

By Senator Garcia

40-1238-06

See HB 671

1 A bill to be entitled

2 An act relating to the Florida Retirement

3 System; amending s. 121.0515, F.S.; increasing

4 the percentage of the Special Risk Class

5 accrual value at which certain employees may

6 purchase additional retirement credit for past

7 service; authorizing certain employees to

8 purchase additional retirement credit to

9 upgrade prior service to Special Risk Class

10 service; providing for the calculation of

11 contributions for such service upgrade;

12 authorizing the employer to purchase such

13 additional credit for the employee; providing

14 for contribution rate increases to fund

15 benefits provided in s. 121.0515, F.S., as

16 amended; directing the Division of Statutory

17 Revision to adjust contribution rates set forth

18 in s. 121.71, F.S.; providing a statement of

19 important state interest; providing an

20 effective date.

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

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24 Section 1. Subsection (5) of section 121.0515, Florida

25 Statutes, is amended, and paragraph (c) is added to subsection

26 (9) of that section, to read:

27 121.0515 Special risk membership.--

28 (5) CREDIT FOR PAST SERVICE.--A special risk member

29 may purchase retirement credit in the Special Risk Class based

30 upon past service, and may upgrade retirement credit for such

31 past service, to the extent of 3 ~~2~~ percent of the member's

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

1 average monthly compensation as specified in s. 121.091(1)(a)  
2 for such service as follows:

3 (a) The member may purchase special risk credit for  
4 past service with a city or special district which has elected  
5 to join the Florida Retirement System, or with a participating  
6 agency to which a member's governmental unit was transferred,  
7 merged, or consolidated as provided in s. 121.081(1)(f), if  
8 the member was employed with the city or special district at  
9 the time it commenced participating in the Florida Retirement  
10 System or with the governmental unit at the time of its  
11 transfer, merger, or consolidation with the participating  
12 agency. The service must satisfy the criteria set forth in  
13 subsection (2) for special risk membership as a law  
14 enforcement officer, firefighter, or correctional officer or  
15 an emergency medical technician or a paramedic whose employer  
16 was a licensed Advance Life Support (ALS) or Basic Life  
17 Support (BLS) provider; however, no certificate or waiver of  
18 certificate of compliance with s. 943.1395 or s. 633.35 shall  
19 be required for such service.

20 (b) Contributions for upgrading the additional special  
21 risk credit pursuant to this subsection shall be equal to the  
22 difference in the contributions paid and the special risk  
23 percentage rate of gross salary in effect at the time of  
24 purchase for the period being claimed, plus interest thereon  
25 at the rate of 4 percent a year compounded annually from the  
26 date of such service until July 1, 1975, and 6.5 percent a  
27 year thereafter until the date of payment. This past service  
28 may be purchased by the member or by the employer on behalf of  
29 the member.

30 (9) CREDIT FOR UPGRADED SERVICE.--  
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1           (c) Any member of the Special Risk Class who has  
2 earned creditable service in the Regular Class of the Florida  
3 Retirement System between July 1, 1978, and June 30, 1984,  
4 while attending a certified training academy or other  
5 certified training facility approved by the employer for  
6 certification as a law enforcement officer or correctional  
7 officer, which service is within the purview of the Special  
8 Risk Class, may purchase such service to upgrade to Special  
9 Risk Class service, to the extent of the percentages of the  
10 member's average final compensation as provided in s.  
11 121.091(1)(a)2. Contributions for upgrading such service to  
12 Special Risk Class credit under this paragraph shall be equal  
13 to the difference in the contributions paid and the Special  
14 Risk Class contribution rate as a percentage of gross salary  
15 in effect for the period being claimed, plus interest thereon  
16 at the rate of 6.5 percent per year, compounded annually until  
17 the date of payment. This service credit may be purchased by  
18 the employer on behalf of the member.

19           Section 2. Effective July 1, 2006, in order to fund  
20 the benefit improvements provided in s. 121.0515, Florida  
21 Statutes, as amended by this act, the contribution rate that  
22 applies to the Special Risk Class of the defined benefit  
23 program of the Florida Retirement System shall be increased by  
24 0.07 percentage points. This increase shall be in addition to  
25 all other changes to such contribution rates which may be  
26 enacted into law to take effect on that date. The Division of  
27 Statutory Revision is directed to adjust accordingly the  
28 contribution rates set forth in s. 121.71, Florida Statutes.

29           Section 3. The Legislature finds that a proper and  
30 legitimate state purpose is served when employees and retirees  
31 of the state and its political subdivisions, and the

1 dependents, survivors, and beneficiaries of such employees and  
2 retirees, are extended the basic protections afforded by  
3 governmental retirement systems. These persons must be  
4 provided benefits that are fair and adequate and that are  
5 managed, administered, and funded in an actuarially sound  
6 manner, as required by s. 14, Art. X of the State  
7 Constitution, and part VII of chapter 112, Florida Statutes.  
8 Therefore, the Legislature determines and declares that this  
9 act fulfills an important state interest.

10           Section 4. This act shall take effect upon becoming a  
11 law.

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