redesignated as subsections (8)  
 7 and (9), respectively, and a new subsection (7) is added to  
 8 that section, to read:

9           322.051 Identification cards.--

10           (7) Any veteran honorably discharged from the United  
 11 States Armed Forces who has been issued a valid identification  
 12 card by the Department of Veterans' Affairs in accordance with  
 13 s. 295.17, has been determined by the United States Department  
 14 of Veterans Affairs or its predecessor to have a 100-percent  
 15 total and permanent service-connected disability rating for  
 16 compensation, or has been determined to have a  
 17 service-connected total and permanent disability rating of 100  
 18 percent and is in receipt of disability retirement pay from  
 19 any branch of the United States Armed Services, and who is  
 20 qualified to obtain an identification card under this chapter,  
 21 is exempt from all fees required by this section.  
 22 Additionally, any honorably discharged veteran 60 years of age  
 23 or older who is otherwise qualified to obtain an  
 24 identification card under this chapter is exempt from all fees  
 25 required by this section.

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 27 (Redesignate subsequent sections.)  
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30 ===== T I T L E   A M E N D M E N T =====

31 And the title is amended as follows:

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1 On page 1, line 2-6, delete those lines

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3 and insert:

4 An act relating to veterans; amending s.

5 295.16, F.S.; expanding an exemption from

6 certain fees relating to structural

7 improvements to a disabled veteran's residence;

8 amending s. 121.111, F.S.; authorizing

9 additional persons to purchase credit for prior

10 military wartime service; revising the payroll

11 contribution rates for the membership classes

12 of the Florida Retirement System; providing a

13 declaration of important state interest;

14 amending s. 296.36, F.S.; authorizing the

15 director of the Department of Veterans' Affairs

16 to waive the residency requirement for

17 admittance to a veterans' nursing home under

18 certain circumstances; amending s. 322.051,

19 F.S.; providing an exemption from certain fees

20 for issuance of state identification cards to

21 veterans; providing an effective date.

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