

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

6
 7 Be It Enacted by the Legislature of the State of Florida:

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

11 121.111 Credit for military service.--

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

17 1.(a) The member is vested;

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

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

29 (b)~~(d)~~ The member may not receive credit for any wartime
30 military service if the member also receives credit for such
31 service under any federal, state, or local retirement or pension
32 system where "length of service" is a factor in determining the
33 amount of compensation received. However, credit for wartime
34 military service may be received where the member also receives
35 credit under a pension system providing retired pay for
36 nonregular service in the Armed Forces of the United States in
37 accordance with 10 U.S.C. ss. 1331 et seq., as follows:

38 1. Any person whose retirement date under the Florida
39 Retirement System is prior to July 1, 1985, may claim such
40 service at any time, as provided in this subsection, upon
41 payment of contributions and interest as provided in paragraph
42 (c), with interest computed to the retired member's retirement
43 date. The benefit shall be recalculated and increased to include
44 the additional service credit granted for such wartime military
45 service, and a lump-sum payment shall be made to the retiree for
46 the amount owed due to the additional service credit,
47 retroactive to the date of retirement.

48 2. Any person whose retirement date is on or after July 1,
49 1985, must claim such service and pay the required
50 contributions, as provided in subparagraph (a)3. ~~paragraph (c)~~,
51 prior to the commencement of his or her retirement benefits, as
52 provided in this subsection.

53 (c)~~(e)~~ Any member claiming credit under this subsection
54 must certify on the form prescribed by the department that
55 credit for such service has not and will not be claimed for
56 retirement purposes under any other federal, state, or local

57 retirement or pension system where "length of service" is a
58 factor in determining the amount of compensation received,
59 except where credit for such service has been granted in a
60 pension system providing retired pay for nonregular service as
61 provided in paragraph (b)~~(d)~~. If the member dies prior to
62 retirement, the member's beneficiary must make the required
63 certification before credit may be claimed. If such
64 certification is not made by the member or the member's
65 beneficiary, credit for wartime military service shall not be
66 allowed.

67 (d)~~(f)~~ Service credit awarded for wartime military service
68 shall be the total number of years, months, and days from and
69 including the date of entry into active duty through the date of
70 discharge from active duty, up to a maximum of 4 years. If the
71 military service includes a partial year, it shall be stated as
72 a fraction of a year. Creditable military service shall be
73 calculated in accordance with rule 60S-2.005(2)(j), Florida
74 Administrative Code.

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