

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Attkisson offered the following:

2
3 **Amendment (with directory and title amendments)**

4 Between lines 716 and 717, insert:

5 (c) The provisions of this subsection apply to retirees,
6 as defined in s. 121.4501(2)(j), of the Public Employee Optional
7 Retirement Program created in part II, subject to the following
8 conditions:

9 1. Such retirees may not be reemployed with an employer
10 participating in the Florida Retirement System as provided in
11 paragraph (b) until such person has been retired for 3 calendar
12 months, unless the participant has reached the normal retirement
13 requirements of the defined benefit plan as provided in s.
14 121.021(29).

15 2. Such retiree employed in violation of this subsection
16 and any employing agency that knowingly employs or appoints such
966259

4/28/2008 6:00 PM

Amendment No.

17 person shall be jointly and severally liable for reimbursement
18 of any benefits paid to the retirement trust fund from which the
19 benefits were paid, including the Retirement System Trust Fund
20 and the Public Employee Optional Retirement Program Trust Fund,
21 as appropriate. To avoid liability, such employing agency must
22 have a written statement from the retiree that he or she is not
23 retired from a state-administered retirement system.

24 (d)1. For purposes of this paragraph, the term "member"
25 means a person who:

26 a. Retired from employment with an employer;

27 b. Was a member of the Senior Management Service Class or
28 was a member of the Special Risk Class and held the rank or
29 equivalent rank of captain or above, upon retirement or at the
30 end of DROP participation; and

31 c. Was reemployed during months 2 through 12 by the same
32 employer from which the member retired.

33 2. For the period July 1, 2005, to June 30, 2008, any
34 employer who reemployed a member in months 2 through 12 of
35 retirement must certify to the Governor, the President of the
36 Senate, and the Speaker of the House of Representatives the
37 following information on each reemployed member no later than
38 October 1, 2008:

39 a. The date the member notified the employer that he or
40 she intended to retire or enter DROP.

41 b. The date the member provided as his or her date for
42 retirement or DROP participation dates.

43 c. How much time the employer had to plan for that
44 member's upcoming retirement and to recruit and train a person

966259

4/28/2008 6:00 PM

Amendment No.

45 to take over the member's job responsibilities prior to that
46 member's retirement date.

47 d. Why the employer failed to plan for that member's
48 upcoming retirement and to recruit and train another person to
49 take over the member's job responsibilities prior to that
50 member's retirement date.

51 3. On or after July 1, 2008, any employer who reemploys a
52 member in months 2 through 12 of retirement must certify to the
53 Governor, the President of the Senate, and the Speaker of the
54 House of Representatives the following information on each
55 reemployed member within 30 days of reemployment:

56 a. The date the member notified the employer that he or
57 she intended to retire or enter DROP.

58 b. The date the member provided as his or her date for
59 retirement or DROP participation dates.

60 c. How much time the employer had to plan for that
61 member's upcoming retirement and to recruit and train a person
62 to take over the member's job responsibilities prior to that
63 member's retirement date.

64 d. Why the employer failed to plan for that member's
65 upcoming retirement and to recruit and train another person to
66 take over the member's job responsibilities prior to that
67 member's retirement date.

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69 -----
70 **D I R E C T O R Y A M E N D M E N T**

71 Remove line 427 and insert:

72 Section 7. Subsection (9), paragraphs (a),

966259

4/28/2008 6:00 PM

Amendment No.

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

Between lines 34 and 35, insert:

defining the term "member" for purposes of reporting to the
Governor, the President of the Senate, and the Speaker of the
House of Representatives those members who have been reemployed
after retirement; requiring employers to certify to the
Governor, the President of the Senate, and the Speaker of the
House of Representatives information regarding those employers
who reemployed members during months 2 through 12 of retirement;