

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.

HB 1195

2007

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  
42 subparagraph (a)3. ~~paragraph (e)~~, with interest computed to the  
43 retired member's retirement date. The benefit shall be  
44 recalculated and increased to include the additional service  
45 credit granted for such wartime military service, and a lump-sum  
46 payment shall be made to the retiree for the amount owed due to  
47 the additional service credit, retroactive to the date of  
48 retirement.

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

54        (c)~~(e)~~ Any member claiming credit under this subsection  
55 must certify on the form prescribed by the department that  
56 credit for such service has not and will not be claimed for

HB 1195

2007

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

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

76 Section 2. This act shall take effect July 1, 2007.