

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 certain employer-reported retirement
 7 contributions; providing legislative findings and a
 8 declaration of important state interest; providing an
 9 effective date.

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

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13 Section 1. Paragraph (a) of subsection (22) of section
 14 121.021, Florida Statutes, is amended to read:

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

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

21 (a) Compensation shall include:

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

26 a. The payments are paid according to a formal written
 27 policy that applies to all eligible employees equally;

28 b. The policy provides that payments shall commence no

29 later than the 11th year of employment;

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

32 d. The payments are paid at least annually.

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

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

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

47 7. Effective July 1, 2006, salary supplements made to
48 firefighters, paramedics, or emergency medical technicians for
49 the successful completion of employer-approved educational
50 training or for additional job-related duties and
51 responsibilities, notwithstanding the provisions of subparagraph
52 3. For all periods prior to July 1, 2006, employer-reported
53 retirement contributions on these supplemental payments shall be
54 compensation.

55 Section 2. It is declared by the Legislature that
56 firefighters, emergency medical technicians, and paramedics

57 perform state and municipal functions; that it is their duty to
58 protect life and property at their own risk and peril; that it
59 is their duty to continuously instruct school personnel, public
60 officials, and private citizens about safety; and that their
61 activities are vital to the public safety. Therefore, the
62 Legislature declares that it is a proper and legitimate state
63 purpose to provide a uniform retirement system for the benefit
64 of firefighters, emergency medical technicians, and paramedics
65 and intends, in implementing the provisions of s. 14, Art. X of
66 the State Constitution as they relate to municipal and special
67 district pension trust fund systems and plans, that such
68 retirement systems or plans be managed, administered, operated,
69 and funded in such manner as to maximize the protection of
70 pension trust funds. Pursuant to s. 18, Art. VII of the State
71 Constitution, the Legislature determines and declares that the
72 provisions of this act fulfill an important state interest.

73 Section 3. This act shall take effect July 1, 2006.