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CHAMBER ACTION

Senate

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House

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1 Senator Fasano moved the following **amendment**:

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3 **Senate Amendment (with directory and title amendments)**

4 Between line(s) 53 and 54,

5 insert:

6 (39) (a) "Termination" occurs, except as provided in
7 paragraph (b), when:

8 1. For retirements effective before January 1, 2009, a
9 member ceases all employment relationships with employers under
10 this system, as defined in subsection (10), but in the event a
11 member should be employed by any such employer within the next
12 calendar month, termination shall be deemed not to have occurred.
13 A leave of absence shall constitute a continuation of the
14 employment relationship, except that a leave of absence without
15 pay due to disability may constitute termination for a member, if
16 such member makes application for and is approved for disability
17 retirement in accordance with s. 121.091(4). The department or



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18 board may require other evidence of termination as it deems
19 necessary.

20 2. For retirements effective on or after January 1, 2009, a
21 member ceases all employment relationships with employers under
22 this system, as defined in subsection (10), but in the event a
23 member should be employed by any such employer within the next 12
24 calendar months, termination shall be deemed not to have
25 occurred. A leave of absence shall constitute a continuation of
26 the employment relationship, except that a leave of absence
27 without pay due to disability may constitute termination for a
28 member, if such member makes application for and is approved for
29 disability retirement in accordance with s. 121.091(4). The
30 department or board may require other evidence of termination as
31 it deems necessary.

32 (b) "Termination" for a member electing to participate
33 under the Deferred Retirement Option Program occurs when the
34 Deferred Retirement Option Program participant ceases all
35 employment relationships with employers under this system in
36 accordance with s. 121.091(13), but:

37 1. For DROP termination dates before January 1, 2009, in
38 the event the Deferred Retirement Option Program participant
39 should be employed by any such employer within the next calendar
40 month, termination will be deemed not to have occurred, except as
41 provided in s. 121.091(13)(b)4.c. A leave of absence shall
42 constitute a continuation of the employment relationship.

43 2. For DROP termination dates on or after January 1, 2009,
44 in the event the DROP participant should be employed by any such
45 employer within the next 12 calendar months, termination will be
46 deemed not to have occurred, except as provided in s.



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47 121.091(13)(b)4.c. A leave of absence shall constitute a
48 continuation of the employment relationship.

49
50 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

51 And the directory clause is amended as follows:

52 Delete line(s) 34-35

53 and insert:

54 Section 1. Paragraph (b) of subsection (22) and subsection
55 (39) of section 121.021, Florida Statutes, are amended to read:

56

57 ===== T I T L E A M E N D M E N T =====

58 And the title is amended as follows:

59 Delete line(s) 3-10

60 and insert:

61 redefining the terms "compensation" and "termination";
62 amending s. 121.051, F.S.; requiring that a person