

1 A bill to be entitled
2 An act relating to public employment; amending s. 110.107,
3 F.S.; providing a definition for "domestic partner";
4 amending s. 110.1227, F.S.; requiring the Florida Employee
5 Long-Term-Care Plan to include domestic partnerships;
6 amending s. 110.123, F.S.; revising definitions; providing
7 domestic partners and surviving domestic partners with
8 certain powers and responsibilities relating to the state
9 group insurance program; authorizing certain legislative
10 members to purchase coverage for surviving domestic
11 partners; creating s. 110.12314, F.S.; providing
12 requirements for filing an Affidavit of Domestic
13 Partnership or documentation of a domestic partnership in
14 another jurisdiction; amending s. 110.151, F.S.;
15 authorizing the Department of Management Services to
16 administer and coordinate child-care services for children
17 of a state officer's or employee's domestic partner;
18 amending s. 110.221, F.S.; revising the definition of
19 "family" to include domestic partners; prohibiting the
20 state from terminating the employment of a career service
21 employee because of the pregnancy of the employee's
22 domestic partner or an adoption by the employee's domestic
23 partner; amending s. 110.1232, F.S.; providing health
24 insurance coverage for certain domestic partners of
25 persons retired under the state-administered retirement
26 system before January 1, 1976; amending s. 110.1522, F.S.;
27 revising family support personnel policies to include
28 leave to care for a domestic partner or the newborn, newly

29 | adopted, or ill child of a domestic partner; amending s.
30 | 112.19, F.S.; providing a definition; providing specified
31 | death benefits for certain domestic partners of law
32 | enforcement, correctional, or correctional probation
33 | officers; amending s. 112.191, F.S.; providing a
34 | definition; providing specified death benefits for certain
35 | domestic partners of firefighters; amending s. 112.193,
36 | F.S.; authorizing the presentation of certain
37 | commemorative service awards to domestic partners;
38 | amending s. 112.312, F.S.; revising definitions; amending
39 | s. 112.313, F.S.; prohibiting certain public employees,
40 | acting on behalf of the public agency, from entering into
41 | specified transactions with, or accepting unauthorized
42 | compensation from, domestic partners or children of
43 | domestic partners; providing exemptions; amending s.
44 | 112.362, F.S.; providing domestic partners with certain
45 | retirement benefits; amending s. 112.363, F.S.;
46 | authorizing certain health insurance subsidy payments for
47 | domestic partners; amending s. 112.1915, F.S.; providing
48 | certain surviving domestic partners of teachers or school
49 | administrators with certain benefits; amending s.
50 | 112.3145, F.S.; revising what constitutes indirect
51 | ownership for purposes of disclosure of certain financial
52 | interests; amending s. 112.3148, F.S.; revising a
53 | definition of "family" in provisions relating to reporting
54 | and prohibited receipt of gifts by individuals filing full
55 | or limited public disclosure of financial interests and by
56 | procurement employees to include domestic partners and

57 | children of domestic partners; amending s. 112.3149, F.S.;
58 | revising a definition; revising a filing requirement
59 | relating to solicitation and disclosure of honoraria;
60 | amending s. 112.3185, F.S.; prohibiting employees from
61 | procuring contractual services for the state with business
62 | entities in which the employee's domestic partner or
63 | domestic partner's child has a material interest; amending
64 | s. 121.021, F.S.; revising the criteria of a "joint
65 | annuitant" to include domestic partners and children of
66 | domestic partners; amending s. 121.052, F.S.; providing
67 | surviving domestic partners with certain responsibilities
68 | regarding member retirement trust fund benefits; amending
69 | s. 121.091, F.S.; providing domestic partners of employees
70 | with specified benefits under the state retirement system;
71 | providing domestic partners with certain rights and
72 | responsibilities under the system; amending s. 121.35,
73 | F.S.; providing domestic partners of employees with
74 | specified benefits under the optional retirement program
75 | for the State University System; amending s. 121.40, F.S.;
76 | providing domestic partners of cooperative extension
77 | personnel at the Institute of Food and Agricultural
78 | Sciences with specified death benefits; amending s.
79 | 121.4501, F.S.; revising provisions relating to the
80 | designation of a beneficiary under the Public Employee
81 | Optional Retirement Program; amending s. 121.591, F.S.;
82 | providing domestic partners of employees with specified
83 | benefits payable under the Public Employee Optional
84 | Retirement Program of the Florida Retirement System;

85 | amending s. 122.02, F.S.; revising a provision relating to
 86 | compensation for accumulated annual leave due and payable
 87 | to include payment to surviving domestic partners;
 88 | amending s. 122.03, F.S.; providing credit for retirement
 89 | purposes for domestic partners of certain county officials
 90 | or former county officials; amending s. 122.08, F.S.;
 91 | authorizing employees to elect to receive a reduced
 92 | retirement compensation with the provision that the
 93 | employee's domestic partner draw specified amounts of
 94 | reduced retirement compensation; providing criteria for
 95 | the determination of the reduced amount of compensation;
 96 | revising provisions relating to the designation of a
 97 | beneficiary to include the naming of a domestic partner;
 98 | amending s. 122.34, F.S.; providing specified benefits for
 99 | surviving domestic partners of certain sheriffs; providing
 100 | an effective date.

101

102 | Be It Enacted by the Legislature of the State of Florida:

103

104 | Section 1. Subsection (32) is added to section 110.107,
 105 | Florida Statutes, to read:

106 | 110.107 Definitions.--As used in this chapter, the term:

107 | (32) "Domestic partner" means an adult of any gender with
 108 | whom a public officer, employee, or retiree is in an exclusive,
 109 | committed relationship and with whom the public officer,
 110 | employee, or retiree executes an Affidavit of Domestic
 111 | Partnership, pursuant to s. 110.12314, stating that:

112 | (a) Both parties are at least 18 years of age.

HB 1053

2008

113 (b) Neither party is married to another person or is the
114 domestic partner, civil union partner, or common-law spouse of
115 another person.

116 (c) The parties are not related by blood by a degree that
117 would prevent marriage in this state.

118 (d) The parties reside together in a common residence and
119 agree to be jointly responsible for the common welfare, basic
120 living expenses, and financial obligations of the household as
121 proven by attaching to the Affidavit of Domestic Partnership
122 evidence of a joint bank account or joint obligation on a loan
123 or evidence of ownership of a joint credit card in addition to
124 one of the following:

125 1. An executed beneficiary form naming the domestic
126 partner as a primary beneficiary in the public officer's or
127 employee's life insurance policy or retirement plan;

128 2. An executed will designating one of the persons as a
129 primary beneficiary in the other person's will;

130 3. A motor vehicle title or registration form denoting
131 joint ownership; or

132 4. A joint deed, mortgage agreement, or lease.

133 Section 2. Paragraph (b) of subsection (1) of section
134 110.1227, Florida Statutes, is amended to read:

135 110.1227 Florida Employee Long-Term-Care Plan Act.--

136 (1) The Legislature finds that state expenditures for
137 long-term-care services continue to increase at a rapid rate and
138 that the state faces increasing pressure in its efforts to meet
139 the long-term-care needs of the public.

HB 1053

2008

140 (b) The Department of Elderly Affairs and the Department
141 of Management Services shall jointly design the plan to provide
142 long-term-care coverage for public employees, family members of
143 public employees, and retirees. The Department of Management
144 Services and the Department of Elderly Affairs shall enter into
145 an interagency agreement defining their roles with regard to
146 plan development and design. Joint planning expenses shall be
147 shared to the extent that funded planning activities are
148 consistent with the goals of the departments. Eligible plan
149 participants must include active and retired officers and
150 employees of all branches and agencies of state and their
151 spouses, domestic partners, children, stepchildren, parents, ~~and~~
152 parents-in-law, and parents of domestic partners; and, upon the
153 affirmative vote of the governing body of any county or
154 municipality in this state, the active and retired officers and
155 employees of any such county or municipality and their spouses,
156 domestic partners, children, stepchildren, parents, ~~and~~ parents-
157 in-law, and parents of domestic partners; and the surviving
158 spouses, domestic partners, children, stepchildren, parents, ~~and~~
159 parents-in-law, and parents of domestic partners of such
160 deceased officers and employees, whether active or retired at
161 the time of death.

162 Section 3. Paragraphs (b), (i), (k), and (m) of subsection
163 (2), paragraph (g) of subsection (3), paragraph (e) of
164 subsection (4), and paragraph (b) of subsection (8) of section
165 110.123, Florida Statutes, are amended to read:

166 110.123 State group insurance program.--

167 (2) DEFINITIONS.--As used in this section, the term:

HB 1053

2008

168 (b) "Enrollee" means all state officers and employees,
169 retired state officers and employees, surviving spouses or
170 domestic partners of deceased state officers and employees, and
171 terminated employees or individuals with continuation coverage
172 who are enrolled in an insurance plan offered by the state group
173 insurance program. "Enrollee" includes all state university
174 officers and employees, retired state university officers and
175 employees, surviving spouses or domestic partners of deceased
176 state university officers and employees, and terminated state
177 university employees or individuals with continuation coverage
178 who are enrolled in an insurance plan offered by the state group
179 insurance program.

180 (i) "State group health insurance plan or plans" or "state
181 plan or plans" mean the state self-insured health insurance plan
182 or plans offered to state officers and employees, retired state
183 officers and employees, and surviving spouses or domestic
184 partners of deceased state officers and employees pursuant to
185 this section.

186 (k) "State group insurance program" or "programs" means
187 the package of insurance plans offered to state officers and
188 employees, retired state officers and employees, and surviving
189 spouses or domestic partners of deceased state officers and
190 employees pursuant to this section, including the state group
191 health insurance plan or plans, health maintenance organization
192 plans, TRICARE supplemental insurance plans, and other plans
193 required or authorized by law.

194 (m) "Surviving spouse or domestic partner" means the
195 widow, ~~or~~ widower, or domestic partner of a deceased state

196 officer, full-time state employee, part-time state employee, or
 197 retiree if such widow, ~~or widower,~~ or domestic partner was
 198 covered as a dependent under the state group health insurance
 199 plan, a TRICARE supplemental insurance plan, or a health
 200 maintenance organization plan established pursuant to this
 201 section at the time of the death of the deceased officer,
 202 employee, or retiree. "Surviving spouse or domestic partner"
 203 also means any widow, ~~or widower,~~ or domestic partner who is
 204 receiving or eligible to receive a monthly state warrant from a
 205 state retirement system as the beneficiary of a state officer,
 206 full-time state employee, or retiree who died prior to July 1,
 207 1979. For the purposes of this section, any such widow, ~~or~~
 208 widower, or domestic partner shall cease to be a surviving
 209 spouse or domestic partner upon his or her remarriage or
 210 subsequent domestic partnership, respectively.

211 (3) STATE GROUP INSURANCE PROGRAM.--

212 (g) Participation by individuals in the program is
 213 available to all state officers, full-time state employees, and
 214 part-time state employees; and such participation in the program
 215 or any plan is voluntary. Participation in the program is also
 216 available to retired state officers and employees, as defined in
 217 paragraph (2)(g), who elect at the time of retirement to
 218 continue coverage under the program, but they may elect to
 219 continue all or only part of the coverage they had at the time
 220 of retirement. A surviving spouse or domestic partner may elect
 221 to continue coverage only under a state group health insurance
 222 plan, a TRICARE supplemental insurance plan, or a health
 223 maintenance organization plan.

224 (4) PAYMENT OF PREMIUMS; CONTRIBUTION BY STATE; LIMITATION
 225 ON ACTIONS TO PAY AND COLLECT PREMIUMS.--

226 (e) No state contribution for the cost of any part of the
 227 premium shall be made for retirees or surviving spouses or
 228 domestic partners for any type of coverage under the state group
 229 insurance program. However, any state agency that employs a
 230 full-time law enforcement officer, correctional officer, or
 231 correctional probation officer who is killed or suffers
 232 catastrophic injury in the line of duty as provided in s.
 233 112.19, or a full-time firefighter who is killed or suffers
 234 catastrophic injury in the line of duty as provided in s.
 235 112.191, shall pay the entire premium of the state group health
 236 insurance plan selected for the employee's surviving spouse or
 237 domestic partner until remarried or entered into a subsequent
 238 domestic partnership, respectively, and for each dependent child
 239 of the employee, subject to the conditions and limitations set
 240 forth in s. 112.19 or s. 112.191, as applicable.

241 (8) COVERAGE FOR LEGISLATIVE MEMBERS AND EMPLOYEES.--

242 (b) Any legislative member who terminates his or her
 243 elected service after January 1, 1999, after having vested in
 244 the state retirement system, may purchase coverage in a state
 245 group health insurance plan at the same premium cost as that for
 246 retirees and surviving spouses or domestic partners. Such
 247 legislators may also elect coverage under the group term life
 248 insurance program prevailing for current members at the premium
 249 cost in effect for that plan.

250 Section 4. Section 110.12314, Florida Statutes, is created
 251 to read:

252 110.12314 Affidavit of Domestic Partnership; documentation
 253 of domestic partnership in another jurisdiction.--A public
 254 officer, employee, or retiree claiming a domestic partnership
 255 shall file an Affidavit of Domestic Partnership with the
 256 Department of Management Services on an affidavit form that has
 257 been approved by that department and that states the
 258 requirements of s. 110.107(1). If a public officer, employee, or
 259 retiree claiming a domestic partnership is legally partnered to
 260 that domestic partner in another jurisdiction, the public
 261 officer, employee, or retiree shall be allowed to file
 262 documentation of that partnership with the Department of
 263 Management Services in lieu of filing an Affidavit of Domestic
 264 Partnership. A public officer, employee, or retiree claiming a
 265 domestic partnership shall, upon termination of the relationship
 266 with the domestic partner, provide written notification of the
 267 termination with the Department of Management Services.

268 Section 5. Subsection (1) of section 110.151, Florida
 269 Statutes, is amended to read:

270 110.151 State officers' and employees' child care
 271 services.--

272 (1) The Department of Management Services shall approve,
 273 administer, and coordinate child care services for state
 274 officers' and employees' children or dependents or children of a
 275 state officer's or employee's domestic partner. Duties shall
 276 include, but not be limited to, reviewing and approving requests
 277 from state agencies for child care services; providing technical
 278 assistance on child care program startup and operation; and
 279 assisting other agencies in conducting needs assessments,

280 designing centers, and selecting service providers. Primary
 281 emphasis for child care services shall be given to children who
 282 are not subject to compulsory school attendance pursuant to part
 283 II of chapter 1003, and, to the extent possible, emphasis shall
 284 be placed on child care for children aged 2 and under.

285 Section 6. Subsection (1) and paragraph (a) of subsection
 286 (2) of section 110.221, Florida Statutes, are amended to read:

287 110.221 Parental or family medical leave.--

288 (1) As used in this section, the term "family" means a
 289 child, parent, ~~or spouse,~~ or domestic partner, and the term
 290 "family medical leave" means leave requested by an employee for
 291 a serious family illness including an accident, disease, or
 292 condition that poses imminent danger of death, requires
 293 hospitalization involving an organ transplant, limb amputation,
 294 or other procedure of similar severity, or any mental or
 295 physical condition that requires constant in-home care. The term
 296 "parental leave" means leave for the father or mother of a child
 297 who is born to or adopted by that parent or that parent's
 298 domestic partner.

299 (2) The state shall not:

300 (a) Terminate the employment of any employee in the career
 301 service because of the pregnancy of the employee or the
 302 employee's spouse or domestic partner or the adoption of a child
 303 by that employee or that employee's domestic partner.

304 Section 7. Section 110.1232, Florida Statutes, is amended
 305 to read:

306 110.1232 Health insurance coverage for persons retired
 307 under state-administered retirement systems before January 1,

HB 1053

2008

308 | 1976, and for spouses or domestic partners.--Notwithstanding any
309 | provisions of law to the contrary, the Department of Management
310 | Services shall provide health insurance coverage under the state
311 | group insurance program for persons who retired before January
312 | 1, 1976, under any of the state-administered retirement systems
313 | and who are not covered by social security and for the spouses
314 | or domestic partners and surviving spouses or domestic partners
315 | of such retirees who are also not covered by social security.
316 | Such health insurance coverage shall provide the same benefits
317 | as provided to other retirees who are entitled to participate
318 | under s. 110.123. The claims experience of this group shall be
319 | commingled with the claims experience of other members covered
320 | under s. 110.123.

321 | Section 8. Section 110.1522, Florida Statutes, is amended
322 | to read:

323 | 110.1522 Model rule establishing family support personnel
324 | policies.--The Department of Management Services shall develop a
325 | model rule establishing family support personnel policies for
326 | all executive branch agencies, excluding the State University
327 | System. "Family support personnel policies," for purposes of ss.
328 | 110.1521-110.1523, means personnel policies affecting employees'
329 | ability to both work and devote care and attention to their
330 | families and includes policies on flexible hour work schedules,
331 | compressed time, job sharing, part-time employment, maternity or
332 | paternity leave for employees with a newborn or newly adopted
333 | child, leave to care for a domestic partner or the newborn,
334 | newly adopted, or ill child of a domestic partner, and paid and

HB 1053

2008

335 unpaid family or administrative leave for family
336 responsibilities.

337 Section 9. Paragraph (e) is added to subsection (1) of
338 section 112.19, Florida Statutes, and paragraphs (d), (g), and
339 (h) of subsection (2) and subsection (3) of that section are
340 amended, to read:

341 112.19 Law enforcement, correctional, and correctional
342 probation officers; death benefits.--

343 (1) Whenever used in this section, the term:

344 (e) "Child or children" means the child or children of the
345 employee or of the employee's spouse or domestic partner.

346 (2)

347 (d) Such payments, pursuant to the provisions of
348 paragraphs (a), (b), and (c), whether secured by insurance or
349 not, shall be made to the beneficiary designated by such law
350 enforcement, correctional, or correctional probation officer in
351 writing, signed by the officer and delivered to the employer
352 during the officer's lifetime. If no such designation is made,
353 then it shall be paid to the officer's surviving child or
354 children and spouse or domestic partner in equal portions, and
355 if there is no surviving child, or spouse, or domestic partner,
356 then to the officer's parent or parents. If a beneficiary is not
357 designated and there is no surviving child, spouse, domestic
358 partner, or parent, then it shall be paid to the officer's
359 estate.

360 (g) Any political subdivision of the state that employs a
361 full-time law enforcement officer as defined in s. 943.10(1) or
362 a full-time correctional officer as defined in s. 943.10(2) who

HB 1053

2008

363 is killed in the line of duty on or after July 1, 1993, as a
364 result of an act of violence inflicted by another person while
365 the officer is engaged in the performance of law enforcement
366 duties or as a result of an assault against the officer under
367 riot conditions shall pay the entire premium of the political
368 subdivision's health insurance plan for the employee's surviving
369 spouse or domestic partner until remarried or entered into a
370 subsequent domestic partnership, respectively, and for each
371 dependent child of the employee until the child reaches the age
372 of majority or until the end of the calendar year in which the
373 child reaches the age of 25 if:

374 1. At the time of the employee's death, the child is
375 dependent upon the employee for support; and

376 2. The surviving child continues to be dependent for
377 support, or the surviving child is a full-time or part-time
378 student and is dependent for support.

379 (h)1. Any employer who employs a full-time law
380 enforcement, correctional, or correctional probation officer
381 who, on or after January 1, 1995, suffers a catastrophic injury,
382 as defined in s. 440.02, Florida Statutes 2002, in the line of
383 duty shall pay the entire premium of the employer's health
384 insurance plan for the injured employee, the injured employee's
385 spouse or domestic partner, and for each dependent child of the
386 injured employee until the child reaches the age of majority or
387 until the end of the calendar year in which the child reaches
388 the age of 25 if the child continues to be dependent for
389 support, or the child is a full-time or part-time student and is
390 dependent for support. The term "health insurance plan" does not

391 include supplemental benefits that are not part of the basic
392 group health insurance plan. If the injured employee
393 subsequently dies, the employer shall continue to pay the entire
394 health insurance premium for the surviving spouse or domestic
395 partner until remarried or entered into a subsequent domestic
396 partnership, respectively, and for the dependent children, under
397 the conditions outlined in this paragraph. However:

398 a. Health insurance benefits payable from any other source
399 shall reduce benefits payable under this section.

400 b. It is unlawful for a person to willfully and knowingly
401 make, or cause to be made, or to assist, conspire with, or urge
402 another to make, or cause to be made, any false, fraudulent, or
403 misleading oral or written statement to obtain health insurance
404 coverage as provided under this paragraph. A person who violates
405 this sub-subparagraph commits a misdemeanor of the first degree,
406 punishable as provided in s. 775.082 or s. 775.083.

407 c. In addition to any applicable criminal penalty, upon
408 conviction for a violation as described in sub-subparagraph b.,
409 a law enforcement, correctional, or correctional probation
410 officer or other beneficiary who receives or seeks to receive
411 health insurance benefits under this paragraph shall forfeit the
412 right to receive such health insurance benefits, and shall
413 reimburse the employer for all benefits paid due to the fraud or
414 other prohibited activity. For purposes of this sub-
415 subparagraph, "conviction" means a determination of guilt that
416 is the result of a plea or trial, regardless of whether
417 adjudication is withheld.

418 2. In order for the officer, spouse or domestic partner,
 419 and dependent children to be eligible for such insurance
 420 coverage, the injury must have occurred as the result of the
 421 officer's response to fresh pursuit, the officer's response to
 422 what is reasonably believed to be an emergency, or an unlawful
 423 act perpetrated by another. Except as otherwise provided herein,
 424 nothing in this paragraph shall be construed to limit health
 425 insurance coverage for which the officer, spouse, domestic
 426 partner, or dependent children may otherwise be eligible, except
 427 that a person who qualifies under this section shall not be
 428 eligible for the health insurance subsidy provided under chapter
 429 121, chapter 175, or chapter 185.

430 (3) If a law enforcement, correctional, or correctional
 431 probation officer is accidentally killed as specified in
 432 paragraph (2)(b) on or after June 22, 1990, or unlawfully and
 433 intentionally killed as specified in paragraph (2)(c) on or
 434 after July 1, 1980, the state shall waive certain educational
 435 expenses that the child, ~~or spouse~~, or domestic partner of the
 436 deceased officer incurs while obtaining a career certificate, an
 437 undergraduate education, or a postgraduate education. The amount
 438 waived by the state shall be an amount equal to the cost of
 439 tuition and matriculation and registration fees for a total of
 440 120 credit hours. The child, ~~or spouse~~, or domestic partner may
 441 attend a state career center, a state community college, or a
 442 state university. The child, ~~or spouse~~, or domestic partner may
 443 attend any or all of the institutions specified in this
 444 subsection, on either a full-time or part-time basis. The
 445 benefits provided to a child under this subsection shall

446 continue until the child's 25th birthday. The benefits provided
 447 to a spouse or domestic partner under this subsection must
 448 commence within 5 years after the death occurs, and entitlement
 449 thereto shall continue until the 10th anniversary of that death.

450 (a) Upon failure of any child, ~~or spouse,~~ or domestic
 451 partner benefited by the provisions of this subsection to comply
 452 with the ordinary and minimum requirements of the institution
 453 attended, both as to discipline and scholarship, the benefits
 454 shall be withdrawn as to the child, ~~or spouse,~~ or domestic
 455 partner and no further moneys may be expended for the child's,
 456 ~~or spouse's,~~ or domestic partner's benefits so long as such
 457 failure or delinquency continues.

458 (b) Only a student in good standing in his or her
 459 respective institution may receive the benefits thereof.

460 (c) A child, ~~or spouse,~~ or domestic partner receiving
 461 benefits under this subsection must be enrolled according to the
 462 customary rules and requirements of the institution attended.

463 Section 10. Paragraph (d) is added to subsection (1) of
 464 section 112.191, Florida Statutes, and paragraphs (d), (f), and
 465 (g) of subsection (2) and subsection (3) of that section are
 466 amended, to read:

467 112.191 Firefighters; death benefits.--

468 (1) Whenever used in this act:

469 (d) "Child or children" means the child or children of the
 470 employee or of the employee's spouse or domestic partner.

471 (2)

472 (d) Such payments, pursuant to paragraphs (a), (b), and
 473 (c), whether secured by insurance or not, shall be made to the

HB 1053

2008

474 beneficiary designated by such firefighter in writing, signed by
475 the firefighter and delivered to the employer during the
476 firefighter's lifetime. If no such designation is made, then it
477 shall be paid to the firefighter's surviving child or children
478 and spouse or domestic partner in equal portions, and if there
479 be no surviving child, ~~or spouse, or domestic partner~~, then to
480 the firefighter's parent or parents. If a beneficiary
481 designation is not made and there is no surviving child, spouse,
482 domestic partner, or parent, then it shall be paid to the
483 firefighter's estate.

484 (f) Any political subdivision of the state that employs a
485 full-time firefighter who is killed in the line of duty on or
486 after July 1, 1993, as a result of an act of violence inflicted
487 by another person while the firefighter is engaged in the
488 performance of firefighter duties, as a result of a fire which
489 has been determined to have been caused by an act of arson, or
490 as a result of an assault against the firefighter under riot
491 conditions shall pay the entire premium of the political
492 subdivision's health insurance plan for the employee's surviving
493 spouse or domestic partner until remarried or entered into a
494 subsequent domestic partnership, respectively, and for each
495 dependent child of the employee until the child reaches the age
496 of majority or until the end of the calendar year in which the
497 child reaches the age of 25 if:

498 1. At the time of the employee's death, the child is
499 dependent upon the employee for support; and

500 2. The surviving child continues to be dependent for
 501 support, or the surviving child is a full-time or part-time
 502 student and is dependent for support.

503 (g)1. Any employer who employs a full-time firefighter
 504 who, on or after January 1, 1995, suffers a catastrophic injury,
 505 as defined in s. 440.02, Florida Statutes 2002, in the line of
 506 duty shall pay the entire premium of the employer's health
 507 insurance plan for the injured employee, the injured employee's
 508 spouse or domestic partner, and for each dependent child of the
 509 injured employee until the child reaches the age of majority or
 510 until the end of the calendar year in which the child reaches
 511 the age of 25 if the child continues to be dependent for
 512 support, or the child is a full-time or part-time student and is
 513 dependent for support. The term "health insurance plan" does not
 514 include supplemental benefits that are not part of the basic
 515 group health insurance plan. If the injured employee
 516 subsequently dies, the employer shall continue to pay the entire
 517 health insurance premium for the surviving spouse or domestic
 518 partner until remarried or entered into a subsequent domestic
 519 partnership, respectively, and for the dependent children, under
 520 the conditions outlined in this paragraph. However:

521 a. Health insurance benefits payable from any other source
 522 shall reduce benefits payable under this section.

523 b. It is unlawful for a person to willfully and knowingly
 524 make, or cause to be made, or to assist, conspire with, or urge
 525 another to make, or cause to be made, any false, fraudulent, or
 526 misleading oral or written statement to obtain health insurance
 527 coverage as provided under this paragraph. A person who violates

HB 1053

2008

528 | this sub-subparagraph commits a misdemeanor of the first degree,
529 | punishable as provided in s. 775.082 or s. 775.083.

530 | c. In addition to any applicable criminal penalty, upon
531 | conviction for a violation as described in sub-subparagraph b.,
532 | a firefighter or other beneficiary who receives or seeks to
533 | receive health insurance benefits under this paragraph shall
534 | forfeit the right to receive such health insurance benefits, and
535 | shall reimburse the employer for all benefits paid due to the
536 | fraud or other prohibited activity. For purposes of this sub-
537 | subparagraph, "conviction" means a determination of guilt that
538 | is the result of a plea or trial, regardless of whether
539 | adjudication is withheld.

540 | 2. In order for the firefighter, spouse, domestic partner,
541 | and dependent children to be eligible for such insurance
542 | coverage, the injury must have occurred as the result of the
543 | firefighter's response to what is reasonably believed to be an
544 | emergency involving the protection of life or property, or an
545 | unlawful act perpetrated by another. Except as otherwise
546 | provided herein, nothing in this paragraph shall be construed to
547 | limit health insurance coverage for which the firefighter,
548 | spouse, domestic partner, or dependent children may otherwise be
549 | eligible, except that a person who qualifies for benefits under
550 | this section shall not be eligible for the health insurance
551 | subsidy provided under chapter 121, chapter 175, or chapter 185.

552 |
553 | Notwithstanding any provision of this section to the contrary,
554 | the death benefits provided in paragraphs (b), (c), and (f)
555 | shall also be applicable and paid in cases where a firefighter

556 received bodily injury prior to July 1, 1993, and subsequently
 557 died on or after July 1, 1993, as a result of such in-line-of-
 558 duty injury.

559 (3) If a firefighter is accidentally killed as specified
 560 in paragraph (2)(b) on or after June 22, 1990, or unlawfully and
 561 intentionally killed as specified in paragraph (2)(c), on or
 562 after July 1, 1980, the state shall waive certain educational
 563 expenses that the child, ~~or~~ spouse, or domestic partner of the
 564 deceased firefighter incurs while obtaining a career
 565 certificate, an undergraduate education, or a postgraduate
 566 education. The amount waived by the state shall be an amount
 567 equal to the cost of tuition and matriculation and registration
 568 fees for a total of 120 credit hours. The child, ~~or~~ spouse, or
 569 domestic partner may attend a state career center, a state
 570 community college, or a state university. The child, ~~or~~ spouse,
 571 or domestic partner may attend any or all of the institutions
 572 specified in this subsection, on either a full-time or part-time
 573 basis. The benefits provided to a child under this subsection
 574 shall continue until the child's 25th birthday. The benefits
 575 provided to a spouse or domestic partner under this subsection
 576 must commence within 5 years after the death occurs, and
 577 entitlement thereto shall continue until the 10th anniversary of
 578 that death.

579 (a) Upon failure of any child, ~~or~~ spouse, or domestic
 580 partner benefited by the provisions of this subsection to comply
 581 with the ordinary and minimum requirements of the institution
 582 attended, both as to discipline and scholarship, the benefits
 583 thereof shall be withdrawn as to the child, ~~or~~ spouse, or

584 domestic partner and no further moneys expended for the child's,
 585 ~~or~~ spouse's, or domestic partner's benefits so long as such
 586 failure or delinquency continues.

587 (b) Only students in good standing in their respective
 588 institutions shall receive the benefits thereof.

589 (c) A child, ~~or~~ spouse, or domestic partner receiving
 590 benefits under this subsection must be enrolled according to the
 591 customary rules and requirements of the institution attended.

592 Section 11. Subsection (3) of section 112.193, Florida
 593 Statutes, is amended to read:

594 112.193 Law enforcement, correctional, and correctional
 595 probation officers' commemorative service awards.--

596 (3) Upon the death of a law enforcement, correctional, or
 597 correctional probation officer, the employer may present to the
 598 spouse, domestic partner, or other beneficiary of the officer,
 599 upon request, one complete uniform, including the badge worn by
 600 the officer. However, if a law enforcement, correctional, or
 601 correctional probation officer is killed in the line of duty,
 602 the employer may present, upon request, to the spouse, domestic
 603 partner, or other beneficiary of the officer the officer's
 604 service-issued handgun, if one was issued as part of the
 605 officer's equipment. If the employer is not in possession of the
 606 service-issued handgun, the employer may, within its discretion,
 607 and upon written request of the spouse, domestic partner, or
 608 other beneficiary, present a similar handgun. The provisions of
 609 this section shall also apply in that instance to a law
 610 enforcement or correctional officer who died before May 1, 1993.
 611 In addition, the officer's service handgun may be presented by

HB 1053

2008

612 the employer for any such officer who was killed in the line of
613 duty prior to this act becoming a law.

614 Section 12. Paragraph (b) of subsection (12) and
615 subsection (15) of section 112.312, Florida Statutes, are
616 amended to read:

617 112.312 Definitions.--As used in this part and for
618 purposes of the provisions of s. 8, Art. II of the State
619 Constitution, unless the context otherwise requires:

620 (12)

621 (b) "Gift" does not include:

622 1. Salary, benefits, services, fees, commissions, gifts,
623 or expenses associated primarily with the donee's employment,
624 business, or service as an officer or director of a corporation
625 or organization.

626 2. Contributions or expenditures reported pursuant to
627 chapter 106, campaign-related personal services provided without
628 compensation by individuals volunteering their time, or any
629 other contribution or expenditure by a political party.

630 3. An honorarium or an expense related to an honorarium
631 event paid to a person or the person's spouse or domestic
632 partner.

633 4. An award, plaque, certificate, or similar personalized
634 item given in recognition of the donee's public, civic,
635 charitable, or professional service.

636 5. An honorary membership in a service or fraternal
637 organization presented merely as a courtesy by such
638 organization.

639 6. The use of a public facility or public property, made
640 available by a governmental agency, for a public purpose.

641 7. Transportation provided to a public officer or employee
642 by an agency in relation to officially approved governmental
643 business.

644 8. Gifts provided directly or indirectly by a state,
645 regional, or national organization that ~~which~~ promotes the
646 exchange of ideas between, or the professional development of,
647 governmental officials or employees, and whose membership is
648 primarily composed of elected or appointed public officials or
649 staff, to members of that organization or officials or staff of
650 a governmental agency that is a member of that organization.

651 (15) "Material interest" means direct or indirect
652 ownership of more than 5 percent of the total assets or capital
653 stock of any business entity. For the purposes of this act,
654 indirect ownership does not include ownership by a spouse,
655 domestic partner, or minor child, or domestic partner's minor
656 child.

657 Section 13. Subsections (3) and (4) and paragraph (b) of
658 subsection (12) of section 112.313, Florida Statutes, are
659 amended to read:

660 112.313 Standards of conduct for public officers,
661 employees of agencies, and local government attorneys.--

662 (3) DOING BUSINESS WITH ONE'S AGENCY.--No employee of an
663 agency acting in his or her official capacity as a purchasing
664 agent, or public officer acting in his or her official capacity,
665 shall either directly or indirectly purchase, rent, or lease any
666 realty, goods, or services for his or her own agency from any

667 business entity of which the officer or employee or the
668 officer's or employee's spouse, domestic partner, ~~or~~ child, or
669 domestic partner's child is an officer, partner, director, or
670 proprietor or in which such officer or employee or the officer's
671 or employee's spouse, domestic partner, ~~or~~ child, or domestic
672 partner's child, or any combination of them, has a material
673 interest. Nor shall a public officer or employee, acting in a
674 private capacity, rent, lease, or sell any realty, goods, or
675 services to the officer's or employee's own agency, if he or she
676 is a state officer or employee, or to any political subdivision
677 or any agency thereof, if he or she is serving as an officer or
678 employee of that political subdivision. The foregoing shall not
679 apply to district offices maintained by legislators when such
680 offices are located in the legislator's place of business or
681 when such offices are on property wholly or partially owned by
682 the legislator. This subsection shall not affect or be construed
683 to prohibit contracts entered into prior to:

684 (a) October 1, 1975.

685 (b) Qualification for elective office.

686 (c) Appointment to public office.

687 (d) Beginning public employment.

688 (4) UNAUTHORIZED COMPENSATION.--No public officer,
689 employee of an agency, or local government attorney or his or
690 her spouse, domestic partner, ~~or~~ minor child, or domestic
691 partner's minor child shall, at any time, accept any
692 compensation, payment, or thing of value when such public
693 officer, employee, or local government attorney knows, or, with
694 the exercise of reasonable care, should know, that it was given

695 to influence a vote or other action in which the officer,
 696 employee, or local government attorney was expected to
 697 participate in his or her official capacity.

698 (12) EXEMPTION.--The requirements of subsections (3) and
 699 (7) as they pertain to persons serving on advisory boards may be
 700 waived in a particular instance by the body which appointed the
 701 person to the advisory board, upon a full disclosure of the
 702 transaction or relationship to the appointing body prior to the
 703 waiver and an affirmative vote in favor of waiver by two-thirds
 704 vote of that body. In instances in which appointment to the
 705 advisory board is made by an individual, waiver may be effected,
 706 after public hearing, by a determination by the appointing
 707 person and full disclosure of the transaction or relationship by
 708 the appointee to the appointing person. In addition, no person
 709 shall be held in violation of subsection (3) or subsection (7)
 710 if:

711 (b) The business is awarded under a system of sealed,
 712 competitive bidding to the lowest or best bidder and:

713 1. The official or the official's spouse, domestic
 714 partner, or child, or domestic partner's child has in no way
 715 participated in the determination of the bid specifications or
 716 the determination of the lowest or best bidder;

717 2. The official or the official's spouse, domestic
 718 partner, or child, or domestic partner's child has in no way
 719 used or attempted to use the official's influence to persuade
 720 the agency or any personnel thereof to enter such a contract
 721 other than by the mere submission of the bid; and

722 3. The official, prior to or at the time of the submission
723 of the bid, has filed a statement with the Commission on Ethics,
724 if the official is a state officer or employee, or with the
725 supervisor of elections of the county in which the agency has
726 its principal office, if the official is an officer or employee
727 of a political subdivision, disclosing the official's interest,
728 or the interest of the official's spouse, domestic partner, ~~or~~
729 child, or domestic partner's child, and the nature of the
730 intended business.

731 Section 14. Paragraphs (c) and (d) of subsection (1),
732 paragraph (a) of subsection (2), subsection (3), and paragraphs
733 (b) and (d) of subsection (4) of section 112.362, Florida
734 Statutes, are amended to read:

735 112.362 Recomputation of retirement benefits.--

736 (1)

737 (c) A member of any state-supported retirement system who,
738 during the period July 1, 1975, through June 30, 1976, was on
739 the retired payroll with more than 15 years of creditable
740 service, was over 65 years of age, and was not eligible for the
741 \$10 minimum benefit provided by paragraph (b) shall receive the
742 \$8 minimum benefit provided by paragraph (a) retroactive to the
743 date such retired person would first have been eligible for the
744 \$8 minimum benefit under the provisions of this section, had
745 said section not been amended by chapter 75-242, Laws of
746 Florida. Such retroactive \$8 minimum benefit shall also be
747 payable to the beneficiary or surviving spouse or domestic
748 partner of a member who, if living, would have qualified for
749 this retroactive minimum benefit.

750 (d) A member of any state-supported retirement system who
751 retires on or after July 1, 1987, with at least 10 years of
752 creditable service, having attained normal retirement date
753 shall, upon reaching age 65 and making proper application to the
754 administrator, be eligible to receive the applicable minimum
755 monthly benefit provided by this subsection with the exception
756 that only those years of creditable service accumulated by the
757 member through June 30, 1987, shall be used in the calculation
758 of the minimum monthly benefit amount and that no benefit shall
759 exceed the average monthly compensation of the retiree due to
760 the application of the minimum monthly benefit. All creditable
761 service claimed for periods which occurred prior to July 1,
762 1987, shall be presumed to have been accumulated as of June 30,
763 1987, irrespective of the date on which such creditable service
764 is claimed and credited. The minimum monthly benefit provided by
765 this paragraph shall be reduced by the actuarial factor applied
766 to the optional form of benefit under which the benefit is paid.
767 The surviving spouse or domestic partner or beneficiary who is
768 receiving a monthly benefit from a deceased retiree's account
769 shall be eligible to receive the minimum monthly benefit
770 provided herein at the time the retiree would have been eligible
771 for it had he or she lived, subject to the limitations herein
772 and the appropriate actuarial reductions.

773 (2)(a) A retired member of any state-supported retirement
774 system who retires prior to July 1, 1987, and who possesses the
775 creditable service requirements contained in paragraph (1)(a) or
776 paragraph (1)(b), or the surviving spouse or domestic partner or
777 beneficiary of said member if such spouse or domestic partner or

HB 1053

2008

778 beneficiary is receiving a retirement benefit, shall, at the
779 time the retiree reaches 65 years of age or would have reached
780 65 years of age if deceased, and upon proper application to the
781 administrator, have his or her monthly retirement benefit
782 recomputed and may receive a retirement benefit as provided in
783 either paragraph (1) (a) or paragraph (1) (b) and, if a retirement
784 option has been elected by the member, multiplied by the
785 actuarial reduction factor relating to such retirement option
786 and, if the member is deceased, multiplied by the percentage of
787 the benefit payable to the surviving spouse or domestic partner
788 or beneficiary. No present retirement benefits shall be reduced
789 under this computation.

790 (3) A member of any state-supported retirement system who
791 has already retired under a retirement plan or system which does
792 not require its members to participate in social security
793 pursuant to a modification of the federal-state social security
794 agreement as authorized by the provisions of chapter 650, who is
795 over 65 years of age, and who has not less than 10 years of
796 creditable service, or the surviving spouse or domestic partner
797 or beneficiary of said member who, if living, would be over 65
798 years of age, upon application to the administrator, may have
799 his or her present monthly retirement benefits recomputed and
800 receive a monthly retirement allowance equal to \$10 multiplied
801 by the total number of years of creditable service. Effective
802 July 1, 1978, this minimum monthly benefit shall be equal to
803 \$10.50 multiplied by the total number of years of creditable
804 service, and thereafter said minimum monthly benefit shall be
805 recomputed as provided in paragraph (5) (a). This adjustment

HB 1053

2008

806 shall be made in accordance with subsection (2). No retirement
807 benefits shall be reduced under this computation. Retirees
808 receiving additional benefits under the provisions of this
809 subsection shall also receive the cost-of-living adjustments
810 provided by the appropriate state-supported retirement system
811 for the fiscal year beginning July 1, 1977, and for each fiscal
812 year thereafter. The minimum monthly benefit provided by this
813 paragraph shall not apply to any member or the beneficiary of
814 any member who retires after June 30, 1978.

815 (4)

816 (b) Effective July 1, 1978, the surviving spouse or
817 domestic partner or beneficiary who is receiving or entitled to
818 receive a monthly benefit commencing prior to July 1, 1987, from
819 the account of any deceased retired member who had completed at
820 least 10 years of creditable service shall, at the time such
821 deceased retiree would have reached age 65, if living, and, upon
822 application to the Department of Management Services, be
823 entitled to receive the minimum monthly benefit described in
824 paragraph (a), adjusted by the actuarial factor applied to the
825 optional form of benefit payable to said surviving spouse or
826 domestic partner or beneficiary, provided said person is not
827 receiving or entitled to receive federal social security
828 benefits. Application for this minimum monthly benefit shall
829 include certification by the surviving spouse or domestic
830 partner or beneficiary that he or she is not receiving and is
831 not entitled to receive social security benefits and shall
832 include written authorization for the Department of Management
833 Services to have access to information from the Federal Social

HB 1053

2008

834 Security Administration concerning such person's entitlement to
835 or eligibility for social security benefits. The minimum benefit
836 provided by this paragraph shall not be paid unless and until
837 the application requirements of this paragraph are satisfied.

838 (d) A member of any state-supported retirement system who
839 retires on or after July 1, 1987, with at least 10 years of
840 creditable service, having attained normal retirement date
841 shall, upon reaching age 65 and making proper application to the
842 administrator, be eligible to receive the applicable minimum
843 monthly benefit provided by this subsection with the exception
844 that only those years of creditable service accumulated by the
845 member through June 30, 1987, shall be used in the calculation
846 of the minimum monthly benefit amount and that no benefit shall
847 exceed the average monthly compensation of the retiree due to
848 the application of the minimum monthly benefit. All creditable
849 service claimed for periods which occurred prior to July 1,
850 1987, shall be presumed to have been accumulated as of June 30,
851 1987, irrespective of the date on which such creditable service
852 is claimed and credited. The minimum monthly benefit provided by
853 this paragraph shall be reduced by the actuarial factor applied
854 to the optional form of benefit under which the benefit is paid.
855 The surviving spouse or domestic partner or beneficiary who is
856 receiving a monthly benefit from a deceased retiree's account
857 shall be eligible to receive the minimum monthly benefit
858 provided herein at the time the retiree would have been eligible
859 for it had he or she lived, subject to the limitations herein
860 and the appropriate actuarial reductions.

HB 1053

2008

861 Section 15. Paragraph (a) of subsection (2) and subsection
862 (3) of section 112.363, Florida Statutes, are amended to read:

863 112.363 Retiree health insurance subsidy.--

864 (2) ELIGIBILITY FOR RETIREE HEALTH INSURANCE SUBSIDY.--

865 (a) A person who is retired under a state-administered
866 retirement system, or a beneficiary who is a spouse, domestic
867 partner, or financial dependent entitled to receive benefits
868 under a state-administered retirement system, is eligible for
869 health insurance subsidy payments provided under this section;
870 except that pension recipients under ss. 121.40, 238.07(16)(a),
871 and 250.22, recipients of health insurance coverage under s.
872 110.1232, or any other special pension or relief act shall not
873 be eligible for such payments.

874 (3) RETIREE HEALTH INSURANCE SUBSIDY AMOUNT.--

875 (a) Beginning January 1, 1988, each eligible retiree or a
876 beneficiary who is a spouse, domestic partner, or financial
877 dependent thereof shall receive a monthly retiree health
878 insurance subsidy payment equal to the number of years of
879 creditable service, as defined in s. 121.021(17), completed at
880 the time of retirement multiplied by \$1; however, no retiree may
881 receive a subsidy payment of more than \$30 or less than \$10.

882 (b) Beginning January 1, 1989, each eligible retiree or a
883 beneficiary who is a spouse, domestic partner, or financial
884 dependent shall receive a monthly retiree health insurance
885 subsidy payment equal to the number of years of creditable
886 service, as defined in s. 121.021(17), completed at the time of
887 retirement multiplied by \$2; however, no retiree may receive a
888 subsidy payment of more than \$60 or less than \$20.

HB 1053

2008

889 (c) Beginning January 1, 1991, each eligible retiree or a
890 beneficiary who is a spouse, domestic partner, or financial
891 dependent shall receive a monthly retiree health insurance
892 subsidy payment equal to the number of years of creditable
893 service, as defined in s. 121.021(17), completed at the time of
894 retirement multiplied by \$3; however, no retiree may receive a
895 subsidy payment of more than \$90 or less than \$30.

896 (d) Beginning January 1, 1999, each eligible retiree or,
897 if the retiree is deceased, his or her beneficiary who is
898 receiving a monthly benefit from such retiree's account and who
899 is a spouse or domestic partner, or a person who meets the
900 definition of joint annuitant in s. 121.021(28), shall receive a
901 monthly retiree health insurance subsidy payment equal to the
902 number of years of creditable service, as defined in s.
903 121.021(17), completed at the time of retirement multiplied by
904 \$5; however, no eligible retiree or such beneficiary may receive
905 a subsidy payment of more than \$150 or less than \$50. If there
906 are multiple beneficiaries, the total payment must not be
907 greater than the payment to which the retiree was entitled.

908 (e)1. Beginning July 1, 2001, each eligible retiree of the
909 defined benefit program of the Florida Retirement System, or, if
910 the retiree is deceased, his or her beneficiary who is receiving
911 a monthly benefit from such retiree's account and who is a
912 spouse or domestic partner, or a person who meets the definition
913 of joint annuitant in s. 121.021(28), shall receive a monthly
914 retiree health insurance subsidy payment equal to the number of
915 years of creditable service, as defined in s. 121.021(17),
916 completed at the time of retirement multiplied by \$5; however,

HB 1053

2008

917 no eligible retiree or beneficiary may receive a subsidy payment
918 of more than \$150 or less than \$30. If there are multiple
919 beneficiaries, the total payment must not be greater than the
920 payment to which the retiree was entitled. The health insurance
921 subsidy amount payable to any person receiving the retiree
922 health insurance subsidy payment on July 1, 2001, shall not be
923 reduced solely by operation of this subparagraph.

924 2. Beginning July 1, 2002, each eligible participant of
925 the Public Employee Optional Retirement Program of the Florida
926 Retirement System who has met the requirements of this section,
927 or, if the participant is deceased, his or her spouse or
928 domestic partner who is the participant's designated
929 beneficiary, shall receive a monthly retiree health insurance
930 subsidy payment equal to the number of years of creditable
931 service, as provided in this subparagraph, completed at the time
932 of retirement, multiplied by \$5; however, no eligible retiree or
933 beneficiary may receive a subsidy payment of more than \$150 or
934 less than \$30. For purposes of determining a participant's
935 creditable service used to calculate the health insurance
936 subsidy, a participant's years of service credit or fraction
937 thereof shall be based on the participant's work year as defined
938 in s. 121.021(54). Credit shall be awarded for a full work year
939 whenever health insurance subsidy contributions have been made
940 as required by law for each month in the participant's work
941 year. In addition, all years of creditable service retained
942 under the Florida Retirement System defined benefit program
943 shall be included as creditable service for purposes of this
944 section. Notwithstanding any other provision in this section to

945 | the contrary, the spouse or domestic partner at the time of
 946 | death shall be the participant's beneficiary unless such
 947 | participant has designated a different beneficiary subsequent to
 948 | the participant's most recent marriage or domestic partnership.

949 | Section 16. Paragraph (c) of subsection (3) of section
 950 | 112.1915, Florida Statutes, is amended to read:

951 | 112.1915 Teachers and school administrators; death
 952 | benefits.--Any other provision of law to the contrary
 953 | notwithstanding:

954 | (3) If a teacher or school administrator dies under the
 955 | conditions in subsection (2), benefits shall be provided as
 956 | follows:

957 | (c) Payment of the entire health insurance premium for the
 958 | school district's health insurance plan shall continue for the
 959 | teacher's or school administrator's surviving spouse or domestic
 960 | partner until remarried or entered into a subsequent domestic
 961 | partnership, respectively, and for each dependent child of the
 962 | teacher or school administrator, or dependent child of the
 963 | teacher or school administrator's domestic partner, until the
 964 | child reaches the age of majority or until the end of the
 965 | calendar year in which the child reaches the age of 25 if:

966 | 1. At the time of the teacher's or school administrator's
 967 | death, the child is dependent upon the teacher or school
 968 | administrator for support; and

969 | 2. The surviving child continues to be dependent for
 970 | support, or the surviving child is a full-time or part-time
 971 | student and is dependent for support.

972 |

973 The district school board that employed the teacher or school
 974 administrator who is killed shall pay the health insurance
 975 premiums. The district school board shall report annually to the
 976 Department of Education the amount of premiums paid pursuant to
 977 this paragraph. The Department of Education shall provide
 978 reimbursement to the district for the premium payments.

979 Section 17. Subsection (3) of section 112.3145, Florida
 980 Statutes, is amended to read:

981 112.3145 Disclosure of financial interests and clients
 982 represented before agencies.--

983 (3) The statement of financial interests for state
 984 officers, specified state employees, local officers, and persons
 985 seeking to qualify as candidates for state or local office shall
 986 be filed even if the reporting person holds no financial
 987 interests requiring disclosure, in which case the statement
 988 shall be marked "not applicable." Otherwise, the statement of
 989 financial interests shall include, at the filer's option,
 990 either:

991 (a)1. All sources of income in excess of 5 percent of the
 992 gross income received during the disclosure period by the person
 993 in his or her own name or by any other person for his or her use
 994 or benefit, excluding public salary. However, this shall not be
 995 construed to require disclosure of a business partner's sources
 996 of income. The person reporting shall list such sources in
 997 descending order of value with the largest source first;

998 2. All sources of income to a business entity in excess of
 999 10 percent of the gross income of a business entity in which the
 1000 reporting person held a material interest and from which he or

1001 she received an amount which was in excess of 10 percent of his
 1002 or her gross income during the disclosure period and which
 1003 exceeds \$1,500. The period for computing the gross income of the
 1004 business entity is the fiscal year of the business entity which
 1005 ended on, or immediately prior to, the end of the disclosure
 1006 period of the person reporting;

1007 3. The location or description of real property in this
 1008 state, except for residences and vacation homes, owned directly
 1009 or indirectly by the person reporting, when such person owns in
 1010 excess of 5 percent of the value of such real property, and a
 1011 general description of any intangible personal property worth in
 1012 excess of 10 percent of such person's total assets. For the
 1013 purposes of this paragraph, indirect ownership does not include
 1014 ownership by a spouse, domestic partner, ~~or~~ minor child, or
 1015 minor child of a domestic partner; and

1016 4. Every individual liability that equals more than the
 1017 reporting person's net worth; or

1018 (b)1. All sources of gross income in excess of \$2,500
 1019 received during the disclosure period by the person in his or
 1020 her own name or by any other person for his or her use or
 1021 benefit, excluding public salary. However, this shall not be
 1022 construed to require disclosure of a business partner's sources
 1023 of income. The person reporting shall list such sources in
 1024 descending order of value with the largest source first;

1025 2. All sources of income to a business entity in excess of
 1026 10 percent of the gross income of a business entity in which the
 1027 reporting person held a material interest and from which he or
 1028 she received gross income exceeding \$5,000 during the disclosure

1029 period. The period for computing the gross income of the
 1030 business entity is the fiscal year of the business entity which
 1031 ended on, or immediately prior to, the end of the disclosure
 1032 period of the person reporting;

1033 3. The location or description of real property in this
 1034 state, except for residence and vacation homes, owned directly
 1035 or indirectly by the person reporting, when such person owns in
 1036 excess of 5 percent of the value of such real property, and a
 1037 general description of any intangible personal property worth in
 1038 excess of \$10,000. For the purpose of this paragraph, indirect
 1039 ownership does not include ownership by a spouse, domestic
 1040 partner, ~~or~~ minor child, or minor child of a domestic partner;
 1041 and

1042 4. Every liability in excess of \$10,000.

1043 Section 18. Paragraph (a) of subsection (2) of section
 1044 112.3148, Florida Statutes, is amended to read:

1045 112.3148 Reporting and prohibited receipt of gifts by
 1046 individuals filing full or limited public disclosure of
 1047 financial interests and by procurement employees.--

1048 (2) As used in this section:

1049 (a) "Immediate family" means any parent, spouse, domestic
 1050 partner, child, child of a domestic partner, or sibling.

1051 Section 19. Paragraph (a) of subsection (1) and subsection
 1052 (5) of section 112.3149, Florida Statutes, are amended to read:

1053 112.3149 Solicitation and disclosure of honoraria.--

1054 (1) As used in this section:

1055 (a) "Honorarium" means a payment of money or anything of
 1056 value, directly or indirectly, to a reporting individual or

1057 procurement employee, or to any other person on his or her
 1058 behalf, as consideration for:

1059 1. A speech, address, oration, or other oral presentation
 1060 by the reporting individual or procurement employee, regardless
 1061 of whether presented in person, recorded, or broadcast over the
 1062 media.

1063 2. A writing by the reporting individual or procurement
 1064 employee, other than a book, which has been or is intended to be
 1065 published.

1066
 1067 The term "honorarium" does not include the payment for services
 1068 related to employment held outside the reporting individual's or
 1069 procurement employee's public position which resulted in the
 1070 person becoming a reporting individual or procurement employee,
 1071 any ordinary payment or salary received in consideration for
 1072 services related to the reporting individual's or procurement
 1073 employee's public duties, a campaign contribution reported
 1074 pursuant to chapter 106, or the payment or provision of actual
 1075 and reasonable transportation, lodging, and food and beverage
 1076 expenses related to the honorarium event, including any event or
 1077 meeting registration fee, for a reporting individual or
 1078 procurement employee and spouse or domestic partner.

1079 (5) A person who is prohibited by subsection (4) from
 1080 paying an honorarium to a reporting individual or procurement
 1081 employee, but who provides a reporting individual or procurement
 1082 employee, or a reporting individual or procurement employee and
 1083 his or her spouse or domestic partner, with expenses related to
 1084 an honorarium event, shall provide to the reporting individual

HB 1053

2008

1085 or procurement employee, no later than 60 days after the
 1086 honorarium event, a statement listing the name and address of
 1087 the person providing the expenses, a description of the expenses
 1088 provided each day, and the total value of the expenses provided
 1089 for the honorarium event.

1090 Section 20. Subsection (6) of section 112.3185, Florida
 1091 Statutes, is amended to read:

1092 112.3185 Additional standards for state agency
 1093 employees.--

1094 (6) An agency employee acting in an official capacity may
 1095 not directly or indirectly procure contractual services for his
 1096 or her own agency from any business entity of which a relative
 1097 is an officer, partner, director, or proprietor or in which the
 1098 officer or employee or his or her spouse, domestic partner, ~~or~~
 1099 child, or domestic partner's child, or any combination of them,
 1100 has a material interest.

1101 Section 21. Paragraphs (a) and (b) of subsection (28) of
 1102 section 121.021, Florida Statutes, are amended to read:

1103 121.021 Definitions.--The following words and phrases as
 1104 used in this chapter have the respective meanings set forth
 1105 unless a different meaning is plainly required by the context:

1106 (28) "Joint annuitant" means any person designated by the
 1107 member to receive a retirement benefit upon the member's death
 1108 who is:

1109 (a) The spouse or domestic partner of the member;

1110 (b) The member's natural or adopted child, or domestic
 1111 partner's natural or adopted child, who is under age 25, or is
 1112 physically or mentally disabled and incapable of self-support,

HB 1053

2008

1113 | regardless of age; or any person other than the spouse or
 1114 | domestic partner for whom the member is the legal guardian,
 1115 | provided that such person is under age 25 and is financially
 1116 | dependent for no less than one-half of his or her support from
 1117 | the member at retirement or at the time of death of such member,
 1118 | whichever occurs first; or

1119 | Section 22. Paragraph (c) of subsection (12) of section
 1120 | 121.052, Florida Statutes, is amended to read:

1121 | 121.052 Membership class of elected officers.--

1122 | (12) BENEFITS.--

1123 | (c) The benefit provisions of s. 121.091(7), relating to
 1124 | death benefits, shall apply to members of the Elected Officers'
 1125 | Class and shall be construed in such manner as to make them
 1126 | compatible with the provisions of this section, except that:

1127 | 1. If any elected official dies in office who would have
 1128 | been vested under the Elected Officers' Class, any other class
 1129 | of the Florida Retirement System, or any other state-
 1130 | administered retirement system, if the official had lived to
 1131 | complete his or her term of office, the official's spouse or
 1132 | domestic partner may elect to leave the official's retirement
 1133 | contributions in the retirement trust fund and pay into said
 1134 | fund any required contributions which would have been paid by
 1135 | the officer or the employer had the officer lived to complete
 1136 | the term of office.

1137 | 2. If a deceased member's surviving spouse or domestic
 1138 | partner as described in subparagraph 1. previously received a
 1139 | refund of the member's contributions made to the retirement
 1140 | trust fund, the surviving spouse or domestic partner may pay

1141 into the retirement trust fund an amount equal to the deceased
 1142 member's contributions previously refunded, together with
 1143 interest at 4 percent compounded annually on the amount of such
 1144 refunded contributions from the date of refund until July 1,
 1145 1975, and at 6.5 percent compounded annually thereafter to the
 1146 date of payment, plus such additional contributions as may be
 1147 required under subparagraph 1., in order to become vested, as
 1148 applicable.

1149
 1150 Upon conclusion of the term of office to which the deceased
 1151 officer was elected, a spouse or domestic partner who pays into
 1152 the retirement trust fund such additional or refunded
 1153 contributions, plus interest, shall be eligible to receive a
 1154 monthly benefit in the same manner as the surviving spouse or
 1155 domestic partner of a member who dies after accumulating the
 1156 required number of years of creditable service as described
 1157 herein.

1158 Section 23. Paragraphs (a), (d), and (f) of subsection
 1159 (6), paragraphs (d), (e), (g), and (h) of subsection (7),
 1160 paragraph (a) of subsection (8), subsection (11), and paragraph
 1161 (c) of subsection (13) of section 121.091, Florida Statutes, are
 1162 amended to read:

1163 121.091 Benefits payable under the system.--Benefits may
 1164 not be paid under this section unless the member has terminated
 1165 employment as provided in s. 121.021(39) (a) or begun
 1166 participation in the Deferred Retirement Option Program as
 1167 provided in subsection (13), and a proper application has been
 1168 filed in the manner prescribed by the department. The department

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HB 1053

2008

1169 may cancel an application for retirement benefits when the
1170 member or beneficiary fails to timely provide the information
1171 and documents required by this chapter and the department's
1172 rules. The department shall adopt rules establishing procedures
1173 for application for retirement benefits and for the cancellation
1174 of such application when the required information or documents
1175 are not received.

1176 (6) OPTIONAL FORMS OF RETIREMENT BENEFITS AND DISABILITY
1177 RETIREMENT BENEFITS.--

1178 (a) Prior to the receipt of the first monthly retirement
1179 payment, a member shall elect to receive the retirement benefits
1180 to which he or she is entitled under subsection (1), subsection
1181 (2), subsection (3), or subsection (4) in accordance with one of
1182 the following options:

1183 1. The maximum retirement benefit payable to the member
1184 during his or her lifetime.

1185 2. A decreased retirement benefit payable to the member
1186 during his or her lifetime and, in the event of his or her death
1187 within a period of 10 years after retirement, the same monthly
1188 amount payable for the balance of such 10-year period to his or
1189 her beneficiary or, in case the beneficiary is deceased, in
1190 accordance with subsection (8) as though no beneficiary had been
1191 named.

1192 3. A decreased retirement benefit payable during the joint
1193 lifetime of both the member and his or her joint annuitant and
1194 which, after the death of either, shall continue during the
1195 lifetime of the survivor in the same amount, subject to the
1196 provisions of subsection (12).

HB 1053

2008

1197 4. A decreased retirement benefit payable during the joint
1198 lifetime of the member and his or her joint annuitant and which,
1199 after the death of either, shall continue during the lifetime of
1200 the survivor in an amount equal to $66\frac{2}{3}$ percent of the amount
1201 that was payable during the joint lifetime of the member and his
1202 or her joint annuitant, subject to the provisions of subsection
1203 (12).

1204

1205 The spouse or domestic partner of any member who elects to
1206 receive the benefit provided under subparagraph 1. or
1207 subparagraph 2. shall be notified of and shall acknowledge any
1208 such election. The division shall establish by rule a method for
1209 selecting the appropriate actuarial factor for optional forms of
1210 benefits selected under subparagraphs 3. and 4., based on the
1211 age of the member and the joint annuitant.

1212 (d) A member who elects the option in subparagraph (a)3.
1213 or subparagraph (a)4. shall, on a form provided for that
1214 purpose, designate a joint annuitant to receive the benefits
1215 which continue to be payable upon the death of the member. After
1216 benefits have commenced under the option in subparagraph (a)3.
1217 or subparagraph (a)4., the following shall apply:

1218 1. A retired member may change his or her designation of a
1219 joint annuitant only twice. If such a retired member desires to
1220 change his or her designation of a joint annuitant, he or she
1221 shall file with the division a notarized "change of joint
1222 annuitant" form and shall notify the former joint annuitant in
1223 writing of such change. Effective the first day of the next
1224 month following receipt by the division of a completed change of

HB 1053

2008

1225 joint annuitant form, the division shall adjust the member's
1226 monthly benefit by the application of actuarial tables and
1227 calculations developed to ensure that the benefit paid is the
1228 actuarial equivalent of the present value of the member's
1229 current benefit. The consent of a retired member's first
1230 designated joint annuitant to any such change shall not be
1231 required. However, if either the member or the joint annuitant
1232 dies before the effective date of the request for change of
1233 joint annuitant, the requested change shall be void, and
1234 survivor benefits, if any, shall be paid as if no request had
1235 been made.

1236 2. In the event of the dissolution of marriage or
1237 termination of domestic partnership of a retired member and a
1238 joint annuitant, such member may make an election to nullify the
1239 joint annuitant designation or terminate the domestic
1240 partnership of the former spouse or domestic partner, unless
1241 there is an existing qualified domestic relations order
1242 preventing such action. The member shall file with the division
1243 a written, notarized nullification which shall be effective on
1244 the first day of the next month following receipt by the
1245 division. Benefits shall be paid as if the former spouse or
1246 domestic partner predeceased the member. A member who makes such
1247 an election may not reverse the nullification but may designate
1248 a new joint annuitant in accordance with subparagraph 1.

1249 (f) A member who elects to receive benefits under the
1250 option in subparagraph (a)3. may designate one or more qualified
1251 persons, either a spouse, domestic partner, or other dependent,
1252 as his or her joint annuitant to receive the benefits after the

HB 1053

2008

1253 member's death in whatever proportion he or she so assigns to
 1254 each person named as joint annuitant. The division shall adopt
 1255 appropriate actuarial tables and calculations necessary to
 1256 ensure that the benefit paid is the actuarial equivalent of the
 1257 benefit to which the member is otherwise entitled under the
 1258 option in subparagraph (a)1.

1259 (7) DEATH BENEFITS.--

1260 (d) Notwithstanding any other provision in this chapter to
 1261 the contrary, with the exception of the Deferred Retirement
 1262 Option Program, as provided in subsection (13):

1263 1. The surviving spouse or domestic partner of any member
 1264 killed in the line of duty may receive a monthly pension equal
 1265 to one-half of the monthly salary being received by the member
 1266 at the time of death for the rest of the surviving spouse's or
 1267 domestic partner's lifetime or, if the member was vested, such
 1268 surviving spouse or domestic partner may elect to receive a
 1269 benefit as provided in paragraph (b). Benefits provided by this
 1270 paragraph shall supersede any other distribution that may have
 1271 been provided by the member's designation of beneficiary.

1272 2. If the surviving spouse or domestic partner of a member
 1273 killed in the line of duty dies, the monthly payments which
 1274 would have been payable to such surviving spouse or domestic
 1275 partner had such surviving spouse or domestic partner lived
 1276 shall be paid for the use and benefit of such member's child or
 1277 children, or such member's domestic partner's child or children,
 1278 under 18 years of age and unmarried until the 18th birthday of
 1279 the member's or domestic partner's youngest child.

1280 3. If a member killed in the line of duty leaves no
1281 surviving spouse or domestic partner but is survived by a child
1282 or children under 18 years of age, the benefits provided by
1283 subparagraph 1., normally payable to a surviving spouse or
1284 domestic partner, shall be paid for the use and benefit of such
1285 member's child or children, or such member's domestic partner's
1286 child or children, under 18 years of age and unmarried until the
1287 18th birthday of the member's or domestic partner's youngest
1288 child.

1289 4. The surviving spouse or domestic partner of a member
1290 whose benefit terminated because of remarriage or subsequent
1291 domestic partnership shall have the benefit reinstated beginning
1292 July 1, 1993, at an amount that would have been payable had the
1293 benefit not been terminated.

1294 (e) The surviving spouse or domestic partner or other
1295 dependent of any member, except a member who participated in the
1296 Deferred Retirement Option Program, whose employment is
1297 terminated by death shall, upon application to the
1298 administrator, be permitted to pay the required contributions
1299 for any service performed by the member which could have been
1300 claimed by the member at the time of his or her death. Such
1301 service shall be added to the creditable service of the member
1302 and shall be used in the calculation of any benefits which may
1303 be payable to the surviving spouse or domestic partner or other
1304 surviving dependent.

1305 (g) Notwithstanding any other provisions in this chapter
1306 to the contrary, if any member who is vested dies and the
1307 surviving spouse or domestic partner receives a refund of the

HB 1053

2008

1308 accumulated contributions made to the retirement trust fund,
1309 such spouse or domestic partner may pay to the Division of
1310 Retirement an amount equal to the sum of the amount of the
1311 deceased member's accumulated contributions previously refunded
1312 plus interest at 4 percent compounded annually each June 30 from
1313 the date of refund until July 1, 1975, and 6.5 percent interest
1314 compounded annually thereafter, until full payment is made, and
1315 receive the monthly retirement benefit as provided in paragraph
1316 (b).

1317 (h) The designated beneficiary who is the surviving spouse
1318 or domestic partner or other dependent of a member whose
1319 employment is terminated by death subsequent to becoming vested,
1320 but prior to actual retirement, may elect to receive a deferred
1321 monthly benefit as if the member had lived and had elected a
1322 deferred monthly benefit, as provided in paragraph (5)(b),
1323 calculated on the basis of the average final compensation and
1324 creditable service of the member at his or her death and the age
1325 the member would have attained on the commencement date of the
1326 deferred benefit elected by the beneficiary, paid in accordance
1327 with option 3 of paragraph (6)(a).

1328 (8) DESIGNATION OF BENEFICIARIES.--

1329 (a) Each member may, on a form provided for that purpose,
1330 signed and filed with the division, designate a choice of one or
1331 more persons, named sequentially or jointly, as his or her
1332 beneficiary who shall receive the benefits, if any, which may be
1333 payable in the event of the member's death pursuant to the
1334 provisions of this chapter. If no beneficiary is named in the
1335 manner provided above, or if no beneficiary designated by the

1336 member survives the member, the beneficiary shall be the spouse
 1337 or domestic partner of the deceased, if living. If the member's
 1338 spouse or domestic partner is not alive at his or her death, the
 1339 beneficiary shall be the living children of the member. If no
 1340 children survive, the beneficiary shall be the member's father
 1341 or mother, if living; otherwise, the beneficiary shall be the
 1342 member's estate. The beneficiary most recently designated by a
 1343 member on a form or letter filed with the division shall be the
 1344 beneficiary entitled to any benefits payable at the time of the
 1345 member's death, except that benefits shall be paid as provided
 1346 in paragraph (7)(d) when death occurs in the line of duty.
 1347 Notwithstanding any other provisions in this subsection to the
 1348 contrary, for a member who dies prior to his or her effective
 1349 date of retirement on or after January 1, 1999, the spouse or
 1350 domestic partner at the time of death shall be the member's
 1351 beneficiary unless such member designates a different
 1352 beneficiary as provided herein subsequent to the member's most
 1353 recent marriage.

1354 (11) DETERMINATION OF BENEFIT OF CERTAIN MEMBERS
 1355 CONTINUING IN ACTIVE SERVICE.--A member who becomes eligible to
 1356 retire and has accumulated the maximum benefit of 100 percent of
 1357 average final compensation may continue in active service, and,
 1358 if upon the member's retirement the member elects to receive a
 1359 retirement compensation pursuant to subsection (2), subsection
 1360 (6), or subsection (7), the actuarial equivalent percentage
 1361 factor applicable to the age of such member at the time the
 1362 member reached the maximum benefit and to the age, at that time,

1363 of the member's spouse or domestic partner shall determine the
 1364 amount of benefits to be paid.

1365 (13) DEFERRED RETIREMENT OPTION PROGRAM.--In general, and
 1366 subject to the provisions of this section, the Deferred
 1367 Retirement Option Program, hereinafter referred to as the DROP,
 1368 is a program under which an eligible member of the Florida
 1369 Retirement System may elect to participate, deferring receipt of
 1370 retirement benefits while continuing employment with his or her
 1371 Florida Retirement System employer. The deferred monthly
 1372 benefits shall accrue in the System Trust Fund on behalf of the
 1373 participant, plus interest compounded monthly, for the specified
 1374 period of the DROP participation, as provided in paragraph (c).
 1375 Upon termination of employment, the participant shall receive
 1376 the total DROP benefits and begin to receive the previously
 1377 determined normal retirement benefits. Participation in the DROP
 1378 does not guarantee employment for the specified period of DROP.
 1379 Participation in the DROP by an eligible member beyond the
 1380 initial 60-month period as authorized in this subsection shall
 1381 be on an annual contractual basis for all participants.

1382 (c) Benefits payable under the DROP.--

1383 1. Effective with the date of DROP participation, the
 1384 member's initial normal monthly benefit, including creditable
 1385 service, optional form of payment, and average final
 1386 compensation, and the effective date of retirement shall be
 1387 fixed. The beneficiary established under the Florida Retirement
 1388 System shall be the beneficiary eligible to receive any DROP
 1389 benefits payable if the DROP participant dies prior to the
 1390 completion of the period of DROP participation. In the event a

HB 1053

2008

1391 joint annuitant predeceases the member, the member may name a
1392 beneficiary to receive accumulated DROP benefits payable. Such
1393 retirement benefit, the annual cost of living adjustments
1394 provided in s. 121.101, and interest shall accrue monthly in the
1395 System Trust Fund. Such interest shall accrue at an effective
1396 annual rate of 6.5 percent compounded monthly, on the prior
1397 month's accumulated ending balance, up to the month of
1398 termination or death.

1399 2. Each employee who elects to participate in the DROP
1400 shall be allowed to elect to receive a lump-sum payment for
1401 accrued annual leave earned in accordance with agency policy
1402 upon beginning participation in the DROP. Such accumulated leave
1403 payment certified to the division upon commencement of DROP
1404 shall be included in the calculation of the member's average
1405 final compensation. The employee electing such lump-sum payment
1406 upon beginning participation in DROP will not be eligible to
1407 receive a second lump-sum payment upon termination, except to
1408 the extent the employee has earned additional annual leave which
1409 combined with the original payment does not exceed the maximum
1410 lump-sum payment allowed by the employing agency's policy or
1411 rules. Such early lump-sum payment shall be based on the hourly
1412 wage of the employee at the time he or she begins participation
1413 in the DROP. If the member elects to wait and receive such lump-
1414 sum payment upon termination of DROP and termination of
1415 employment with the employer, any accumulated leave payment made
1416 at that time cannot be included in the member's retirement
1417 benefit, which was determined and fixed by law when the employee
1418 elected to participate in the DROP.

Page 51 of 66

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hb1053-00

1419 3. The effective date of DROP participation and the
1420 effective date of retirement of a DROP participant shall be the
1421 first day of the month selected by the member to begin
1422 participation in the DROP, provided such date is properly
1423 established, with the written confirmation of the employer, and
1424 the approval of the division, on forms required by the division.

1425 4. Normal retirement benefits and interest thereon shall
1426 continue to accrue in the DROP until the established termination
1427 date of the DROP, or until the participant terminates employment
1428 or dies prior to such date. Although individual DROP accounts
1429 shall not be established, a separate accounting of each
1430 participant's accrued benefits under the DROP shall be
1431 calculated and provided to participants.

1432 5. At the conclusion of the participant's DROP, the
1433 division shall distribute the participant's total accumulated
1434 DROP benefits, subject to the following provisions:

1435 a. The division shall receive verification by the
1436 participant's employer or employers that such participant has
1437 terminated employment as provided in s. 121.021(39)(b).

1438 b. The terminated DROP participant or, if deceased, such
1439 participant's named beneficiary, shall elect on forms provided
1440 by the division to receive payment of the DROP benefits in
1441 accordance with one of the options listed below. For a
1442 participant or beneficiary who fails to elect a method of
1443 payment within 60 days of termination of the DROP, the division
1444 will pay a lump sum as provided in sub-sub-subparagraph (I).

1445 (I) Lump sum.--All accrued DROP benefits, plus interest,
 1446 less withholding taxes remitted to the Internal Revenue Service,
 1447 shall be paid to the DROP participant or surviving beneficiary.

1448 (II) Direct rollover.--All accrued DROP benefits, plus
 1449 interest, shall be paid from the DROP directly to the custodian
 1450 of an eligible retirement plan as defined in s. 402(c)(8)(B) of
 1451 the Internal Revenue Code. However, in the case of an eligible
 1452 rollover distribution to the surviving spouse or domestic
 1453 partner of a deceased participant, an eligible retirement plan
 1454 is an individual retirement account or an individual retirement
 1455 annuity as described in s. 402(c)(9) of the Internal Revenue
 1456 Code.

1457 (III) Partial lump sum.--A portion of the accrued DROP
 1458 benefits shall be paid to the DROP participant or surviving
 1459 spouse or domestic partner, less withholding taxes remitted to
 1460 the Internal Revenue Service, and the remaining DROP benefits
 1461 shall be transferred directly to the custodian of an eligible
 1462 retirement plan as defined in s. 402(c)(8)(B) of the Internal
 1463 Revenue Code. However, in the case of an eligible rollover
 1464 distribution to the surviving spouse or domestic partner of a
 1465 deceased participant, an eligible retirement plan is an
 1466 individual retirement account or an individual retirement
 1467 annuity as described in s. 402(c)(9) of the Internal Revenue
 1468 Code. The proportions shall be specified by the DROP participant
 1469 or surviving beneficiary.

1470 c. The form of payment selected by the DROP participant or
 1471 surviving beneficiary complies with the minimum distribution
 1472 requirements of the Internal Revenue Code.

1473 d. A DROP participant who fails to terminate employment as
 1474 defined in s. 121.021(39)(b) shall be deemed not to be retired,
 1475 and the DROP election shall be null and void. Florida Retirement
 1476 System membership shall be reestablished retroactively to the
 1477 date of the commencement of the DROP, and each employer with
 1478 whom the participant continues employment shall be required to
 1479 pay to the System Trust Fund the difference between the DROP
 1480 contributions paid in paragraph (i) and the contributions
 1481 required for the applicable Florida Retirement System class of
 1482 membership during the period the member participated in the
 1483 DROP, plus 6.5 percent interest compounded annually.

1484 6. The accrued benefits of any DROP participant, and any
 1485 contributions accumulated under such program, shall not be
 1486 subject to assignment, execution, attachment, or to any legal
 1487 process whatsoever, except for qualified domestic relations
 1488 orders by a court of competent jurisdiction, income deduction
 1489 orders as provided in s. 61.1301, and federal income tax levies.

1490 7. DROP participants shall not be eligible for disability
 1491 retirement benefits as provided in subsection (4).

1492 Section 24. Paragraph (c) of subsection (5) of section
 1493 121.35, Florida Statutes, is amended to read:

1494 121.35 Optional retirement program for the State
 1495 University System.--

1496 (5) BENEFITS.--

1497 (c) Survivor benefits shall be payable as:

1498 1. A lump-sum distribution payable to the beneficiaries or
 1499 to the deceased participant's estate;

1500 2. An eligible rollover distribution on behalf of the
 1501 surviving spouse or domestic partner of a deceased participant,
 1502 whereby all accrued benefits, plus interest and investment
 1503 earnings, are paid from the deceased participant's account
 1504 directly to an eligible retirement plan, as described in s.
 1505 402(c)(8)(B) of the Internal Revenue Code, on behalf of the
 1506 surviving spouse or domestic partner;

1507 3. Such other distribution options as are provided for in
 1508 the participant's optional retirement program contract; or

1509 4. A partial lump-sum payment whereby a portion of the
 1510 accrued benefit is paid to the deceased participant's surviving
 1511 spouse or domestic partner or other designated beneficiaries,
 1512 less withholding taxes remitted to the Internal Revenue Service,
 1513 if any, and the remaining amount is transferred directly to an
 1514 eligible retirement plan, as described in s. 402(c)(8)(B) of the
 1515 Internal Revenue Code, on behalf of the surviving spouse or
 1516 domestic partner. The proportions must be specified by the
 1517 participant or the surviving beneficiary.

1518
 1519 This paragraph does not abrogate other applicable provisions of
 1520 state or federal law providing payment of death benefits.

1521 Section 25. Subsection (8) of section 121.40, Florida
 1522 Statutes, is amended to read:

1523 121.40 Cooperative extension personnel at the Institute of
 1524 Food and Agricultural Sciences; supplemental retirement
 1525 benefits.--

1526 (8) DEATH BENEFITS.--

HB 1053

2008

1527 (a) If the employment of a participant of this program is
1528 terminated by reason of his or her death subsequent to the
1529 completion of 10 years of creditable service with the institute
1530 but prior to his or her actual retirement, such 10-year period
1531 having commenced on or after December 1, 1970, it shall be
1532 assumed that the participant had met all of the eligibility
1533 requirements under this section and had retired from the federal
1534 Civil Service Retirement System and under this section as of the
1535 date of death, having elected, in accordance with subsection
1536 (7), the optional form of supplemental payment most favorable to
1537 his or her beneficiary, as determined by the administrator. The
1538 monthly supplemental benefit provided in this paragraph shall be
1539 paid to the participant's beneficiary (spouse, domestic partner,
1540 or other financial dependent) upon such beneficiary's attaining
1541 the age of 62 and shall be paid thereafter for the beneficiary's
1542 lifetime.

1543 (b) If a participant of this program dies subsequent to
1544 his or her actual retirement under the federal Civil Service
1545 Retirement System but prior to attaining age 62, and such
1546 participant was otherwise eligible for supplemental benefits
1547 under this section, it shall be assumed that the participant had
1548 met all of the eligibility requirements under this section and
1549 had retired as of the date of death, having elected, in
1550 accordance with subsection (7), the optional form of
1551 supplemental payment most favorable to his or her beneficiary,
1552 as determined by the administrator. The monthly supplemental
1553 benefit provided in this paragraph shall be paid to the
1554 participant's beneficiary (spouse, domestic partner, or other

1555 financial dependent) upon such beneficiary's attaining the age
 1556 of 62 and shall be paid thereafter for the beneficiary's
 1557 lifetime.

1558 Section 26. Paragraph (a) of subsection (20) of section
 1559 121.4501, Florida Statutes, is amended to read:

1560 121.4501 Public Employee Optional Retirement Program.--

1561 (20) DESIGNATION OF BENEFICIARIES.--

1562 (a) Each participant may, on a form provided for that
 1563 purpose, signed and filed with the third-party administrator,
 1564 designate a choice of one or more persons, named sequentially or
 1565 jointly, as his or her beneficiary who shall receive the
 1566 benefits, if any, which may be payable pursuant to this chapter
 1567 in the event of the participant's death. If no beneficiary is
 1568 named in this manner, or if no beneficiary designated by the
 1569 participant survives the participant, the beneficiary shall be
 1570 the spouse or domestic partner of the deceased, if living. If
 1571 the participant's spouse or domestic partner is not alive at his
 1572 or her death, the beneficiary shall be the living children of
 1573 the participant or the living children of the participant's
 1574 domestic partner. If no children survive, the beneficiary shall
 1575 be the participant's father or mother, if living; otherwise, the
 1576 beneficiary shall be the participant's estate. The beneficiary
 1577 most recently designated by a participant on a form or letter
 1578 filed with the third-party administrator shall be the
 1579 beneficiary entitled to any benefits payable at the time of the
 1580 participant's death. Notwithstanding any other provision in this
 1581 subsection to the contrary, for a participant who dies prior to
 1582 his or her effective date of retirement, the spouse or domestic

1583 partner at the time of death shall be the participant's
 1584 beneficiary unless such participant designates a different
 1585 beneficiary as provided in this subsection subsequent to the
 1586 participant's most recent marriage or domestic partnership.

1587 Section 27. Paragraph (c) of subsection (3) of section
 1588 121.591, Florida Statutes, is amended to read:

1589 121.591 Benefits payable under the Public Employee
 1590 Optional Retirement Program of the Florida Retirement
 1591 System.--Benefits may not be paid under this section unless the
 1592 member has terminated employment as provided in s.
 1593 121.021(39)(a) or is deceased and a proper application has been
 1594 filed in the manner prescribed by the state board or the
 1595 department. The state board or department, as appropriate, may
 1596 cancel an application for retirement benefits when the member or
 1597 beneficiary fails to timely provide the information and
 1598 documents required by this chapter and the rules of the state
 1599 board and department. In accordance with their respective
 1600 responsibilities as provided herein, the State Board of
 1601 Administration and the Department of Management Services shall
 1602 adopt rules establishing procedures for application for
 1603 retirement benefits and for the cancellation of such application
 1604 when the required information or documents are not received. The
 1605 State Board of Administration and the Department of Management
 1606 Services, as appropriate, are authorized to cash out a de
 1607 minimis account of a participant who has been terminated from
 1608 Florida Retirement System covered employment for a minimum of 6
 1609 calendar months. A de minimis account is an account containing
 1610 employer contributions and accumulated earnings of not more than

1611 \$5,000 made under the provisions of this chapter. Such cash-out
 1612 must either be a complete lump-sum liquidation of the account
 1613 balance, subject to the provisions of the Internal Revenue Code,
 1614 or a lump-sum direct rollover distribution paid directly to the
 1615 custodian of an eligible retirement plan, as defined by the
 1616 Internal Revenue Code, on behalf of the participant. If any
 1617 financial instrument issued for the payment of retirement
 1618 benefits under this section is not presented for payment within
 1619 180 days after the last day of the month in which it was
 1620 originally issued, the third-party administrator or other duly
 1621 authorized agent of the State Board of Administration shall
 1622 cancel the instrument and credit the amount of the instrument to
 1623 the suspense account of the Public Employee Optional Retirement
 1624 Program Trust Fund authorized under s. 121.4501(6). Any such
 1625 amounts transferred to the suspense account are payable upon a
 1626 proper application, not to include earnings thereon, as provided
 1627 in this section, within 10 years after the last day of the month
 1628 in which the instrument was originally issued, after which time
 1629 such amounts and any earnings thereon shall be forfeited. Any
 1630 such forfeited amounts are assets of the Public Employee
 1631 Optional Retirement Program Trust Fund and are not subject to
 1632 the provisions of chapter 717.

1633 (3) DEATH BENEFITS.--Under the Public Employee Optional
 1634 Retirement Program:

1635 (c) Upon receipt by the third-party administrator of a
 1636 properly executed application for distribution of benefits, the
 1637 total accumulated benefit shall be payable by the third-party

1638 administrator to the participant's surviving beneficiary or
 1639 beneficiaries, as:

1640 1. A lump-sum distribution payable to the beneficiary or
 1641 beneficiaries, or to the deceased participant's estate;

1642 2. An eligible rollover distribution on behalf of the
 1643 surviving spouse or domestic partner of a deceased participant,
 1644 whereby all accrued benefits, plus interest and investment
 1645 earnings, are paid from the deceased participant's account
 1646 directly to the custodian of an eligible retirement plan, as
 1647 described in s. 402(c)(8)(B) of the Internal Revenue Code, on
 1648 behalf of the surviving spouse or domestic partner; or

1649 3. A partial lump-sum payment whereby a portion of the
 1650 accrued benefit is paid to the deceased participant's surviving
 1651 spouse or domestic partner or other designated beneficiaries,
 1652 less withholding taxes remitted to the Internal Revenue Service,
 1653 and the remaining amount is transferred directly to the
 1654 custodian of an eligible retirement plan, as described in s.
 1655 402(c)(8)(B) of the Internal Revenue Code, on behalf of the
 1656 surviving spouse or domestic partner. The proportions must be
 1657 specified by the participant or the surviving beneficiary.

1658
 1659 This paragraph does not abrogate other applicable provisions of
 1660 state or federal law providing for payment of death benefits.

1661 Section 28. Subsection (5) of section 122.02, Florida
 1662 Statutes, is amended to read:

1663 122.02 Definitions.--The following words and phrases as
 1664 used in this chapter shall have the following meaning unless a
 1665 different meaning is plainly required by the context:

1666 (5) If compensation for accumulated annual leave is due
 1667 and payable and is paid to the surviving spouse or domestic
 1668 partner and the necessary contribution is made to the retirement
 1669 trust fund, time for accumulated annual leave, not to exceed 30
 1670 working days, shall be added to the aggregate number of years
 1671 service and to the member's age, provided such time is needed to
 1672 make the member eligible for retirement benefits at the time of
 1673 death, in which event the retirement benefits shall be computed
 1674 on the basis of the retirement age specified in s. 122.08(1) and
 1675 (2) (a) if the member died prior to July 1, 1963, or on the basis
 1676 of a retirement age of 65 years if the member died on or after
 1677 July 1, 1963. Otherwise aggregate number of years of service
 1678 shall mean the total number of years, and fractional parts of
 1679 years, of service of any officer or employee omitting
 1680 intervening years and fractional parts of years, when such
 1681 officer or employee may not be employed by the state or county.
 1682 Provided that any nonacademic employee of a school board shall
 1683 receive a full year's service credit for all years under the
 1684 following conditions:

1685 (a) Provided all necessary contributions have been made to
 1686 the retirement trust fund.

1687 (b) Provided the employee is employed and receives salary
 1688 for the full school year.

1689 Section 29. Subsections (8) and (9) of section 122.03,
 1690 Florida Statutes, are amended to read:

1691 122.03 Contributions; participants; prior service
 1692 credit.--

1693 (8) Any surviving spouse or domestic partner of a county
 1694 official or former county official, who was formerly employed
 1695 full time in the office of the county official and who is
 1696 presently employed by the said county official or is a county
 1697 official of any such county and who did not receive compensation
 1698 for a period of more than 10 years as such employee, may receive
 1699 credit for retirement purposes as provided for in this chapter
 1700 by:

1701 (a) Contributing to the said retirement trust fund on a
 1702 salary computed on the basis of one-third of the compensation
 1703 received by the said county official for the period of time the
 1704 said employee did not receive any compensation, and interest on
 1705 said contribution shall be paid at the rate of 3 percent per
 1706 annum from July 1, 1945.

1707 (b) Submitting affidavits from two county officials or
 1708 former county officials from any such county to substantiate
 1709 said employment.

1710 (9) The surviving spouse, domestic partner, or other
 1711 dependent of any member whose employment is terminated by death
 1712 shall, upon application to the department, be permitted to pay
 1713 the required contributions for any service performed by the
 1714 member which could have been claimed by the member at the time
 1715 of death. Such service shall be added to the creditable service
 1716 of the member and shall be used in the calculation of any
 1717 benefits which may be payable to the surviving spouse, domestic
 1718 partner, or other surviving dependent.

1719 Section 30. Subsections (4) and (9) of section 122.08,
 1720 Florida Statutes, are amended to read:

HB 1053

2008

1721 122.08 Requirements for retirement;
1722 classifications.--There shall be two retirement classifications
1723 for all state and county officers and employees participating
1724 herein as hereafter provided in this section:

1725 (4) (a) Any state or county officer or employee shall have
1726 the right at any time prior to receipt of his or her first
1727 monthly installment of retirement compensation to elect to
1728 receive a reduced retirement compensation with the provision
1729 that the surviving spouse or domestic partner shall continue to
1730 draw such reduced retirement compensation, or one-half thereof
1731 if so designated, so long as such spouse or domestic partner
1732 shall live. The amount of such reduced retirement compensation
1733 shall be the actuarial equivalent of the amount of such
1734 retirement compensation otherwise payable to such officer or
1735 employee. Any state or county officer or employee who becomes
1736 eligible for retirement and continues to hold office or be
1737 employed shall be construed to have selected the option herein
1738 which will afford the surviving spouse or domestic partner the
1739 greatest amount of benefits. Should such officer or employee die
1740 before retiring, his or her surviving spouse or domestic partner
1741 shall be entitled to receive either the accumulated
1742 contributions of such officer or employee at the date of death
1743 or the reduced retirement compensation to which the surviving
1744 spouse or domestic partner would have been entitled under such
1745 option, calculated on the assumption that such officer or
1746 employee retired on the date of death; provided, that for all
1747 those persons who become members of the retirement system on or
1748 after July 1, 1963, the amount of retirement compensation

HB 1053

2008

1749 otherwise payable to the member at the date of death shall be
1750 determined on the basis of a retirement age of 62 years. Any
1751 officer or employee shall have the right at the time of
1752 retirement to change the option so provided; and, should the
1753 option be changed or not at the time of retirement, such option
1754 shall be effective immediately upon retirement and thereafter
1755 may not be revoked.

1756 (b) A member who elects an option in paragraph (a) shall
1757 on a form provided for that purpose designate his or her spouse
1758 or domestic partner as beneficiary to receive the benefits which
1759 continue to be payable upon the death of the member. After such
1760 benefits have commenced under an option in paragraph (a), the
1761 retired member may change the designation of his or her spouse
1762 or domestic partner as beneficiary only twice. If such a retired
1763 member remarries or enters a subsequent domestic partnership and
1764 wishes to make such a change, he or she may do so by filing with
1765 the department a notarized change of spouse or domestic partner
1766 designation form and shall notify the former spouse or domestic
1767 partner in writing of such change. Upon receipt of a completed
1768 change of spouse or domestic partner designation form, the
1769 department shall adjust the member's monthly benefit by the
1770 application of actuarial tables and calculations developed to
1771 ensure that the benefit paid is the actuarial equivalent of the
1772 present value of the member's current benefit. The consent of a
1773 retired member's formerly designated spouse or domestic partner
1774 as beneficiary to any such change shall not be required.

1775 (9) Notwithstanding any other provision in this chapter to
1776 the contrary, the following provisions shall apply to any

HB 1053

2008

1777 officer or employee who has accumulated at least 10 years of
1778 service and dies:

1779 (a) If the deceased member's surviving spouse or domestic
1780 partner has previously received a refund of the member's
1781 contributions made to the retirement trust fund, such spouse or
1782 domestic partner may pay to the department an amount equal to
1783 the sum of the amount of the deceased member's contributions
1784 previously refunded and interest at 3 percent compounded
1785 annually on the amount of such refunded contributions from the
1786 date of refund until July 1, 1975, and thereafter at the rate of
1787 6.5 percent interest compounded annually to the date of payment
1788 to the department, and by so doing be entitled to receive the
1789 monthly retirement benefit provided in paragraph (c).

1790 (b) If the deceased member's surviving spouse or domestic
1791 partner has not received a refund of the deceased member's
1792 contributions, such spouse or domestic partner shall, upon
1793 application to the department, receive the monthly retirement
1794 benefit provided in paragraph (c).

1795 (c) The monthly benefit payable to the spouse or domestic
1796 partner described in paragraph (a) or paragraph (b) shall be the
1797 amount which would have been payable to the deceased member's
1798 spouse or domestic partner, assuming that the member retired on
1799 the date of death and had selected the option in subsection (4)
1800 which would afford the surviving spouse or domestic partner the
1801 greatest amount of benefits, such benefit to be based on the
1802 ages of the spouse or domestic partner and member as of the date
1803 of death of the member. Such benefit shall commence on the first
1804 day of the month following the payment of the aforesaid amount

HB 1053

2008

1805 to the department, if paragraph (a) is applicable, or on the
 1806 first day of the month following the receipt of the spouse's or
 1807 domestic partner's application by the department, if paragraph
 1808 (b) is applicable.

1809 Section 31. Paragraphs (a) and (b) of subsection (6) of
 1810 section 122.34, Florida Statutes, are amended to read:

1811 122.34 Special provisions for certain sheriffs and full-
 1812 time deputy sheriffs.--

1813 (6) (a) The surviving spouse or domestic partner of any
 1814 high hazard member hereafter killed in the line of duty shall
 1815 receive a monthly pension equal to one-half the monthly salary
 1816 drawn by the deceased member at the time of death for the rest
 1817 of his or her life, unless he or she remarries or enters a
 1818 subsequent domestic partnership, in which case the pension shall
 1819 terminate at the date of the remarriage or subsequent domestic
 1820 partnership.

1821 (b) Any sums of money which would have accrued to such
 1822 surviving spouse or domestic partner had he or she lived until
 1823 the 18th birthday of such high hazard member's youngest child
 1824 shall accrue, share and share alike, for the use and benefit of
 1825 such member's child or children under 18 years of age and
 1826 unmarried during such minority. Such sums, as the same would
 1827 have accrued to such surviving spouse or domestic partner, shall
 1828 be paid to the legal guardian of the estate of such child or
 1829 children, or either of them, during such minority to age 18
 1830 years.

1831 Section 32. This act shall take effect July 1, 2008.