

By Senator Aronberg

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1 A bill to be entitled
2 An act relating to the Florida Retirement System; amending
3 s. 121.111, F.S.; authorizing additional persons to
4 purchase credit for prior military wartime service;
5 revising the payroll contribution rates for the membership
6 classes of the system; providing a declaration of
7 important state interest; providing an effective date.
8

9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Subsection (2) of section 121.111, Florida
12 Statutes, is amended to read:

13 121.111 Credit for military service.--

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

19 1.(a) The member is vested;

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

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

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30 retirement trust fund.

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

40 1. Any person whose retirement date under the Florida
41 Retirement System is prior to July 1, 1985, may claim such
42 service at any time, as provided in this subsection, upon payment
43 of contributions and interest as provided in subparagraph (a)3.
44 ~~paragraph (c)~~, with interest computed to the retired member's
45 retirement date. The benefit shall be recalculated and increased
46 to include the additional service credit granted for such wartime
47 military service, and a lump-sum payment shall be made to the
48 retiree for the amount owed due to the additional service credit,
49 retroactive to the date of retirement.

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

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

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

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

76 | Section 2. Effective July 1, 2008, in order to fund the
77 | benefits provided by this act:

78 | (1) The contribution rate that applies to the Regular Class
79 | of the Florida Retirement System shall be increased by 0.11
80 | percentage points.

81 | (2) The contribution rate that applies to the Special Risk
82 | Class of the Florida Retirement System shall be increased by 0.16
83 | percentage points.

84 | (3) The contribution rate that applies to the Special Risk
85 | Administrative Support Class of the Florida Retirement System
86 | shall be increased by 0.21 percentage points.

87 | (4) The contribution rate that applies to the Judicial

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88 subclass of the Elected Officers' Class of the Florida Retirement
89 System shall be increased by 0.20 percentage points.

90 (5) The contribution rate that applies to the legislative-
91 attorney-Cabinet subclass of the Elected Officers' Class of the
92 Florida Retirement System shall be increased by 0.19 percentage
93 points.

94 (6) The contribution rate that applies to the County
95 Officers' subclass of the Elected Officers' Class of the Florida
96 Retirement System shall be increased by 0.22 percentage points.

97 (7) The contribution rate that applies to the Senior
98 Management Service Class of the Florida Retirement System shall
99 be increased by 0.18 percentage points.

100
101 These increases shall be in addition to all other changes to such
102 contribution rates which may be enacted into law to take effect
103 on that date. The Division of Statutory Revision is directed to
104 adjust the contribution rates set forth in sections 121.052,
105 121.055, and 121.071, Florida Statutes.

106 Section 3. The Legislature finds that a proper and
107 legitimate state purpose is served when employees and retirees of
108 the state and its political subdivisions, and the dependents,
109 survivors, and beneficiaries of such employees and retirees, are
110 extended the basic protections afforded by governmental
111 retirement systems. These persons must be provided benefits that
112 are fair and adequate and that are managed, administered, and
113 funded in an actuarially sound manner, as required by Section 14,
114 Article X of the State Constitution, and part VII of chapter 112,
115 Florida Statutes. Therefore, the Legislature determines and
116 declares that this act fulfills an important state interest.

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Section 4. This act shall take effect July 1, 2008.