



940046

LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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04/30/2009 11:08 AM

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Senator Lawson moved the following:

1           **Senate Substitute for Amendment (873430) (with title**  
2 **amendment)**

3  
4           Delete everything after the enacting clause  
5 and insert:

6           Section 1. Subsections (10), (11), (18), (29), (39), (52),  
7 and (53) of section 121.021, Florida Statutes, are amended, and  
8 subsections (63) and (64) are added to that section, to read:

9           121.021 Definitions.—The following words and phrases as  
10 used in this chapter have the respective meanings set forth  
11 unless a different meaning is plainly required by the context:

12           (10) "Employer" means any agency, branch, department,



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13 institution, university, institution of higher education, or  
14 board of the state, or any county agency, branch, department,  
15 board, district school board, municipality, metropolitan  
16 planning organization, or special district of the state, ~~or any~~  
17 ~~city of the state~~ which participates in the system for the  
18 benefit of certain of its employees, or a charter school or  
19 charter technical career center that participates as provided in  
20 s. 121.051(2)(d). Employers are not agents of the department,  
21 the state board, or the Division of Retirement, and the  
22 department, the state board, and the division are not  
23 responsible for erroneous information provided by  
24 representatives of employers.

25 (11) "Officer or employee" means any person receiving  
26 salary payments for work performed in a regularly established  
27 position and, if employed by a municipality ~~city,~~ a metropolitan  
28 planning organization, or a special district, employed in a  
29 covered group. The term does not apply to state employees  
30 covered by a leasing agreement under s. 110.191, other public  
31 employees covered by a leasing agreement, or a co-employer  
32 relationship.

33 (18) "Past service" of any member, as provided in s.  
34 121.081(1), means the number of years and complete months and  
35 any fractional part of a month, recognized and credited by an  
36 employer and approved by the administrator, during which the  
37 member was in the active employ of a governmental ~~an~~ employer  
38 and for which the employee is not entitled to a benefit before  
39 ~~prior to~~ his or her date of participation.

40 (29) "Normal retirement date" means the ~~first day of any~~  
41 ~~month following the~~ date a member attains normal retirement age



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42 and is vested, which is determined as follows ~~one of the~~  
43 ~~following statuses:~~

44 (a) If a Regular Class member, a Senior Management Service  
45 Class member, or an Elected Officers' Class ~~the~~ member:

46 1. The first day of the month the member completes 6 or  
47 more years of creditable service and attains age 62; or

48 2. The first day of the month following the date the member  
49 completes 30 years of creditable service, regardless of age,  
50 ~~which may include a maximum of 4 years of military service~~  
51 ~~credit as long as such credit is not claimed under any other~~  
52 ~~system.~~

53 (b) If a Special Risk Class member, ~~the member:~~

54 1. The first day of the month the member completes 6 or  
55 more years of creditable service in the Special Risk Class and  
56 attains age 55;

57 2. The first day of the month following the date the member  
58 completes 25 years of creditable service in the Special Risk  
59 Class, regardless of age; or

60 3. The first day of the month following the date the member  
61 completes 25 years of creditable service and attains age 52,  
62 which service may include a maximum of 4 years of military  
63 service credit as long as such credit is not claimed under any  
64 other system and the remaining years are in the Special Risk  
65 Class.

66 ~~(c) If a Senior Management Service Class member, the~~  
67 ~~member:~~

68 1. ~~Completes 6 years of creditable service in the Senior~~  
69 ~~Management Service Class and attains age 62; or~~

70 2. ~~Completes 30 years of any creditable service, regardless~~



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71 ~~of age, which may include a maximum of 4 years of military~~  
72 ~~service credit as long as such credit is not claimed under any~~  
73 ~~other system.~~

74 ~~(d) If an Elected Officers' Class member, the member:~~

75 ~~1. Completes 6 years of creditable service in the Elected~~  
76 ~~Officers' Class and attains age 62; or~~

77 ~~2. Completes 30 years of any creditable service, regardless~~  
78 ~~of age, which may include a maximum of 4 years of military~~  
79 ~~service credit as long as such credit is not claimed under any~~  
80 ~~other system.~~

81  
82 "Normal retirement age" is attained on the "normal retirement  
83 date."

84 (39) (a) "Termination" occurs, except as provided in  
85 paragraph (b), when a member ceases all employment relationships  
86 with an employer, however: ~~employers under this system, as~~  
87 ~~defined in subsection (10), but in the event~~

88 1. For retirements effective before July 1, 2010, if a  
89 member is ~~should be~~ employed by any such employer within the  
90 next calendar month, termination shall be deemed not to have  
91 occurred. A leave of absence constitutes ~~shall constitute~~ a  
92 continuation of the employment relationship, except that a leave  
93 of absence without pay due to disability may constitute  
94 termination ~~for a member,~~ if such member makes application for  
95 and is approved for disability retirement in accordance with s.  
96 121.091(4). The department or state board may require other  
97 evidence of termination as it deems necessary.

98 2. For retirements effective on or after July 1, 2010, if a  
99 member is employed by any such employer within the next 6



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100 calendar months, termination shall be deemed not to have  
101 occurred. A leave of absence constitutes a continuation of the  
102 employment relationship, except that a leave of absence without  
103 pay due to disability may constitute termination if such member  
104 makes application for and is approved for disability retirement  
105 in accordance with s. 121.091(4). The department or state board  
106 may require other evidence of termination as it deems necessary.

107 (b) "Termination" for a member electing to participate in  
108 ~~under~~ the Deferred Retirement Option Program occurs when the  
109 ~~Deferred Retirement Option~~ program participant ceases all  
110 employment relationships with an employer ~~employers under this~~  
111 ~~system~~ in accordance with s. 121.091(13), however: but

112 1. For termination dates occurring before July 1, 2010, if  
113 in the event the Deferred Retirement Option Program participant  
114 is ~~should be~~ employed by any such employer within the next  
115 calendar month, termination will be deemed not to have occurred,  
116 except as provided in s. 121.091(13)(b)4.c. A leave of absence  
117 shall constitute a continuation of the employment relationship.

118 2. For termination dates occurring on or after July 1,  
119 2010, if the DROP participant becomes employed by any such  
120 employer within the next 6 calendar months, termination will be  
121 deemed not to have occurred, except as provided in s.  
122 121.091(13)(b)4.c. A leave of absence constitutes a continuation  
123 of the employment relationship.

124 (52) "Regularly established position" means ~~is defined as~~  
125 ~~follows:~~

126 (a) With respect to ~~In~~ a state employer agency, ~~the term~~  
127 ~~means~~ a position that ~~which~~ is authorized and established  
128 pursuant to law and is compensated from a salaries and benefits



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129 appropriation pursuant to s. 216.011(1) (mm) ~~(dd)~~, or an  
130 established position that ~~which~~ is authorized pursuant to s.  
131 216.262(1) (a) and (b) and is compensated from a salaries account  
132 as provided in s. 216.011(1) (nn) ~~by rule~~.

133 (b) With respect to ~~In~~ a local employer agency (district  
134 school board, county agency, community college, city,  
135 metropolitan planning organization, charter school, charter  
136 technical career center, or special district), ~~the term means~~ a  
137 regularly established position that ~~which~~ will be in existence  
138 for a period beyond 6 consecutive months, except as provided by  
139 rule.

140 (53) "Temporary position" means ~~is defined as follows:~~

141 (a) With respect to ~~In~~ a state employer agency, a ~~the term~~  
142 ~~means an employment~~ position that ~~which~~ is compensated from an  
143 other personal services (OPS) account, ~~as provided for~~ in s.  
144 216.011(1) (dd).

145 (b) With respect to ~~In~~ a local employer agency, a ~~the term~~  
146 ~~means an employment~~ position that ~~which~~ will exist for less than  
147 6 consecutive months, or other ~~employment~~ position as determined  
148 by rule of the division, regardless of whether it will exist for  
149 6 consecutive months or longer.

150 (63) "State board" means the State Board of Administration.

151 (64) "Trustees" means the Board of Trustees of the State  
152 Board of Administration.

153 Section 2. Subsection (6) is added to section 121.031,  
154 Florida Statutes, to read:

155 121.031 Administration of system; appropriation; oaths;  
156 actuarial studies; public records.—

157 (6) Unless prior written approval is obtained from the



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158 department or state board, any promotional materials or  
159 advertisements that, directly or indirectly, refer to the  
160 "Florida Retirement System" or the "FRS" must contain a  
161 disclaimer that the information is not approved or endorsed by  
162 the Florida Retirement System.

163 Section 3. Paragraph (a) of subsection (1) and paragraphs  
164 (c) and (f) of subsection (2) of section 121.051, Florida  
165 Statutes, are amended to read:

166 121.051 Participation in the system.—

167 (1) COMPULSORY PARTICIPATION.—

168 (a) Participation in the Florida Retirement System is The  
169 ~~provisions of this law shall be~~ compulsory for ~~as to~~ all  
170 officers and employees, except elected officers who meet the  
171 requirements of s. 121.052(3), who are employed on or after  
172 December 1, 1970, by ~~of~~ an employer other than those referred to  
173 in paragraph (2) (b) ~~.~~, ~~and~~ Each officer or employee, as a  
174 condition of employment, becomes ~~shall become~~ a member of the  
175 system on the ~~as of his or her~~ date of employment, except that a  
176 person who is retired from any state retirement system and is  
177 reemployed on or after December 1, 1970, may not renew his or  
178 her membership in any state retirement system except as provided  
179 in s. 121.091(4) (h) for a person who recovers from disability,  
180 ~~and~~ as provided in s. 121.053 ~~s. 121.091(9) (b) 8.~~ for a person  
181 who is elected to public office, and, effective July 1, 1991, as  
182 provided in s. 121.122 for all other retirees.

183 1. Officers and employees of the University Athletic  
184 Association, Inc., a nonprofit association connected with the  
185 University of Florida, employed on and after July 1, 1979, may  
186 ~~shall~~ not participate in any state-supported retirement system.



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187           ~~2.1.~~ Any person appointed on or after July 1, 1989, to a  
188 faculty position in a college at the J. Hillis Miller Health  
189 Center at the University of Florida or the Medical Center at the  
190 University of South Florida which has a faculty practice plan  
191 adopted ~~provided~~ by rule ~~adopted~~ by the Board of Regents may not  
192 participate in the Florida Retirement System. Effective July 1,  
193 2008, any person appointed ~~thereafter~~ to a faculty position,  
194 including clinical faculty, in a college at a state university  
195 that has a faculty practice plan authorized by the Board of  
196 Governors may not participate in the Florida Retirement System.  
197 A faculty member so appointed shall participate in the optional  
198 retirement program for the State University System  
199 notwithstanding ~~the provisions of~~ s. 121.35(2) (a).

200           ~~2.~~ For purposes of this subparagraph ~~paragraph~~, the term:

201           a. "Faculty position" means ~~is defined as~~ a position  
202 assigned the principal responsibility of teaching, research, or  
203 public service activities or administrative responsibility  
204 directly related to the academic mission of the college. ~~The~~  
205 ~~term~~

206           b. "Clinical faculty" means ~~is defined as~~ a faculty  
207 position appointment in conjunction with a professional position  
208 in a hospital or other clinical environment at a college. ~~The~~  
209 ~~term~~

210           c. "Faculty practice plan" includes professional services  
211 to patients, institutions, or other parties which are rendered  
212 by the clinical faculty employed by a college that has a faculty  
213 practice plan at a state university authorized by the Board of  
214 Governors.

215           (2) OPTIONAL PARTICIPATION.—





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216 (c) Employees of public community colleges or charter  
217 technical career centers sponsored by public community colleges,  
218 ~~as~~ designated in s. 1000.21(3), who are members of the Regular  
219 Class of the Florida Retirement System and who comply with the  
220 criteria set forth in this paragraph and ~~in~~ s. 1012.875 may  
221 ~~elect~~, in lieu of participating in the Florida Retirement  
222 System, elect to withdraw from the ~~Florida Retirement~~ system  
223 altogether and participate in the State Community College System  
224 ~~an~~ Optional Retirement Program provided by the employing agency  
225 under s. 1012.875, ~~to be known as the State Community College~~  
226 ~~System Optional Retirement Program. Pursuant thereto:~~

227 1. Through June 30, 2001, the cost to the employer for such  
228 annuity equals ~~shall equal~~ the normal cost portion of the  
229 employer retirement contribution which would be required if the  
230 employee were a member of the Regular Class defined benefit  
231 program, plus the portion of the contribution rate required by  
232 s. 112.363(8) which ~~that~~ would otherwise be assigned to the  
233 Retiree Health Insurance Subsidy Trust Fund. Effective July 1,  
234 2001, each employer shall contribute on behalf of each  
235 participant in the optional program an amount equal to 10.43  
236 percent of the participant's gross monthly compensation. The  
237 employer shall deduct an amount ~~to provide~~ for the  
238 administration of the ~~optional retirement~~ program. The employer  
239 ~~providing the optional program~~ shall contribute an additional  
240 amount to the Florida Retirement System Trust Fund equal to the  
241 unfunded actuarial accrued liability portion of the Regular  
242 Class contribution rate.

243 2. The decision to participate in ~~such~~ an optional  
244 retirement program is ~~shall be~~ irrevocable ~~for~~ as long as the



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245 employee holds a position eligible for participation, except as  
246 provided in subparagraph 3. Any service creditable under the  
247 Florida Retirement System is ~~shall be~~ retained after the member  
248 withdraws from the ~~Florida Retirement~~ system; however,  
249 additional service credit in the ~~Florida Retirement~~ system may  
250 ~~shall~~ not be earned while a member of the optional retirement  
251 program.

252 3. An employee who has elected to participate in the  
253 optional retirement program shall have one opportunity, at the  
254 employee's discretion, ~~to choose~~ to transfer from the optional  
255 retirement program to the defined benefit program of the Florida  
256 Retirement System or to the Public Employee Optional Retirement  
257 Program, subject to the terms of the applicable optional  
258 retirement program contracts.

259 a. If the employee chooses to move to the Public Employee  
260 Optional Retirement Program, any contributions, interest, and  
261 earnings creditable to the employee under the State Community  
262 College System Optional Retirement Program is ~~shall be~~ retained  
263 by the employee in the State Community College System Optional  
264 Retirement Program, and the applicable provisions of s.  
265 121.4501(4) ~~shall~~ govern the election.

266 b. If the employee chooses to move to the defined benefit  
267 program of the Florida Retirement System, the employee shall  
268 receive service credit equal to his or her years of service  
269 under the State Community College System Optional Retirement  
270 Program.

271 (I) The cost for such credit is the ~~shall be an~~ amount  
272 representing the present value of the ~~that~~ employee's  
273 accumulated benefit obligation for the affected period of



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274 service. The cost shall be calculated as if the benefit  
275 commencement occurs on the first date the employee becomes ~~would~~  
276 ~~become~~ eligible for unreduced benefits, using the discount rate  
277 and other relevant actuarial assumptions that were used to value  
278 the Florida Retirement System defined benefit plan liabilities  
279 in the most recent actuarial valuation. The calculation must  
280 ~~shall~~ include any service already maintained under the defined  
281 benefit plan in addition to the years under the State Community  
282 College System Optional Retirement Program. The present value of  
283 any service already maintained must ~~under the defined benefit~~  
284 ~~plan shall~~ be applied as a credit to total cost resulting from  
285 the calculation. The division shall ensure that the transfer sum  
286 is prepared using a formula and methodology certified by an  
287 enrolled actuary.

288 (II) The employee must transfer from his or her State  
289 Community College System Optional Retirement Program account and  
290 from other employee moneys as necessary, a sum representing the  
291 present value of the ~~that~~ employee's accumulated benefit  
292 obligation immediately following the time of such movement,  
293 determined assuming that attained service equals the sum of  
294 service in the defined benefit program and service in the State  
295 Community College System Optional Retirement Program.

296 4. Participation in the optional retirement program is  
297 ~~shall be~~ limited to ~~those~~ employees who satisfy the following  
298 eligibility criteria:

299 a. The employee must be otherwise eligible for membership  
300 or renewed membership in the Regular Class of the Florida  
301 Retirement System, as provided in s. 121.021(11) and (12) or s.  
302 121.122.



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303           b. The employee must be employed in a full-time position  
304 classified in the Accounting Manual for Florida's Public  
305 Community Colleges as:

306           (I) Instructional; or

307           (II) Executive Management, Instructional Management, or  
308 Institutional Management, if a community college determines that  
309 recruiting to fill a vacancy in the position is to be conducted  
310 in the national or regional market, and:

311           ~~(A) the duties and responsibilities of the position include~~  
312 ~~either the formulation, interpretation, or implementation of~~  
313 ~~policies,~~ or

314           ~~(B) The duties and responsibilities of the position include~~  
315 the performance of functions that are unique or specialized  
316 within higher education and that frequently ~~involve the support~~  
317 ~~of~~ the mission of the community college.

318           c. The employee must be employed in a position not included  
319 in the Senior Management Service Class of the Florida Retirement  
320 System, as described in s. 121.055.

321           5. Participants in the program are subject to the same  
322 reemployment limitations, renewed membership provisions, and  
323 forfeiture provisions as are applicable to regular members of  
324 the Florida Retirement System under ss. 121.091(9), 121.122, and  
325 121.091(5), respectively. A participant who receives a program  
326 distribution funded by employer contributions shall be deemed to  
327 be retired from a state-administered retirement system if the  
328 participant is subsequently employed with an employer that  
329 participates in the Florida Retirement System.

330           6. Eligible community college employees are ~~shall be~~  
331 compulsory members of the Florida Retirement System until,



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332 pursuant to ~~the procedures set forth in~~ s. 1012.875, a written  
333 election to withdraw from the ~~Florida Retirement~~ system and ~~to~~  
334 participate in the State Community College System Optional  
335 Retirement Program is filed with the program administrator and  
336 received by the division.

337 a. A ~~Any~~ community college employee whose program  
338 eligibility results from initial employment must ~~shall~~ be  
339 enrolled in the State Community College System Optional  
340 Retirement Program retroactive to the first day of eligible  
341 employment. The employer retirement contributions paid through  
342 the month of the employee plan change shall be transferred to  
343 the community college to ~~for~~ the employee's optional program  
344 account, and, effective the first day of the next month, the  
345 employer shall pay the applicable contributions based upon  
346 subparagraph 1.

347 b. A ~~Any~~ community college employee whose program  
348 eligibility is ~~results from a change in status~~ due to the  
349 subsequent designation of the employee's position as one of  
350 those specified in subparagraph 4., or due to the employee's  
351 appointment, promotion, transfer, or reclassification to a  
352 position specified in subparagraph 4., must ~~shall~~ be enrolled in  
353 the program on ~~upon~~ the first day of the first full calendar  
354 month that such change in status becomes effective. The employer  
355 retirement contributions paid from the effective date through  
356 the month of the employee plan change must ~~shall~~ be transferred  
357 to the community college to ~~for~~ the employee's optional program  
358 account, and, effective the first day of the next month, the  
359 employer shall pay the applicable contributions based upon  
360 subparagraph 1.



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361           7. Effective July 1, 2003, through December 31, 2008, any  
362 participant of the State Community College System Optional  
363 Retirement Program who has service credit in the defined benefit  
364 plan of the Florida Retirement System for the period between his  
365 or her first eligibility to transfer from the defined benefit  
366 plan to the optional retirement program and the actual date of  
367 transfer may, during ~~his or her~~ employment, ~~elect to~~ transfer to  
368 the optional retirement program a sum representing the present  
369 value of the accumulated benefit obligation under the defined  
370 benefit retirement program for the ~~such~~ period of service  
371 credit. Upon ~~such~~ transfer, all ~~such~~ service credit previously  
372 earned under the defined benefit program of the Florida  
373 Retirement System during this period is ~~shall be~~ nullified for  
374 purposes of entitlement to a future benefit under the defined  
375 benefit program of the Florida Retirement System.

376           (f)1. If ~~whenever~~ an employer that participates in the  
377 Florida Retirement System undertakes the transfer, merger, or  
378 consolidation of governmental services or assumes the functions  
379 and activities of an employing governmental entity that was not  
380 an employer under the system, the employer must notify the  
381 department at least 60 days before ~~prior to~~ such action and  
382 ~~shall~~ provide documentation as required by the department. The  
383 transfer, merger, or consolidation of governmental services or  
384 assumption of governmental functions and activities must occur  
385 between public employers. The current or former employer may pay  
386 the employees' past service cost, unless prohibited under this  
387 chapter. This subparagraph does not apply to the transfer,  
388 merger, or consolidation of governmental services or assumption  
389 of functions and activities of a public entity under a leasing



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390 agreement having a co-employer relationship. Employers and  
391 employees of a public governmental employer whose service is  
392 covered by a leasing agreement under s. 110.191, any other  
393 leasing agreement, or a co-employer relationship are not  
394 eligible to participate in the Florida Retirement System.

395 2. ~~If when~~ the agency to which a member's employing unit is  
396 transferred, merged, or consolidated does not participate in the  
397 Florida Retirement System, a member may ~~shall~~ elect in writing  
398 to remain in the Florida Retirement System or to transfer to the  
399 local retirement system operated by the ~~such~~ agency. If the ~~such~~  
400 agency does not participate in a local retirement system, the  
401 member shall continue membership in the Florida Retirement  
402 System. In either case, ~~the~~ membership continues ~~shall continue~~  
403 for as long as the member is employed by the agency to which his  
404 or her unit was transferred, merged, or consolidated.

405 Section 4. Paragraph (f) of subsection (2) and paragraph  
406 (e) of subsection (3) of section 121.052, Florida Statutes, are  
407 amended to read:

408 121.052 Membership class of elected officers.—

409 (2) MEMBERSHIP.—The following holders of elective office,  
410 hereinafter referred to as "elected officers," whether assuming  
411 elective office by election, reelection, or appointment, are  
412 members of the Elected Officers' Class, except as provided in  
413 subsection (3):

414 (f) Any elected officer of a municipality or special  
415 district assuming office on or after July 1, 1997, through June  
416 30, 2009, as provided in subsection (3) paragraph (3)(e). On or  
417 after July 1, 2010, an elected officer shall become a member  
418 only if the governing body of the municipality or special



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419 district, at the time it joins the Florida Retirement System for  
420 its elected officers, elects, by majority vote, to include all  
421 its elected positions in the Elected Officers' Class.

422 (3) PARTICIPATION AND WITHDRAWAL, GENERALLY.—Effective July  
423 1, 1990, participation in the Elected Officers' Class shall be  
424 compulsory for elected officers listed in paragraphs (2) (a)-(d)  
425 and (f) assuming office on or after said date, unless the  
426 elected officer elects membership in another class or withdraws  
427 from the Florida Retirement System as provided in paragraphs  
428 (3) (a)-(d):

429 (e) ~~Effective July 1, 2001,~~ The governing body of a  
430 municipality or special district may, by majority vote, elect to  
431 designate all its elected positions for inclusion in the Elected  
432 Officers' Class.

433 1. Effective July 1, 1997, such election must be made  
434 between July 1, 1997, and December 31, 1997, and is irrevocable.  
435 The designation of such positions is effective the first day of  
436 the month following receipt by the department of the ordinance  
437 or resolution passed by the governing body.

438 2. Effective July 1, 2001, such election ~~must~~ shall be made  
439 between July 1, 2001, and December 31, 2001, and ~~is~~ shall be  
440 irrevocable. The designation of such positions ~~is~~ shall be  
441 effective the first day of the month following receipt by the  
442 department of the ordinance or resolution passed by the  
443 governing body.

444 3. Effective July 1, 2009, such election must be made  
445 between July 1, 2009, and December 31, 2009, and is irrevocable.  
446 The designation of such positions is effective the first day of  
447 the month following receipt by the department of the ordinance





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448 or resolution passed by the governing body.

449 Section 5. Paragraph (b) of subsection (1) of section  
450 121.053, Florida Statutes, is amended to read:

451 121.053 Participation in the Elected Officers' Class for  
452 retired members.—

453 (1)

454 (b) A ~~Any~~ retired member of the Florida Retirement System,  
455 or an ~~any~~ existing system as defined in s. 121.021(2), who, on  
456 or after July 1, 1990, serves in ~~is serving in, or is elected or~~  
457 ~~appointed to,~~ an elective office covered by the Elected  
458 Officers' Class shall be enrolled in the appropriate subclass of  
459 the Elected Officers' Class of the Florida Retirement System,  
460 and applicable contributions shall be paid into the Florida  
461 Retirement System Trust Fund as provided in s. 121.052(7).

462 ~~Pursuant thereto:~~

463 1. The ~~Any such~~ retired member may ~~shall be eligible to~~  
464 continue to receive retirement benefits as well as compensation  
465 for the elected officer service if ~~for as long as~~ he or she  
466 remains in an elective office covered by the Elected Officers'  
467 Class.

468 2. If the ~~any such~~ member serves in an elective office  
469 covered by the Elected Officers' Class and becomes vested under  
470 that class, he or she is ~~shall be~~ entitled to receive an  
471 additional retirement benefit for the ~~such~~ elected officer  
472 service.

473 3. The ~~Such~~ member is ~~shall be~~ entitled to purchase  
474 additional retirement credit in the Elected Officers' Class for  
475 any postretirement service performed in an elected position  
476 eligible for the Elected Officers' Class before ~~prior to~~ July 1,



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477 1990, or in the Regular Class for any postretirement service  
478 performed in any other regularly established position before  
479 ~~prior to~~ July 1, 1991, by paying the applicable Elected  
480 Officers' Class or Regular Class employee and employer  
481 contributions for the period being claimed, plus 4 percent  
482 interest compounded annually from the first year of service  
483 claimed until July 1, 1975, and 6.5 percent interest compounded  
484 thereafter, until full payment is made to the Florida Retirement  
485 System Trust Fund. The contribution for postretirement Regular  
486 Class service between July 1, 1985, and July 1, 1991, for which  
487 the reemployed retiree contribution was paid, is ~~shall be~~ the  
488 difference between the ~~such~~ contribution and the total  
489 applicable contribution for the period being claimed, plus  
490 interest. The employer ~~of such member~~ may pay the applicable  
491 employer contribution in lieu of the member. If a member does  
492 not wish to claim credit for all of the postretirement service  
493 for which he or she is eligible, the service the member claims  
494 must be the most recent service. Any retiree who served in an  
495 elective office before July 1, 1990, suspended his or her  
496 retirement benefits, and had his or her Florida Retirement  
497 System membership reinstated shall, upon retirement from such  
498 office, have his or her retirement benefit recalculated to  
499 include the additional service and compensation earned.

500 4. Creditable service for which credit was received, or  
501 which remained unclaimed, at retirement may not be claimed or  
502 applied toward service credit earned following renewed  
503 membership. However, service earned in accordance with the  
504 renewed membership provisions of ~~in~~ s. 121.122 may be used in  
505 conjunction with creditable service earned under this paragraph,



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506 ~~if provided~~ applicable vesting requirements and other existing  
507 statutory conditions required by this chapter are met.

508 5. A member ~~An elected officer who is elected or appointed~~  
509 ~~to an elective office and is~~ participating in the Deferred  
510 Retirement Option Program before July 1, 2010, is not subject to  
511 termination as provided in s. 121.021(39)(b), or reemployment  
512 limitations as provided in s. 121.091(9), until the end of his  
513 or her current term of office or, if the officer is  
514 consecutively elected or reelected to an elective office  
515 eligible for coverage under the Florida Retirement System, until  
516 he or she no longer holds such an elective office, as follows:

517 a. At the end of the 60-month DROP period:

518 (I) The officer's DROP account may not ~~shall~~ accrue ~~no~~  
519 additional monthly benefits, but shall continue to earn interest  
520 as provided in s. 121.091(13). However, an officer whose DROP  
521 participation begins on or after July 1, 2010, may not continue  
522 to earn interest as provided in s. 121.091(13).

523 (II) ~~No~~ Retirement contributions are not ~~shall be~~ required  
524 of the employer of the elected officer and ~~no~~ additional  
525 retirement credit may not ~~shall~~ be earned under the Florida  
526 Retirement System.

527 b. ~~Nothing herein shall prevent~~ An elected officer may ~~from~~  
528 voluntarily terminate ~~terminating~~ his or her elective office at  
529 any time and ~~electing to~~ receive his or her DROP proceeds.  
530 However, until termination ~~requirements are fulfilled~~ as defined  
531 ~~provided~~ in s. 121.021(39) occurs, an ~~any~~ elected officer whose  
532 termination limitations are extended by this section is ~~shall be~~  
533 ineligible for renewed membership in the system and may not  
534 ~~shall~~ receive ~~no~~ pension payments, DROP lump sum payments, or



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535 any other state payment other than the statutorily determined  
536 salary, travel, and per diem for the elective office.

537 c. Upon termination, the officer shall receive his or her  
538 accumulated DROP account, plus interest, and shall accrue and  
539 commence receiving monthly retirement benefits, which must ~~shall~~  
540 be paid on a prospective basis only.

541  
542 However, an officer electing to participate in the Deferred  
543 Retirement Option Program on or before June 30, 2002, is ~~shall~~  
544 not ~~be~~ required to terminate and remains ~~shall remain~~ subject to  
545 the provisions of this subparagraph as adopted in section 1 of  
546 chapter 2001-235, Laws of Florida.

547 Section 6. Paragraph (f) of subsection (1) and paragraph  
548 (e) of subsection (6) of section 121.055, Florida Statutes, are  
549 amended to read:

550 121.055 Senior Management Service Class.—There is hereby  
551 established a separate class of membership within the Florida  
552 Retirement System to be known as the "Senior Management Service  
553 Class," which shall become effective February 1, 1987.

554 (1)

555 (f) Effective July 1, 1997:

556 1. An ~~Any~~ elected state officer eligible for membership in  
557 the Elected Officers' Class under s. 121.052(2)(a), (b), or (c)  
558 who elects membership in the Senior Management Service Class  
559 under s. 121.052(3)(c) may, within 6 months after assuming  
560 office or within 6 months after this act becomes a law for  
561 serving elected state officers, elect to participate in the  
562 Senior Management Service Optional Annuity Program, as provided  
563 in subsection (6), in lieu of membership in the Senior



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564 Management Service Class.

565       2. An ~~Any~~ ~~elected county~~ officer of a local agency employer  
566 eligible for membership in the Elected Officers' Class under s.  
567 121.052(2) (d) who elects membership in the Senior Management  
568 Service Class under s. 121.052(3) (c) may, within 6 months after  
569 assuming office, or within 6 months after this act becomes a law  
570 for serving elected ~~county~~ officers of a local agency employer,  
571 elect to withdraw from the Florida Retirement System ~~participate~~  
572 ~~in a lifetime monthly annuity program,~~ as provided in  
573 subparagraph (b)2., in lieu of membership in the Senior  
574 Management Service Class.

575       (6)

576       (e) *Benefits.*—

577       1. Benefits shall be payable under the Senior Management  
578 Service Optional Annuity Program only to participants in the  
579 program, or their beneficiaries as designated by the participant  
580 in the contract with a provider company, and such benefits shall  
581 be paid by the designated company in accordance with the terms  
582 of the annuity contract or contracts applicable to the  
583 participant. A participant must be terminated from all  
584 employment with all Florida Retirement System employers as  
585 provided in s. 121.021(39) to begin receiving the employer-  
586 funded benefit. Benefits funded by employer contributions shall  
587 be payable under the terms of the contract ~~only as a lifetime~~  
588 ~~annuity~~ to the participant, his or her beneficiary, or his or  
589 her estate, in addition to ~~except for~~:

590       a. A lump-sum payment to the beneficiary upon the death of  
591 the participant;

592       b. A cash-out of a de minimis account upon the request of a



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593 former participant who has been terminated for a minimum of 6  
594 months from the employment that entitled him or her to optional  
595 annuity program participation. ~~A de minimis account is an~~  
596 ~~account with a provider company containing employer~~  
597 ~~contributions and accumulated earnings of not more than \$5,000~~  
598 ~~made under the provisions of this chapter.~~ Such cash-out must be  
599 a complete liquidation of the account balance with that company  
600 and is subject to the provisions of the Internal Revenue Code;

601 c. A mandatory distribution of a de minimis account of a  
602 former participant who has been terminated for a minimum of 6  
603 months from the employment that entitled him or her to optional  
604 annuity program participation as authorized by the department;  
605 or

606 d.e. A lump-sum direct rollover distribution whereby all  
607 accrued benefits, plus interest and investment earnings, are  
608 paid from the participant's account directly to the custodian of  
609 an eligible retirement plan, as defined in s. 402(c)(8)(B) of  
610 the Internal Revenue Code, on behalf of the participant.

611  
612 As used in this subparagraph, a "de minimis account" means an  
613 account with a provider company containing employer  
614 contributions and accumulated earnings of not more than \$5,000  
615 made under this chapter.

616 2. The benefits payable to any person under the Senior  
617 Management Service Optional Annuity Program, and any  
618 contribution accumulated under such program, shall not be  
619 subject to assignment, execution, or attachment or to any legal  
620 process whatsoever.

621 3. Except as provided in subparagraph 4., a participant who



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622 terminates employment and receives optional annuity program  
623 benefits funded by employer contributions shall be deemed to be  
624 retired from a state-administered retirement system in the event  
625 of subsequent employment with any employer that participates in  
626 the Florida Retirement System.

627 4. A participant who receives optional annuity program  
628 benefits funded by employer contributions as a mandatory  
629 distribution of a de minimis account authorized by the  
630 department will not be considered a retiree.

631 Section 7. Paragraph (a) of subsection (6) of section  
632 121.071, Florida Statutes, is amended to read:

633 121.071 Contributions.—Contributions to the system shall be  
634 made as follows:

635 (6) (a) Required employee contributions for all service  
636 other than current service, including, but not limited to, prior  
637 service, past service, military service, leave-of-absence  
638 service, out-of-state service, and certain non-Florida  
639 Retirement System in-state service, shall be paid by cash,  
640 personal check, cashier's check, ~~or~~ money order, or a direct  
641 rollover or transfer from a qualified plan as provided under the  
642 Internal Revenue Code. The payment must ~~only;~~ shall be  
643 accompanied by a statement identifying the service for which  
644 payment is made~~;~~ and shall be made in a lump sum for the total  
645 amount due or in annual payments of not less than \$100, except  
646 for the final payment if less than \$100, unless another method  
647 of payment is authorized by law or rule.

648 Section 8. Paragraphs (a), (b), (e), (f), and (h) of  
649 subsection (1) of section 121.081, Florida Statutes, are amended  
650 to read:



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651           121.081 Past service; prior service; contributions.-  
652 Conditions under which past service or prior service may be  
653 claimed and credited are:  
654           (1) (a) Past service, as defined in s. 121.021(18), may be  
655 claimed as creditable service by officers or employees of a  
656 municipality city, metropolitan planning organization, charter  
657 school, charter technical career center, or special district who  
658 ~~that~~ become a covered group under this system. The governing  
659 body of a covered group in compliance with s. 121.051(2) (b) may  
660 elect to provide benefits for ~~with respect to~~ past service  
661 earned before ~~prior to~~ January 1, 1975, in accordance with this  
662 chapter, and the cost for such past service is ~~shall be~~  
663 established by applying the following formula: The member  
664 contribution for both regular and special risk members is ~~shall~~  
665 ~~be~~ 4 percent of the gross annual salary for each year of past  
666 service claimed, plus 4-percent employer matching contribution,  
667 plus 4-percent interest thereon compounded annually, figured on  
668 each year of past service, with interest compounded from date of  
669 annual salary earned until July 1, 1975, and 6.5-percent  
670 interest compounded annually thereafter until date of payment.  
671 Once the total cost for a member has been figured to date, then  
672 after July 1, 1975, 6.5-percent compounded interest shall be  
673 added each June 30 thereafter on any unpaid balance until the  
674 cost of such past service liability is paid in full. The  
675 following formula shall be used in calculating past service  
676 earned before ~~prior to~~ January 1, 1975: (Annual gross salary  
677 multiplied by 8 percent) multiplied by the 4-percent or 6.5-  
678 percent compound interest table factor, as may be applicable.  
679 The resulting product equals cost to date for each particular





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680 year of past service.

681 (b) Past service earned after January 1, 1975, may be  
682 claimed by officers or employees of a municipality city,  
683 metropolitan planning organization, charter school, charter  
684 technical career center, or special district ~~who become that~~  
685 ~~becomes~~ a covered group under this system. The governing body of  
686 a covered group may elect to provide benefits for ~~with respect~~  
687 to past service earned after January 1, 1975, in accordance with  
688 this chapter, and the cost for such past service is ~~shall be~~  
689 established by applying the following formula: The employer  
690 shall contribute an amount equal to the contribution rate in  
691 effect at the time the service was earned, multiplied by the  
692 employee's gross salary for each year of past service claimed,  
693 plus 6.5-percent interest thereon, compounded annually, figured  
694 on each year of past service, with interest compounded from date  
695 of annual salary earned until date of payment.

696 (e) Past service, as defined in s. 121.021(18), may be  
697 claimed as creditable service by a member of the Florida  
698 Retirement System who formerly was an officer or employee of a  
699 municipality city, metropolitan planning organization, charter  
700 school, charter technical career center, or special district,  
701 notwithstanding the status or form of the retirement system, if  
702 any, of that municipality city, metropolitan planning  
703 organization, charter school, charter technical career center,  
704 or special district and irrespective of whether such officers or  
705 employees ~~of that city, metropolitan planning organization, or~~  
706 ~~special district~~ now or hereafter become a covered group under  
707 the Florida Retirement System. Such member may claim creditable  
708 service and be entitled to the benefits accruing to the regular



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709 class of members as provided for the past service claimed under  
710 this paragraph by paying into the retirement trust fund an  
711 amount equal to the total actuarial cost of providing the  
712 additional benefit resulting from such past-service credit,  
713 discounted by the applicable actuarial factors to date of  
714 retirement.

715 (f) ~~If~~ When any person, ~~either prior to this act or~~  
716 ~~hereafter,~~ becomes entitled to and participates ~~does participate~~  
717 in one of the retirement systems under ~~consolidated within or~~  
718 ~~created by~~ this chapter through the consolidation or merger of  
719 governments or the transfer of functions between units of  
720 government, ~~either~~ at the state or local level or between state  
721 and local units, or through the assumption of functions or  
722 activities by a state or local unit from an employing  
723 governmental entity that ~~which~~ was not an employer under the  
724 system, and such person becomes a member of the Florida  
725 Retirement System, such person is ~~shall be~~ entitled to receive  
726 past-service credit ~~as defined in s. 121.021(18)~~ for the time  
727 the ~~such~~ person performed services for, and was an employee of,  
728 such state or local unit or other governmental employing entity  
729 before ~~prior to~~ the transfer, merger, consolidation, or  
730 assumption of functions and activities. Past-service credit  
731 allowed by this paragraph is ~~shall~~ also be available to any  
732 person who becomes a member of an existing system before, ~~as~~  
733 ~~defined in s. 121.021(2), prior to~~ December 1, 1970, through the  
734 transfer, merger, consolidation, or assumption of functions and  
735 activities set forth in this paragraph and who subsequently  
736 becomes a member of the Florida Retirement System. However,  
737 credit for the past service may not be granted until



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738 contributions are made in the manner provided in this  
739 subsection. If a person rejected Florida Retirement System  
740 membership at the time of the transfer, merger, ~~or~~  
741 consolidation, or assumption of governmental functions and  
742 activities, the required contributions shall be at total  
743 actuarial cost as specified in paragraph (e). Such contributions  
744 or accrued interest may not be paid from any public state funds.

745 (h) The following provisions apply to the purchase of past  
746 service:

747 1. Notwithstanding any of the provisions of this  
748 subsection, past-service credit may not be purchased under this  
749 chapter for any service that is used to obtain a pension or  
750 benefit from a any local retirement system. Eligibility to  
751 receive or the receipt of contributions to a retirement plan  
752 made by the employer on behalf of the employee is considered a  
753 benefit.

754 2. A member may not receive past service credit under  
755 paragraphs (a), (b), (e), or (f) for any leaves of absence  
756 without pay, except that credit for active military service  
757 leaves of absence may be claimed under paragraphs (a), (b), and  
758 (f), in accordance with s. 121.111(1).

759 3. A member may not receive past service credit for co-  
760 employer service. Co-employer service or a co-employer  
761 relationship is employment in a single position simultaneously  
762 covered and reported by both a public employer and a private  
763 employer.

764 ~~4.3.~~ If a member does not want ~~desire~~ to receive credit for  
765 all of his or her past service, the period the member claims  
766 must be the most recent past service prior to his or her



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767 participation in the Florida Retirement System.

768 ~~5.4.~~ The cost of past service purchased by an employing  
769 agency for its employees may be amortized over the ~~such~~ period  
770 of time ~~as is~~ provided in the agreement, but not to exceed 15  
771 years, calculated in accordance with rule 60S-1.007(5)(f),  
772 Florida Administrative Code.

773 ~~6.5.~~ The retirement account of each member for whom past  
774 service is being provided by his or her employer shall be  
775 credited with all past service the employer agrees to purchase  
776 as soon as the agreement between the employer and the department  
777 is executed. ~~Pursuant thereto:~~

778 a. Each ~~such~~ member's account shall also be posted with the  
779 total contribution his or her employer agrees to make on ~~in~~ the  
780 member's behalf for past service earned before ~~prior to~~ October  
781 1, 1975, excluding those contributions representing the  
782 employer's matching share and the compound interest calculation  
783 on the total contribution. However, a portion of any  
784 contributions paid by an employer for past service credit earned  
785 on and after October 1, 1975, may not be posted to the ~~a~~  
786 member's account.

787 b. A refund of contributions payable after an employer has  
788 made a written agreement to purchase past service for employees  
789 of the covered group includes ~~shall include~~ contributions for  
790 past service which are posted to the ~~a~~ member's account.  
791 However, contributions for past service earned on and after  
792 October 1, 1975, are not refundable.

793 Section 9. Subsections (9), (13), and (14) of section  
794 121.091, Florida Statutes, are amended to read:

795 121.091 Benefits payable under the system.—Benefits may not



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796 be paid under this section unless the member has terminated  
797 employment as provided in s. 121.021(39) (a) or begun  
798 participation in the Deferred Retirement Option Program as  
799 provided in subsection (13), and a proper application has been  
800 filed in the manner prescribed by the department. The department  
801 may cancel an application for retirement benefits when the  
802 member or beneficiary fails to timely provide the information  
803 and documents required by this chapter and the department's  
804 rules. The department shall adopt rules establishing procedures  
805 for application for retirement benefits and for the cancellation  
806 of such application when the required information or documents  
807 are not received.

808 (9) EMPLOYMENT AFTER RETIREMENT; LIMITATION.—

809 (a) Any person who is retired under this chapter, except  
810 under the disability retirement provisions of subsection (4),  
811 may be employed by an employer that does not participate in a  
812 state-administered retirement system and ~~may~~ receive  
813 compensation from that employment without limiting or  
814 restricting in any way the retirement benefits payable to that  
815 person.

816 (b)~~1~~. Any person whose retirement is effective before July  
817 1, 2010, or whose participation in the Deferred Retirement  
818 Option Program terminates before July 1, 2010, who is retired  
819 under this chapter, except under the disability retirement  
820 provisions of subsection (4) or as provided in s. 121.053, may  
821 be reemployed by an any private or public employer that  
822 participates in a state-administered retirement system after  
823 retirement and receive retirement benefits and compensation from  
824 that his or her employer without any limitations, except that



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825 ~~the a~~ person may not be reemployed by an employer ~~receive both a~~  
826 ~~salary from reemployment with any agency~~ participating in the  
827 Florida Retirement System before meeting the definition of  
828 termination in s. 121.021(39) and may not receive both a salary  
829 from the employer and retirement benefits ~~under this chapter~~ for  
830 ~~a period of~~ 12 calendar months immediately subsequent to the  
831 date of retirement. However, a DROP participant shall continue  
832 employment and receive a salary during the period of  
833 participation in the Deferred Retirement Option Program, as  
834 provided in subsection (13).

835 1.2. A retiree ~~Any person to whom the limitation in~~  
836 ~~subparagraph 1. applies~~ who violates such reemployment  
837 limitation and ~~who is reemployed with any agency participating~~  
838 ~~in the Florida Retirement System~~ before completion of the 12-  
839 month limitation period must ~~shall~~ give timely notice of this  
840 fact in writing to the employer and to the Division of  
841 Retirement or the state board and shall have his or her  
842 retirement benefits suspended for the months employed or the  
843 balance of the 12-month limitation period as required in sub-  
844 subparagraphs b. and c. A retiree ~~Any person~~ employed in  
845 violation of this paragraph and an employer who ~~any employing~~  
846 ~~agency which knowingly~~ employs or appoints such person are  
847 ~~without notifying the Division of Retirement to suspend~~  
848 ~~retirement benefits shall be~~ jointly and severally liable for  
849 reimbursement to the retirement trust fund, including the  
850 Florida Retirement System Trust Fund and the Public employee  
851 Optional Retirement Program Trust Fund, from which the benefits  
852 were paid ~~of any benefits paid during the reemployment~~  
853 ~~limitation period.~~ The employer must ~~To avoid liability, such~~



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854 ~~employing agency shall~~ have a written statement from the retiree  
855 that he or she is not retired from a state-administered  
856 retirement system. ~~Any retirement benefits received while~~  
857 ~~reemployed during this reemployment limitation period shall be~~  
858 ~~repaid to the retirement trust fund, and~~ Retirement benefits  
859 shall remain suspended until ~~such~~ repayment has been made.  
860 Benefits suspended beyond the reemployment limitation shall  
861 apply toward repayment of benefits received in violation of the  
862 reemployment limitation.

863 ~~a.3.~~ A district school board may reemploy a retiree ~~retired~~  
864 ~~member~~ as a substitute or hourly teacher, education  
865 paraprofessional, transportation assistant, bus driver, or food  
866 service worker on a noncontractual basis after he or she has  
867 been retired for 1 calendar month, ~~in accordance with s.~~  
868 ~~121.021(39).~~ A district school board may reemploy a retiree  
869 ~~retired member~~ as instructional personnel, as defined in s.  
870 1012.01(2)(a), on an annual contractual basis after he or she  
871 has been retired for 1 calendar month, ~~in accordance with s.~~  
872 ~~121.021(39).~~ Any ~~other retired~~ member who is reemployed within 1  
873 calendar month after retirement shall void his or her  
874 application for retirement benefits. District school boards  
875 reemploying such teachers, education paraprofessionals,  
876 transportation assistants, bus drivers, or food service workers  
877 are subject to the retirement contribution required by  
878 subparagraph 2. 7.

879 ~~b.4.~~ A community college board of trustees may reemploy a  
880 retiree ~~retired member~~ as an adjunct instructor, ~~that is, an~~  
881 ~~instructor who is noncontractual and part-time,~~ or as a  
882 participant in a phased retirement program within the Florida



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883 Community College System, after he or she has been retired for 1  
884 calendar month, ~~in accordance with s. 121.021(39)~~. A Any retired  
885 member who is reemployed within 1 calendar month after  
886 retirement shall void his or her application for retirement  
887 benefits. Boards of trustees reemploying such instructors are  
888 subject to the retirement contribution required in subparagraph  
889 2. 7. A retiree ~~retired member~~ may be reemployed as an adjunct  
890 instructor for no more than 780 hours during the first 12 months  
891 of retirement. A retiree ~~Any retired member~~ reemployed for more  
892 than 780 hours during the first 12 months of retirement must  
893 ~~shall~~ give timely notice in writing to the employer and to the  
894 Division of Retirement or the state board of the date he or she  
895 will exceed the limitation. The division shall suspend his or  
896 her retirement benefits for the remainder of the ~~first~~ 12 months  
897 of retirement. Any retiree ~~person~~ employed in violation of this  
898 sub-subparagraph ~~subparagraph~~ and any employer who ~~employing~~  
899 ~~agency which knowingly~~ employs or appoints such person without  
900 notifying the division ~~of Retirement~~ to suspend retirement  
901 benefits are ~~shall be~~ jointly and severally liable for  
902 ~~reimbursement to the retirement trust fund of~~ any benefits paid  
903 during the reemployment limitation period. The employer must ~~To~~  
904 ~~avoid liability, such employing agency shall~~ have a written  
905 statement from the retiree that he or she is not retired from a  
906 state-administered retirement system. Any retirement benefits  
907 received by the retiree ~~a retired member~~ while reemployed in  
908 excess of 780 hours during the first 12 months of retirement  
909 must ~~shall~~ be repaid to the Florida Retirement System Trust  
910 Fund, and retirement benefits shall remain suspended until  
911 repayment is made. Benefits suspended beyond the end of the





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912 retiree's ~~retired member's~~ first 12 months of retirement shall  
913 apply toward repayment of benefits received in violation of the  
914 780-hour reemployment limitation.

915 ~~c.5.~~ The State University System may reemploy a retiree  
916 ~~retired member~~ as an adjunct faculty member or as a participant  
917 in a phased retirement program within the State University  
918 System after the retiree ~~retired member~~ has been retired for 1  
919 calendar month, ~~in accordance with s. 121.021(39).~~ A ~~Any retired~~  
920 member who is reemployed within 1 calendar month after  
921 retirement shall void his or her application for retirement  
922 benefits. The State University System is subject to the retired  
923 contribution required in subparagraph 2. 7., as appropriate. A  
924 retiree ~~retired member~~ may be reemployed as an adjunct faculty  
925 member or a participant in a phased retirement program for no  
926 more than 780 hours during the first 12 months of his or her  
927 retirement. A retiree ~~Any retired member~~ reemployed for more  
928 than 780 hours during the first 12 months of retirement must  
929 ~~shall~~ give timely notice in writing to the employer and to the  
930 Division of Retirement or the state board of the date he or she  
931 will exceed the limitation. The division shall suspend his or  
932 her retirement benefits for the remainder of the ~~first~~ 12 months  
933 ~~of retirement.~~ Any retiree ~~person~~ employed in violation of this  
934 sub-subparagraph ~~subparagraph~~ and any employer who ~~employing~~  
935 ~~agency which knowingly~~ employs or appoints such person without  
936 notifying the division ~~of Retirement~~ to suspend retirement  
937 benefits are ~~shall be~~ jointly and severally liable for  
938 ~~reimbursement to the retirement trust fund of~~ any benefits paid  
939 during the reemployment limitation period. The employer must ~~To~~  
940 ~~avoid liability, such employing agency shall~~ have a written



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941 statement from the retiree that he or she is not retired from a  
942 state-administered retirement system. Any retirement benefits  
943 received by the retiree ~~a retired member~~ while reemployed in  
944 excess of 780 hours during the first 12 months of retirement  
945 must ~~shall~~ be repaid to the Florida Retirement System Trust  
946 Fund, and retirement benefits shall remain suspended until  
947 repayment is made. Benefits suspended beyond the end of the  
948 retiree's ~~retired member's~~ first 12 months of retirement shall  
949 apply toward repayment of benefits received in violation of the  
950 780-hour reemployment limitation.

951 ~~d.6.~~ The Board of Trustees of the Florida School for the  
952 Deaf and the Blind may reemploy a retiree ~~retired member~~ as a  
953 substitute teacher, substitute residential instructor, or  
954 substitute nurse on a noncontractual basis after he or she has  
955 been retired for 1 calendar month, ~~in accordance with s.~~  
956 ~~121.021(39).~~ Any ~~retired~~ member who is reemployed within 1  
957 calendar month after retirement shall void his or her  
958 application for retirement benefits. The Board of Trustees of  
959 the Florida School for the Deaf and the Blind reemploying such  
960 teachers, residential instructors, or nurses is subject to the  
961 retirement contribution required by subparagraph 2. 7.  
962 ~~Reemployment of a retired member as a substitute teacher,~~  
963 ~~substitute residential instructor, or substitute nurse is~~  
964 ~~limited to 780 hours during the first 12 months of his or her~~  
965 ~~retirement. Any retired member reemployed for more than 780~~  
966 ~~hours during the first 12 months of retirement shall give timely~~  
967 ~~notice in writing to the employer and to the division of the~~  
968 ~~date he or she will exceed the limitation. The division shall~~  
969 ~~suspend his or her retirement benefits for the remainder of the~~



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970 ~~first 12 months of retirement. Any person employed in violation~~  
971 ~~of this subparagraph and any employing agency which knowingly~~  
972 ~~employs or appoints such person without notifying the division~~  
973 ~~of Retirement to suspend retirement benefits shall be jointly~~  
974 ~~and severally liable for reimbursement to the retirement trust~~  
975 ~~fund of any benefits paid during the reemployment limitation~~  
976 ~~period. To avoid liability, such employing agency shall have a~~  
977 ~~written statement from the retiree that he or she is not retired~~  
978 ~~from a state-administered retirement system. Any retirement~~  
979 ~~benefits received by a retired member while reemployed in excess~~  
980 ~~of 780 hours during the first 12 months of retirement shall be~~  
981 ~~repaid to the Retirement System Trust Fund, and his or her~~  
982 ~~retirement benefits shall remain suspended until payment is~~  
983 ~~made. Benefits suspended beyond the end of the retired member's~~  
984 ~~first 12 months of retirement shall apply toward repayment of~~  
985 ~~benefits received in violation of the 780-hour reemployment~~  
986 ~~limitation.~~

987 e. A developmental research school may reemploy a retiree  
988 as a substitute or hourly teacher or an education  
989 paraprofessional as defined in s. 1012.01(2) on a noncontractual  
990 basis after he or she has been retired for 1 calendar month. A  
991 developmental research school may reemploy a retiree as  
992 instructional personnel, as defined in s. 1012.01(2)(a), on an  
993 annual contractual basis after he or she has been retired for 1  
994 calendar month after retirement. Any member who is reemployed  
995 within 1 calendar month voids his or her application for  
996 retirement benefits. A developmental research school that  
997 reemploys retired teachers and education paraprofessionals is  
998 subject to the retirement contribution required by subparagraph



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999 2.

1000 f. A charter school may reemploy a retiree as a substitute  
1001 or hourly teacher on a noncontractual basis after he or she has  
1002 been retired for 1 calendar month. A charter school may reemploy  
1003 a retired member as instructional personnel, as defined in s.  
1004 1012.01(2)(a), on an annual contractual basis after he or she  
1005 has been retired for 1 calendar month after retirement. Any  
1006 member who is reemployed within 1 calendar month voids his or  
1007 her application for retirement benefits. A charter school that  
1008 reemploys such teachers is subject to the retirement  
1009 contribution required by subparagraph 2.

1010 2.7. ~~The employment by an employer of a any retiree or~~  
1011 ~~DROP participant of a any state-administered retirement system~~  
1012 ~~does not affect shall have no effect on~~ the average final  
1013 compensation or years of creditable service of the retiree or  
1014 DROP participant. Before ~~Prior to~~ July 1, 1991, upon employment  
1015 of any person, other than an elected officer as provided in s.  
1016 121.053, who is ~~has been~~ retired under a any state-administered  
1017 retirement program, the employer shall pay retirement  
1018 contributions in an amount equal to the unfunded actuarial  
1019 liability portion of the employer contribution which would be  
1020 required for regular members of the Florida Retirement System.  
1021 Effective July 1, 1991, contributions shall be made as provided  
1022 in s. 121.122 for retirees who have with renewed membership or,  
1023 as provided in subsection (13), for ~~with respect to~~ DROP  
1024 participants.

1025 8. ~~Any person who has previously retired and who is holding~~  
1026 ~~an elective public office or an appointment to an elective~~  
1027 ~~public office eligible for the Elected Officers' Class on or~~



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1028 ~~after July 1, 1990, shall be enrolled in the Florida Retirement~~  
1029 ~~System as provided in s. 121.053(1)(b) or, if holding an~~  
1030 ~~elective public office that does not qualify for the Elected~~  
1031 ~~Officers' Class on or after July 1, 1991, shall be enrolled in~~  
1032 ~~the Florida Retirement System as provided in s. 121.122, and~~  
1033 ~~shall continue to receive retirement benefits as well as~~  
1034 ~~compensation for the elected officer's service for as long as he~~  
1035 ~~or she remains in elective office. However, any retired member~~  
1036 ~~who served in an elective office prior to July 1, 1990,~~  
1037 ~~suspended his or her retirement benefit, and had his or her~~  
1038 ~~Florida Retirement System membership reinstated shall, upon~~  
1039 ~~retirement from such office, have his or her retirement benefit~~  
1040 ~~recalculated to include the additional service and compensation~~  
1041 ~~earned.~~

1042 3.9. Any person who is holding an elective public office  
1043 which is covered by the Florida Retirement System and who is  
1044 concurrently employed in nonelected covered employment may elect  
1045 to retire while continuing employment in the elective public  
1046 office if, ~~provided that~~ he or she terminates ~~shall be required~~  
1047 ~~to terminate~~ his or her nonelected covered employment. Such ~~Any~~  
1048 ~~person who exercises this election~~ shall receive his or her  
1049 retirement benefits in addition to the compensation of the  
1050 elective office without regard to the time limitations otherwise  
1051 provided in this subsection. A ~~No~~ person who seeks to exercise  
1052 the provisions of this subparagraph, as they ~~the same~~ existed  
1053 before ~~prior to~~ May 3, 1984, may not be ~~shall be~~ deemed to be  
1054 retired under those provisions, unless such person is eligible  
1055 to retire under ~~the provisions of~~ this subparagraph, as amended  
1056 by chapter 84-11, Laws of Florida.



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1057           ~~10. The limitations of this paragraph apply to reemployment~~  
1058 ~~in any capacity with an "employer" as defined in s. 121.021(10),~~  
1059 ~~irrespective of the category of funds from which the person is~~  
1060 ~~compensated.~~

1061           ~~11. An employing agency may reemploy a retired member as a~~  
1062 ~~firefighter or paramedic after the retired member has been~~  
1063 ~~retired for 1 calendar month, in accordance with s. 121.021(39).~~  
1064 ~~Any retired member who is reemployed within 1 calendar month~~  
1065 ~~after retirement shall void his or her application for~~  
1066 ~~retirement benefits. The employing agency reemploying such~~  
1067 ~~firefighter or paramedic is subject to the retired contribution~~  
1068 ~~required in subparagraph 8. Reemployment of a retired~~  
1069 ~~firefighter or paramedic is limited to no more than 780 hours~~  
1070 ~~during the first 12 months of his or her retirement. Any retired~~  
1071 ~~member reemployed for more than 780 hours during the first 12~~  
1072 ~~months of retirement shall give timely notice in writing to the~~  
1073 ~~employer and to the division of the date he or she will exceed~~  
1074 ~~the limitation. The division shall suspend his or her retirement~~  
1075 ~~benefits for the remainder of the first 12 months of retirement.~~  
1076 ~~Any person employed in violation of this subparagraph and any~~  
1077 ~~employing agency which knowingly employs or appoints such person~~  
1078 ~~without notifying the Division of Retirement to suspend~~  
1079 ~~retirement benefits shall be jointly and severally liable for~~  
1080 ~~reimbursement to the Retirement System Trust Fund of any~~  
1081 ~~benefits paid during the reemployment limitation period. To~~  
1082 ~~avoid liability, such employing agency shall have a written~~  
1083 ~~statement from the retiree that he or she is not retired from a~~  
1084 ~~state-administered retirement system. Any retirement benefits~~  
1085 ~~received by a retired member while reemployed in excess of 780~~



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1086 ~~hours during the first 12 months of retirement shall be repaid~~  
1087 ~~to the Retirement System Trust Fund, and retirement benefits~~  
1088 ~~shall remain suspended until repayment is made. Benefits~~  
1089 ~~suspended beyond the end of the retired member's first 12 months~~  
1090 ~~of retirement shall apply toward repayment of benefits received~~  
1091 ~~in violation of the 780-hour reemployment limitation.~~

1092 (c) Any person whose retirement is effective on or after  
1093 July 1, 2010, or whose participation in the Deferred Retirement  
1094 Option Program terminates on or after July 1, 2010, except as  
1095 provided under the disability retirement provisions of  
1096 subsection (4) or under s. 121.053, may be reemployed by an  
1097 employer that participates in a state-administered retirement  
1098 system and receive retirement benefits and compensation from  
1099 that his or her employer without limitation, except that the  
1100 person may not be reemployed by an employer participating in the  
1101 Florida Retirement System for 6 calendar months immediately  
1102 subsequent to the date of retirement. However, a DROP  
1103 participant shall continue employment and receive a salary  
1104 during the period of participation in the Deferred Retirement  
1105 Option Program, as provided in subsection (13). A retiree  
1106 initially reemployed in violation of this paragraph and an  
1107 employer that employs or appoints such person are jointly and  
1108 severally liable for reimbursement of any retirement benefits  
1109 paid to the retirement trust fund from which the benefits were  
1110 paid, including the Florida Retirement System Trust Fund and the  
1111 Public Employee Optional Retirement Program Trust Fund, as  
1112 appropriate. The employer must have a written statement from the  
1113 employee that he or she is not retired from a state-administered  
1114 retirement system.



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1115        (d)~~(e)~~ The provisions of this subsection apply to retirees,  
1116 as defined in s. 121.4501(2)~~(j)~~, of the Public Employee Optional  
1117 Retirement Program ~~created in part II~~, subject to the following  
1118 conditions:

1119            1. The ~~Such~~ retirees may not be reemployed with an employer  
1120 participating in the Florida Retirement System ~~as provided in~~  
1121 ~~paragraph (b)~~ until such person has been retired for 6 ~~3~~  
1122 calendar months, ~~unless the participant has reached the normal~~  
1123 ~~retirement requirements of the defined benefit plan as provided~~  
1124 ~~in s. 121.021(29)~~.

1125            2. A ~~Such~~ retiree employed in violation of this subsection  
1126 and an employer ~~any employing agency~~ that ~~knowingly~~ employs or  
1127 appoints such person are ~~shall be~~ jointly and severally liable  
1128 for reimbursement of any benefits paid to the retirement trust  
1129 fund from which the benefits were paid, including the Retirement  
1130 System Trust Fund and the Public Employee Optional Retirement  
1131 Program Trust Fund, as appropriate. The employer ~~To avoid~~  
1132 ~~liability, such employing agency~~ must have a written statement  
1133 from the retiree that he or she is not retired from a state-  
1134 administered retirement system.

1135            (e) The limitations of this subsection apply to  
1136 reemployment in any capacity irrespective of the category of  
1137 funds from which the person is compensated.

1138            (13) DEFERRED RETIREMENT OPTION PROGRAM.—In general, and  
1139 subject to ~~the provisions of~~ this section, the Deferred  
1140 Retirement Option Program, hereinafter referred to as ~~the~~ DROP,  
1141 is a program under which an eligible member of the Florida  
1142 Retirement System may elect to participate, deferring receipt of  
1143 retirement benefits while continuing employment with his or her





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1144 Florida Retirement System employer. The deferred monthly  
1145 benefits shall accrue in the Florida Retirement System Trust  
1146 Fund on behalf of the participant, plus interest compounded  
1147 monthly, for the specified period of the DROP participation, as  
1148 provided in paragraph (c). Upon termination of employment, the  
1149 participant shall receive the total DROP benefits and begin to  
1150 receive the previously determined normal retirement benefits.  
1151 Participation in the DROP does not guarantee employment for the  
1152 specified period of DROP. Participation in ~~the~~ DROP by an  
1153 eligible member beyond the initial 60-month period as authorized  
1154 in this subsection shall be on an annual contractual basis for  
1155 all participants.

1156 (a) *Eligibility of member to participate in ~~the~~ DROP.*—All  
1157 active Florida Retirement System members in a regularly  
1158 established position, and all active members of ~~either~~ the  
1159 Teachers' Retirement System established in chapter 238 or the  
1160 State and County Officers' and Employees' Retirement System  
1161 established in chapter 122, which ~~systems~~ are consolidated  
1162 within the Florida Retirement System under s. 121.011, are  
1163 eligible to elect participation in ~~the~~ DROP if ~~provided that:~~

1164 1. The member is not a renewed member ~~of the Florida~~  
1165 ~~Retirement System~~ under s. 121.122, or a member of the State  
1166 Community College System Optional Retirement Program under s.  
1167 121.051, the Senior Management Service Optional Annuity Program  
1168 under s. 121.055, or the optional retirement program for the  
1169 State University System under s. 121.35.

1170 2. Except as provided in subparagraph 6., election to  
1171 participate is made within 12 months immediately following the  
1172 date on which the member first reaches normal retirement date,



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1173 or, for a member who reaches normal retirement date based on  
1174 service before he or she reaches age 62, or age 55 for Special  
1175 Risk Class members, election to participate may be deferred to  
1176 the 12 months immediately following the date the member attains  
1177 57, or age 52 for Special Risk Class members. A member who  
1178 delays DROP participation during the 12-month period immediately  
1179 following his or her maximum DROP deferral date, except as  
1180 provided in subparagraph 6., loses a month of DROP participation  
1181 for each month delayed. ~~For a member who first reached normal~~  
1182 ~~retirement date or the deferred eligibility date described above~~  
1183 ~~prior to the effective date of this section, election to~~  
1184 ~~participate shall be made within 12 months after the effective~~  
1185 ~~date of this section.~~ A member who fails to make an election  
1186 within the such 12-month limitation period forfeits shall  
1187 ~~forfeit~~ all rights to participate in ~~the~~ DROP. The member shall  
1188 advise his or her employer and the division in writing of the  
1189 date ~~on which the~~ DROP begins shall begin. The Such beginning  
1190 date may be subsequent to the 12-month election period, but must  
1191 be within the original 60-month participation or, with respect  
1192 ~~to members who are instructional personnel employed by the~~  
1193 ~~Florida School for the Deaf and the Blind and who have received~~  
1194 ~~authorization by the Board of Trustees of the Florida School for~~  
1195 ~~the Deaf and the Blind to participate in the DROP beyond 60~~  
1196 ~~months, or who are instructional personnel as defined in s.~~  
1197 ~~1012.01(2)(a)-(d) in grades K-12 and who have received~~  
1198 ~~authorization by the district school superintendent to~~  
1199 ~~participate in the DROP beyond 60 months, the 96-month~~  
1200 ~~limitation period as provided in subparagraph (b)1. When~~  
1201 ~~establishing eligibility of the member to participate in the~~



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1202 ~~DROP for the 60-month or, with respect to members who are~~  
1203 ~~instructional personnel employed by the Florida School for the~~  
1204 ~~Deaf and the Blind and who have received authorization by the~~  
1205 ~~Board of Trustees of the Florida School for the Deaf and the~~  
1206 ~~Blind to participate in the DROP beyond 60 months, or who are~~  
1207 ~~instructional personnel as defined in s. 1012.01(2)(a)-(d) in~~  
1208 ~~grades K-12 and who have received authorization by the district~~  
1209 ~~school superintendent to participate in the DROP beyond 60~~  
1210 ~~months, the 96-month maximum participation period, the member~~  
1211 ~~may elect to include or exclude any optional service credit~~  
1212 ~~purchased by the member from the total service used to establish~~  
1213 ~~the normal retirement date. A member who has with dual normal~~  
1214 ~~retirement dates is ~~shall be~~ eligible to elect to participate in~~  
1215 ~~DROP within 12 months after attaining normal retirement date in~~  
1216 ~~either class.~~

1217 3. The employer of a member electing to participate in ~~the~~  
1218 ~~DROP, or employers if dually employed, shall acknowledge in~~  
1219 ~~writing to the division the date the member's participation in~~  
1220 ~~the DROP begins and the date the member's employment and DROP~~  
1221 ~~participation will terminate.~~

1222 4. Simultaneous employment of a participant by additional  
1223 Florida Retirement System employers subsequent to the  
1224 commencement of participation in ~~the DROP~~ is shall be  
1225 permissible if provided such employers acknowledge in writing a  
1226 DROP termination date no later than the participant's existing  
1227 termination date or the maximum participation 60-month  
1228 limitation period as provided in subparagraph (b)1.

1229 5. A DROP participant may change employers while  
1230 participating in ~~the~~ DROP, subject to the following:



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1231 a. A change of employment must take place without a break  
1232 in service so that the member receives salary for each month of  
1233 continuous DROP participation. If a member receives no salary  
1234 during a month, DROP participation shall cease unless the  
1235 employer verifies a continuation of the employment relationship  
1236 for such participant pursuant to s. 121.021(39)(b).

1237 b. Such participant and new employer shall notify the  
1238 division of the identity of the new employer on forms required  
1239 by the division ~~as to the identity of the new employer.~~

1240 c. The new employer shall acknowledge, in writing, the  
1241 participant's DROP termination date, which may be extended but  
1242 not beyond the maximum participation ~~original 60-month or, with~~  
1243 ~~respect to members who are instructional personnel employed by~~  
1244 ~~the Florida School for the Deaf and the Blind and who have~~  
1245 ~~received authorization by the Board of Trustees of the Florida~~  
1246 ~~School for the Deaf and the Blind to participate in the DROP~~  
1247 ~~beyond 60 months, or who are instructional personnel as defined~~  
1248 ~~in s. 1012.01(2)(a)-(d) in grades K-12 and who have received~~  
1249 ~~authorization by the district school superintendent to~~  
1250 ~~participate in the DROP beyond 60 months, the 96-month period~~  
1251 provided in subparagraph (b)1., shall acknowledge liability for  
1252 any additional retirement contributions and interest required if  
1253 the participant fails to timely terminate employment, and is  
1254 ~~shall be~~ subject to the adjustment required in sub-subparagraph  
1255 (c)5.d.

1256 6. Effective July 1, 2001, for instructional personnel as  
1257 defined in s. 1012.01(2), election to participate in ~~the~~ DROP  
1258 may shall be made at any time following the date on which the  
1259 member first reaches normal retirement date. The member shall



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1260 advise his or her employer and the division in writing of the  
1261 date on which DROP begins ~~the Deferred Retirement Option Program~~  
1262 ~~shall begin~~. When establishing eligibility of the member to  
1263 participate in ~~the~~ DROP for the 60-month ~~or, with respect to~~  
1264 ~~members who are instructional personnel employed by the Florida~~  
1265 ~~School for the Deaf and the Blind and who have received~~  
1266 ~~authorization by the Board of Trustees of the Florida School for~~  
1267 ~~the Deaf and the Blind to participate in the DROP beyond 60~~  
1268 ~~months, or who are instructional personnel as defined in s.~~  
1269 ~~1012.01(2) (a)-(d) in grades K-12 and who have received~~  
1270 ~~authorization by the district school superintendent to~~  
1271 ~~participate in the DROP beyond 60 months, the 96-month maximum~~  
1272 ~~participation period, as provided in subparagraph (b)1., the~~  
1273 member may elect to include or exclude any optional service  
1274 credit purchased by the member from the total service used to  
1275 establish the normal retirement date. A member who has ~~with~~ dual  
1276 normal retirement dates is ~~shall be~~ eligible to elect to  
1277 participate in either class.

1278 (b) *Participation in ~~the~~ DROP.-*

1279 1. An eligible member may elect to participate in ~~the~~ DROP  
1280 for a period not to exceed a maximum of 60 calendar months.  
1281 However, ~~or, with respect to~~ members who are instructional  
1282 personnel employed by the Florida School for the Deaf and the  
1283 Blind and authorized ~~who have received authorization~~ by the  
1284 Board of Trustees of the Florida School for the Deaf and the  
1285 Blind ~~to participate in the DROP beyond 60 months, or~~ who are  
1286 instructional personnel as defined in s. 1012.01(2) (a)-(d) in  
1287 grades K-12 and authorized ~~who have received authorization~~ by  
1288 the district school superintendent ~~to participate in the DROP~~



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1289 ~~beyond 60 calendar months, or who are instructional personnel as~~  
1290 ~~defined in s. 1012.01(2) (a) employed by a developmental research~~  
1291 ~~school and authorized by the school's director, or if the school~~  
1292 ~~has no director, by the school's principal, may participate in~~  
1293 ~~DROP for up to 36 calendar months beyond the 60-month period. 96~~  
1294 ~~calendar months immediately following the date on which the~~  
1295 ~~member first reaches his or her normal retirement date or the~~  
1296 ~~date to which he or she is eligible to defer his or her election~~  
1297 ~~to participate as provided in subparagraph (a)2. However, a~~  
1298 ~~member who has reached normal retirement date prior to the~~  
1299 ~~effective date of the DROP shall be eligible to participate in~~  
1300 ~~the DROP for a period of time not to exceed 60 calendar months~~  
1301 ~~or, with respect to members who are instructional personnel~~  
1302 ~~employed by the Florida School for the Deaf and the Blind and~~  
1303 ~~who have received authorization by the Board of Trustees of the~~  
1304 ~~Florida School for the Deaf and the Blind to participate in the~~  
1305 ~~DROP beyond 60 months, or who are instructional personnel as~~  
1306 ~~defined in s. 1012.01(2) (a) - (d) in grades K-12 and who have~~  
1307 ~~received authorization by the district school superintendent to~~  
1308 ~~participate in the DROP beyond 60 calendar months, 96 calendar~~  
1309 ~~months immediately following the effective date of the DROP,~~  
1310 ~~except a member of the Special Risk Class who has reached normal~~  
1311 ~~retirement date prior to the effective date of the DROP and~~  
1312 ~~whose total accrued value exceeds 75 percent of average final~~  
1313 ~~compensation as of his or her effective date of retirement shall~~  
1314 ~~be eligible to participate in the DROP for no more than 36~~  
1315 ~~calendar months immediately following the effective date of the~~  
1316 ~~DROP.~~

1317 2. Upon deciding to participate in the DROP, the member



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1318 shall submit, on forms required by the division:  
1319       a. A written election to participate in ~~the~~ DROP;  
1320       b. Selection of ~~the~~ DROP participation and termination  
1321 dates ~~that, which~~ satisfy the limitations stated in paragraph  
1322 (a) and subparagraph 1. The ~~Such~~ termination date must ~~shall~~ be  
1323 in a binding letter of resignation to ~~with~~ the employer,  
1324 establishing a deferred termination date. The member may change  
1325 the termination date within the limitations of subparagraph 1.,  
1326 but only with the written approval of the ~~his or her~~ employer;  
1327       c. A properly completed DROP application for service  
1328 retirement as provided in this section; and  
1329       d. Any other information required by the division.  
1330       3. The DROP participant is ~~shall be~~ a retiree under the  
1331 Florida Retirement System for all purposes, except for paragraph  
1332 (5) (f) and subsection (9) and ss. 112.3173, 112.363, 121.053,  
1333 and 121.122. DROP participation is final and may not be canceled  
1334 by the participant after the first payment is credited during  
1335 the DROP participation period. However, participation in ~~the~~  
1336 DROP does not alter the participant's employment status, and the  
1337 member is ~~such employee shall~~ not ~~be~~ deemed retired from  
1338 employment until his or her deferred resignation is effective  
1339 and termination occurs as provided in s. 121.021(39).  
1340       4. Elected officers are ~~shall be~~ eligible to participate in  
1341 ~~the~~ DROP subject to the following:  
1342       a. An elected officer who reaches normal retirement date  
1343 during a term of office may defer the election to participate ~~in~~  
1344 ~~the DROP~~ until the next succeeding term in that office. An Such  
1345 elected officer who exercises this option may participate in ~~the~~  
1346 DROP for up to 60 calendar months or ~~a period of~~ no longer than



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1347 ~~the such~~ succeeding term of office, whichever is less.

1348       b. An elected or a nonelected participant may run for a  
1349 term of office while participating in DROP and, if elected,  
1350 extend the DROP termination date accordingly; ~~except~~, however,  
1351 if such additional term of office exceeds the 60-month  
1352 limitation established in subparagraph 1., and the officer does  
1353 not resign from office within such 60-month limitation, the  
1354 retirement and the participant's DROP ~~is shall be~~ null and void  
1355 as provided in sub-subparagraph (c)5.d.

1356       c. An elected officer who is dually employed and elects to  
1357 participate in DROP ~~must meet shall be required to satisfy~~ the  
1358 definition of termination in s. 121.021(39) within the original  
1359 60-month period or maximum participation, ~~with respect to~~  
1360 ~~members who are instructional personnel employed by the Florida~~  
1361 ~~School for the Deaf and the Blind and who have received~~  
1362 ~~authorization by the Board of Trustees of the Florida School for~~  
1363 ~~the Deaf and the Blind to participate in the DROP beyond 60~~  
1364 ~~months, or who are instructional personnel as defined in s.~~  
1365 ~~1012.01(2)(a)-(d) in grades K-12 and who have received~~  
1366 ~~authorization by the district school superintendent to~~  
1367 ~~participate in the DROP beyond 60 months, the 96-month~~  
1368 ~~limitation~~ period as provided in subparagraph 1. for the  
1369 nonelected position and may continue employment as an elected  
1370 officer as provided in s. 121.053. The elected officer shall  
1371 ~~will~~ be enrolled as a renewed member in the Elected Officers'  
1372 Class or the Regular Class, as provided in ss. 121.053 and  
1373 121.122, on the first day of the month after termination of  
1374 employment in the nonelected position and termination of DROP.  
1375 Distribution of ~~the~~ DROP benefits shall be made as provided in





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1376 paragraph (c).

1377 (c) *Benefits payable under ~~the~~ DROP.*—

1378 1. Effective on ~~with~~ the date of DROP participation, the  
1379 member's initial normal monthly benefit, including creditable  
1380 service, optional form of payment, and average final  
1381 compensation, and the effective date of retirement are ~~shall be~~  
1382 fixed. The beneficiary established under the Florida Retirement  
1383 System is ~~shall be~~ the beneficiary eligible to receive any DROP  
1384 benefits payable if the DROP participant dies before completing  
1385 ~~prior to the completion of~~ the period of DROP participation. If  
1386 ~~In the event~~ a joint annuitant predeceases the member, the  
1387 member may name a beneficiary to receive accumulated DROP  
1388 benefits payable. The ~~Such~~ retirement benefit, the annual cost  
1389 of living adjustments provided in s. 121.101, and interest ~~shall~~  
1390 accrue monthly in the Florida Retirement System Trust Fund. The  
1391 ~~Such~~ interest accrues ~~shall accrue~~ at an effective annual rate  
1392 of 6.5 percent compounded monthly, on the prior month's  
1393 accumulated ending balance, up to the month of termination or  
1394 death, except as provided in s. 121.053(1)(b)5.

1395 2. Each employee who elects to participate in ~~the~~ DROP may  
1396 ~~shall be allowed to~~ elect to receive a lump-sum payment for  
1397 accrued annual leave earned in accordance with agency policy  
1398 upon beginning participation in ~~the~~ DROP. The ~~Such~~ accumulated  
1399 leave payment certified to the division upon commencement of  
1400 DROP shall be included in the calculation of the member's  
1401 average final compensation. The employee electing the ~~such~~ lump-  
1402 sum payment is ~~upon beginning participation in~~ DROP will not be  
1403 eligible to receive a second lump-sum payment upon termination,  
1404 except to the extent the employee has earned additional annual



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1405 leave which, combined with the original payment, does not exceed  
1406 the maximum lump-sum payment allowed by the employing agency's  
1407 policy or rules. An ~~Such~~ early lump-sum payment shall be based  
1408 on the hourly wage of the employee at the time he or she begins  
1409 participation in ~~the~~ DROP. If the member elects to wait and  
1410 receive a a ~~such~~ lump-sum payment upon termination of DROP and  
1411 termination of employment with the employer, any accumulated  
1412 leave payment made at that time may not ~~cannot~~ be included in  
1413 the member's retirement benefit, which was determined and fixed  
1414 by law when the employee elected to participate in ~~the~~ DROP.

1415 3. The effective date of DROP participation and the  
1416 effective date of retirement of a DROP participant shall be the  
1417 first day of the month selected by the member to begin  
1418 participation in ~~the~~ DROP, provided such date is properly  
1419 established, with the written confirmation of the employer, and  
1420 the approval of the division, on forms required by the division.

1421 4. Normal retirement benefits and any interest ~~thereon~~  
1422 shall continue to accrue in ~~the~~ DROP until the established  
1423 termination date of ~~the~~ DROP, or until the participant  
1424 terminates employment or dies prior to such date, except as  
1425 provided in s. 121.053(1)(b)5. Although individual DROP accounts  
1426 shall not be established, a separate accounting of each  
1427 participant's accrued benefits under ~~the~~ DROP shall be  
1428 calculated and provided to participants.

1429 5. At the conclusion of the participant's DROP, the  
1430 division shall distribute the participant's total accumulated  
1431 DROP benefits, subject to the following provisions:

1432 a. The division shall receive verification by the  
1433 participant's employer or employers that the ~~such~~ participant



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1434 has terminated all employment relationships as provided in s.  
1435 121.021(39) ~~(b)~~.

1436 b. The terminated DROP participant or, if deceased, the  
1437 ~~such~~ participant's named beneficiary, shall elect on forms  
1438 provided by the division to receive payment of the DROP benefits  
1439 in accordance with one of the options listed below. If ~~For~~ a  
1440 participant or beneficiary ~~who~~ fails to elect a method of  
1441 payment within 60 days after ~~of~~ termination of ~~the~~ DROP, the  
1442 division shall ~~will~~ pay a lump sum as provided in sub-sub-  
1443 subparagraph (I).

1444 (I) Lump sum.—All accrued DROP benefits, plus interest,  
1445 less withholding taxes remitted to the Internal Revenue Service,  
1446 shall be paid to the DROP participant or surviving beneficiary.

1447 (II) Direct rollover.—All accrued DROP benefits, plus  
1448 interest, shall be paid from ~~the~~ DROP directly to the custodian  
1449 of an eligible retirement plan as defined in s. 402(c)(8)(B) of  
1450 the Internal Revenue Code. However, in the case of an eligible  
1451 rollover distribution to the surviving spouse of a deceased  
1452 participant, an eligible retirement plan is an individual  
1453 retirement account or an individual retirement annuity as  
1454 described in s. 402(c)(9) of the Internal Revenue Code.

1455 (III) Partial lump sum.—A portion of the accrued DROP  
1456 benefits shall be paid to ~~the~~ DROP participant or surviving  
1457 spouse, less withholding taxes remitted to the Internal Revenue  
1458 Service, and the remaining DROP benefits must ~~shall~~ be  
1459 transferred directly to the custodian of an eligible retirement  
1460 plan as defined in s. 402(c)(8)(B) of the Internal Revenue Code.  
1461 However, in the case of an eligible rollover distribution to the  
1462 surviving spouse of a deceased participant, an eligible



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1463 retirement plan is an individual retirement account or an  
1464 individual retirement annuity as described in s. 402(c)(9) of  
1465 the Internal Revenue Code. The proportions must ~~shall~~ be  
1466 specified by the DROP participant or surviving beneficiary.

1467 c. The form of payment selected by the DROP participant or  
1468 surviving beneficiary must comply ~~complies~~ with the minimum  
1469 distribution requirements of the Internal Revenue Code.

1470 d. A DROP participant who fails to terminate all employment  
1471 relationships as provided ~~defined~~ in s. 121.021(39) ~~(b)~~ shall be  
1472 deemed as not ~~to be~~ retired, and the DROP election is ~~shall be~~  
1473 null and void. Florida Retirement System membership shall be  
1474 reestablished retroactively to the date of the commencement of  
1475 ~~the~~ DROP, and each employer with whom the participant continues  
1476 employment must ~~shall be required to~~ pay to the Florida  
1477 Retirement System Trust Fund the difference between the DROP  
1478 contributions paid in paragraph (i) and the contributions  
1479 required for the applicable Florida Retirement System class of  
1480 membership during the period the member participated in ~~the~~  
1481 DROP, plus 6.5 percent interest compounded annually.

1482 6. The retirement benefits of any DROP participant who  
1483 terminates all employment relationships as provided in s.  
1484 121.021(39) but is reemployed in violation of the reemployment  
1485 provisions subsection (9) shall be suspended during those months  
1486 in which the retiree is in violation. Any retiree in violation  
1487 of this subparagraph and any employer that employs or appoints  
1488 such person without notifying the Division of Retirement to  
1489 suspend retirement benefits are jointly and severally liable for  
1490 any benefits paid during the reemployment limitation period. To  
1491 avoid liability, the employer must have a written statement from



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1492 the retiree that he or she is not retired from a state-  
1493 administered retirement system. Any retirement benefits received  
1494 by a retiree while employed in violation of the reemployment  
1495 limitations must be repaid to the Florida Retirement System  
1496 Trust Fund, and his or her retirement benefits shall remain  
1497 suspended until payment is made. Benefits suspended beyond the  
1498 end of the retired retiree's first 6 calendar months shall apply  
1499 toward repayment of benefits received in violation of the  
1500 reemployment limitation.

1501 ~~7.6.~~ The accrued benefits of any DROP participant, and any  
1502 contributions accumulated under the ~~such~~ program, are ~~shall~~ not  
1503 ~~be~~ subject to assignment, execution, attachment, or ~~to~~ any legal  
1504 process whatsoever, except for qualified domestic relations  
1505 orders by a court of competent jurisdiction, income deduction  
1506 orders as provided in s. 61.1301, and federal income tax levies.

1507 ~~8.7.~~ DROP participants are ~~shall~~ not ~~be~~ eligible for  
1508 disability retirement benefits as provided in subsection (4).

1509 (d) *Death benefits under ~~the~~ DROP.*-

1510 1. Upon the death of a DROP participant, the named  
1511 beneficiary is ~~shall be~~ entitled to apply for and receive the  
1512 accrued benefits in ~~the~~ DROP as provided in sub-subparagraph  
1513 (c)5.b.

1514 2. The normal retirement benefit accrued to ~~the~~ DROP during  
1515 the month of a participant's death is ~~shall be~~ the final monthly  
1516 benefit credited for such DROP participant.

1517 3. Eligibility to participate in ~~the~~ DROP terminates upon  
1518 death of the participant. If the participant dies on or after  
1519 the effective date of enrollment in ~~the~~ DROP, but before ~~prior~~  
1520 ~~to~~ the first monthly benefit is ~~being~~ credited to ~~the~~ DROP,



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1521 Florida Retirement System benefits are ~~shall be~~ paid in  
1522 accordance with subparagraph (7) (c)1. or subparagraph 2.

1523 4. A DROP participant's ~~participants'~~ survivors are ~~shall~~  
1524 not ~~be~~ eligible to receive Florida Retirement System death  
1525 benefits as provided in paragraph (7) (d).

1526 (e) *Cost-of-living adjustment.*—On each July 1, the  
1527 participant's ~~participants'~~ normal retirement benefit shall be  
1528 increased as provided in s. 121.101.

1529 (f) *Retiree health insurance subsidy.*—DROP participants are  
1530 not eligible to apply for the retiree health insurance subsidy  
1531 payments as provided in s. 112.363 until such participants have  
1532 terminated employment and participation in ~~the~~ DROP.

1533 (g) *Renewed membership.*—DROP participants are ~~shall~~ not ~~be~~  
1534 eligible for renewed membership in the Florida Retirement System  
1535 under ss. 121.053 and 121.122 until all employment relationships  
1536 are terminated ~~termination of employment is effectuated~~ as  
1537 provided in s. 121.021(39) ~~(b)~~.

1538 (h) *Employment limitation after DROP participation.*— Upon  
1539 ~~satisfying the definition of~~ termination of all employment  
1540 relationships as provided in s. 121.021(39) ~~(b)~~, DROP  
1541 participants are ~~shall be~~ subject to the same ~~such~~ reemployment  
1542 limitations as other retirees. Reemployment restrictions  
1543 applicable to retirees as provided in subsection (9) do ~~shall~~  
1544 not apply to DROP participants until their employment and  
1545 participation in ~~the~~ DROP are terminated.

1546 (i) *Contributions.*—

1547 1. All employers paying the salary of a DROP participant  
1548 filling a regularly established position shall contribute 8.0  
1549 percent of such participant's gross compensation for the period



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1550 of July 1, 2002, through June 30, 2003, and the percentage 11.56  
1551 ~~percent~~ of such compensation required by s. 121.71 thereafter,  
1552 which shall constitute the entire employer DROP contribution  
1553 with respect to such participant. Such contributions, payable to  
1554 the Florida Retirement System Trust Fund in the same manner as  
1555 required in s. 121.071, must ~~shall~~ be made as appropriate for  
1556 each pay period and are in addition to contributions required  
1557 for social security and the Retiree Health Insurance Subsidy  
1558 Trust Fund. Such employer, social security, and health insurance  
1559 subsidy contributions are not included in ~~the~~ DROP.

1560 2. The employer shall, in addition to subparagraph 1., also  
1561 withhold one-half of the entire social security contribution  
1562 required for the participant. Contributions for social security  
1563 by each participant and each employer, in the amount required  
1564 for social security coverage as ~~now or hereafter~~ provided by the  
1565 federal Social Security Act, are ~~shall be~~ in addition to  
1566 contributions specified in subparagraph 1.

1567 3. All employers paying the salary of a DROP participant  
1568 filling a regularly established position shall contribute the  
1569 percent of such participant's gross compensation required in s.  
1570 121.071(4), which ~~shall~~ constitute the employer's health  
1571 insurance subsidy contribution with respect to such participant.  
1572 Such contributions must ~~shall~~ be deposited by the administrator  
1573 in the Retiree Health Insurance Subsidy Trust Fund.

1574 (j) *Forfeiture of retirement benefits.* ~~Nothing in~~ This  
1575 section does not ~~shall be construed to~~ remove DROP participants  
1576 from the scope of s. 8(d), Art. II of the State Constitution, s.  
1577 112.3173, and paragraph (5)(f). DROP participants who commit a  
1578 specified felony offense while employed are ~~will be~~ subject to



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1579 forfeiture of all retirement benefits, including DROP benefits,  
1580 pursuant to those provisions of law.

1581 (k) *Administration of program.*—The division shall adopt  
1582 ~~make such~~ rules as ~~are~~ necessary for the effective and efficient  
1583 administration of this subsection. The division is ~~shall~~ not ~~be~~  
1584 required to advise members of the federal tax consequences of an  
1585 election related to the DROP but may advise members to seek  
1586 independent advice.

1587 (14) PAYMENT OF BENEFITS.—This subsection applies to the  
1588 payment of benefits to a payee (retiree or beneficiary) under  
1589 the Florida Retirement System:

1590 (a) Federal income tax shall be withheld in accordance with  
1591 federal law, unless the payee elects otherwise on Form W-4P. The  
1592 division shall prepare and distribute to each recipient of  
1593 monthly retirement benefits an appropriate income tax form that  
1594 reflects the recipient's income and federal income tax withheld  
1595 for the calendar year just ended.

1596 (b) Subject to approval by the division in accordance with  
1597 rule 60S-4.015, Florida Administrative Code, a payee receiving  
1598 retirement benefits under the ~~Florida Retirement~~ system may also  
1599 have the following payments deducted from his or her monthly  
1600 benefit:

1601 1. Premiums for life and health-related insurance policies  
1602 from approved companies.

1603 2. Life insurance premiums for the State Group Life  
1604 Insurance Plan, if authorized in writing by the payee and by the  
1605 department ~~of Management Services~~.

1606 3. Repayment of overpayments from the Florida Retirement  
1607 System Trust Fund, the State Employees' Health Insurance Trust





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1608 Fund, or the State Employees' Life Insurance Trust Fund, upon  
1609 notification of the payee.

1610 4. Payments to an alternate payee for alimony or child  
1611 support pursuant to an income deduction order under s. 61.1301,  
1612 or division of marital assets pursuant to a qualified domestic  
1613 relations order under s. 222.21 ~~or an income deduction order~~  
1614 ~~under s. 61.1301.~~

1615 5. Payments to the Internal Revenue Service for federal  
1616 income tax levies, upon notification of the division by the  
1617 Internal Revenue Service.

1618 (c) A payee must ~~shall~~ notify the division of any change in  
1619 his or her address. The division may suspend benefit payments to  
1620 a payee if correspondence sent to the payee's mailing address is  
1621 returned due to an incorrect address. Benefit payments shall be  
1622 resumed upon notification to the division of the payee's new  
1623 address.

1624 (d) A payee whose retirement benefits are reduced by the  
1625 application of maximum benefit limits under s. 415(b) of the  
1626 Internal Revenue Code, as specified in s. 121.30(5), shall have  
1627 the portion of his or her calculated benefit in the Florida  
1628 Retirement System defined benefit plan which exceeds such  
1629 federal limitation paid through the Florida Retirement System  
1630 Preservation of Benefits Plan, as provided in s. 121.1001.

1631 (e) The Division of Retirement may issue retirement  
1632 benefits payable for division of marital assets pursuant to a  
1633 qualified domestic relations order directly to the alternate  
1634 payee, any court order to the contrary notwithstanding, in order  
1635 to meet Internal Revenue Code requirements.

1636 (f) (e) A ~~Ne~~ benefit may not be reduced for the purpose of



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1637 preserving the member's eligibility for a federal program.

1638 (g) ~~(f)~~ The division shall adopt rules establishing  
1639 procedures for determining that ~~the~~ persons to whom benefits are  
1640 being paid are still living. The division shall suspend the  
1641 benefits being paid to any payee if ~~when~~ it is unable to contact  
1642 such payee and to confirm that he or she is still living.

1643 Section 10. Section 121.1115, Florida Statutes, is amended  
1644 to read:

1645 121.1115 Purchase of retirement credit for out-of-state or  
1646 ~~and~~ federal service.—Effective January 1, 1995, a member ~~of the~~  
1647 ~~Florida Retirement System~~ may purchase creditable service for  
1648 periods of public employment in another state and receive  
1649 creditable service for such periods of employment. Service with  
1650 the Federal Government, including any active military service,  
1651 may be claimed. Upon completion of each year of service earned  
1652 under the Florida Retirement System, a member may purchase up to  
1653 1 year of retirement credit for his or her out-of-state service,  
1654 subject to the following provisions:

1655 (1) LIMITATIONS AND CONDITIONS.—To receive credit for the  
1656 out-of-state service:

1657 (a) The out-of-state service ~~being claimed~~ must have been:

1658 1. Performed in a position of employment with the state or  
1659 a political subdivision thereof or with the Federal Government;

1660 2. Covered by a retirement or pension plan provided by the  
1661 state or political subdivision, or by the Federal Government, as  
1662 appropriate; and

1663 3. Performed prior to a period of membership in the Florida  
1664 Retirement System.

1665 (b) The member must have completed a minimum of 6 years of



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1666 creditable service under the Florida Retirement System,  
1667 excluding out-of-state service and in-state service claimed and  
1668 purchased under s. 121.1122.

1669 (c) Not more than 5 years of creditable service may be  
1670 claimed for creditable service aggregated under ~~the provisions~~  
1671 ~~of~~ this section and s. 121.1122.

1672 (d) The out-of-state service credit ~~claimed under this~~  
1673 ~~section~~ shall be credited only as service in the Regular Class  
1674 ~~of membership~~, and any benefit or pension based thereon is ~~shall~~  
1675 ~~be~~ subject to the limitations and restrictions of s. 112.65.

1676 (e) The member is not eligible for and may not receive a  
1677 pension or benefit from a retirement or pension plan based on or  
1678 including the out-of-state service. Eligibility for or the  
1679 receipt of contributions to a retirement plan made by the  
1680 employer on behalf of the employee is considered a benefit.

1681 ~~(f)~~ ~~(e)~~ ~~A member shall be eligible~~ To receive service credit  
1682 for out-of-state service performed after leaving the Florida  
1683 Retirement System, the member must complete ~~only upon return to~~  
1684 ~~membership and completion of~~ at least 1 year of creditable  
1685 service in the Florida Retirement System following the out-of-  
1686 state service.

1687 (2) COST.—For each year claimed, the member must pay into  
1688 the Florida Retirement System Trust Fund an amount equal to 20  
1689 percent of the member's annual compensation for the first full  
1690 work year of creditable service earned under the Florida  
1691 Retirement System, but not less than \$12,000, plus interest at  
1692 6.5 percent compounded annually from the date of first annual  
1693 salary earned until full payment is made. The employer may pay  
1694 all or a portion of the cost of this service credit.



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1695 Section 11. Subsection (2) of section 121.1122, Florida  
1696 Statutes, is amended to read:

1697 121.1122 Purchase of retirement credit for in-state public  
1698 service and in-state service in accredited nonpublic schools and  
1699 colleges, including charter schools and charter technical career  
1700 centers.—Effective January 1, 1998, a member of the Florida  
1701 Retirement System may purchase creditable service for periods of  
1702 certain public or nonpublic employment performed in this state,  
1703 as provided in this section.

1704 (2) LIMITATIONS AND CONDITIONS.—

1705 (a) A member is not eligible to receive credit for in-state  
1706 service under this section until he or she has completed 6 years  
1707 of creditable service under the Florida Retirement System,  
1708 excluding service purchased under this section and out-of-state  
1709 service claimed and purchased under s. 121.1115.

1710 (b) A member may not purchase and receive credit for more  
1711 than 5 years of creditable service aggregated under ~~the~~  
1712 ~~provisions of~~ this section and s. 121.1115.

1713 (c) Service credit claimed under this section shall be  
1714 credited only as service in the Regular Class ~~of membership~~ and  
1715 is shall be subject to ~~the provisions of~~ s. 112.65.

1716 (d) Service credit may not be purchased under this section  
1717 if the member is eligible to receive or is receiving a pension  
1718 or benefit from a retirement or pension plan based on or  
1719 including the service. Eligibility for or the receipt of  
1720 contributions to a retirement plan made by the employer on  
1721 behalf of the employee is considered a benefit.

1722 (e)~~(d)~~ A member is shall be eligible to receive service  
1723 credit for in-state service performed after leaving the Florida



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1724 Retirement System only after ~~upon returning to membership and~~  
1725 completing at least 1 year of creditable service in the Florida  
1726 Retirement System following the in-state service.

1727 (f)~~(e)~~ The service claimed must have been service covered  
1728 by a retirement or pension plan provided by the employer.

1729 Section 12. Section 121.122, Florida Statutes, is amended  
1730 to read:

1731 121.122 Renewed membership in system.—

1732 (1) Except as provided in s. 121.053, effective July 1,  
1733 1991, any retiree of a state-administered retirement system who  
1734 is initially reemployed ~~employed~~ in a regularly established  
1735 position with a covered employer shall be enrolled as a  
1736 compulsory member of the Regular Class of the Florida Retirement  
1737 System or, effective July 1, 1997, any retiree of a state-  
1738 administered retirement system who is initially reemployed  
1739 ~~employed~~ in a position included in the Senior Management Service  
1740 Class shall be enrolled as a compulsory member of the Senior  
1741 Management Service Class of the Florida Retirement System as  
1742 provided in s. 121.055, and shall be entitled to receive an  
1743 additional retirement benefit, subject to the following  
1744 conditions:

1745 ~~(1)~~(a) Such member must ~~shall~~ resatisfy the age and service  
1746 requirements as provided in this chapter for initial membership  
1747 under the system, unless such member elects to participate in  
1748 the Senior Management Service Optional Annuity Program in lieu  
1749 of the Senior Management Service Class, as provided in s.  
1750 121.055(6).

1751 (b) Such member is ~~shall~~ not ~~be~~ entitled to disability  
1752 benefits as provided in s. 121.091(4).



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1753 (c) Such member must meet the reemployment after retirement  
1754 limitations as provided in s. 121.091(9), as applicable.

1755 (2) Upon renewed membership or reemployment of a retiree,  
1756 the employer of such member shall pay the applicable employer  
1757 contributions as required by ss. 121.71, 121.74, 121.76, and  
1758 112.363 ~~121.055(3) and 121.071(1)(a) and (4).~~

1759 (3) Such member is ~~shall be~~ entitled to purchase additional  
1760 retirement credit in the Regular Class or the Senior Management  
1761 Service Class, as applicable, for any postretirement service  
1762 performed in a regularly established position as follows:

1763 (a) For regular class service prior to July 1, 1991, by  
1764 paying the Regular Class applicable employee and employer  
1765 contributions for the period being claimed, plus 4 percent  
1766 interest compounded annually from first year of service claimed  
1767 until July 1, 1975, and 6.5 percent interest compounded  
1768 thereafter, until full payment is made to the Florida Retirement  
1769 System Trust Fund; or

1770 (b) For Senior Management Service Class prior to June 1,  
1771 1997, as provided in s. 121.055(1)(j).

1772  
1773 The contribution for postretirement service between July 1,  
1774 1985, and July 1, 1991, for which the reemployed retiree  
1775 contribution was paid, shall be the difference between such  
1776 contribution and the total applicable contribution for the  
1777 period being claimed, plus interest. The employer of such member  
1778 may pay the applicable employer contribution in lieu of the  
1779 member. If a member does not wish to claim credit for all of the  
1780 postretirement service for which he or she is eligible, the  
1781 service the member claims must be the most recent service.



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1782           (4) No creditable service for which credit was received, or  
1783 which remained unclaimed, at retirement may be claimed or  
1784 applied toward service credit earned following renewed  
1785 membership. However, service earned as an elected officer with  
1786 renewed membership in the Elected Officers' Class may be used in  
1787 conjunction with creditable service earned under this section,  
1788 provided the applicable vesting requirements and other existing  
1789 statutory conditions required by this chapter are met.

1790           (5) Notwithstanding any other limitations provided in this  
1791 section, a participant of the State University System Optional  
1792 Retirement Program, the State Community College Optional  
1793 Retirement Program, or the Senior Management Service Optional  
1794 Annuity Program who terminated employment and commenced  
1795 receiving a distribution ~~an annuity~~ under ~~the provisions of the~~  
1796 optional program, who initially renews membership ~~in the Regular~~  
1797 ~~Class~~ as required by this section upon reemployment after  
1798 retirement, and who had previously earned creditable Florida  
1799 Retirement System service that was not included in any  
1800 retirement benefit may include such previous service toward  
1801 vesting and service credit in the second career benefit provided  
1802 under renewed membership.

1803           (6) ~~A~~ Any renewed member who is not receiving the maximum  
1804 health insurance subsidy provided in s. 112.363 is ~~shall be~~  
1805 entitled to earn additional credit toward the maximum health  
1806 insurance subsidy. Any additional subsidy due because of such  
1807 additional credit may ~~shall~~ be received only at the time of  
1808 payment of the second career retirement benefit. ~~In no case~~  
1809 ~~shall~~ The total health insurance subsidy received by a retiree  
1810 receiving benefits from initial and renewed membership may not



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1811 exceed the maximum allowed in s. 112.363.

1812 Section 13. Section 121.136, Florida Statutes, is amended  
1813 to read:

1814 121.136 Annual benefit statement to members.—Each year  
1815 ~~Beginning January 1, 1993, and each January thereafter,~~ the  
1816 department shall provide each active member of the Florida  
1817 Retirement System with 5 or more years of creditable service an  
1818 annual statement of benefits that provides. ~~Such statement~~  
1819 ~~should provide~~ the member with basic data about the member's  
1820 retirement account. At a minimum ~~Minimally,~~ it must ~~shall~~  
1821 include the member's retirement plan, accrued service credit ~~the~~  
1822 ~~amount of funds on deposit in the retirement account,~~ and an  
1823 estimate of retirement benefits.

1824 Section 14. Section 121.1905, Florida Statutes, is amended  
1825 to read:

1826 121.1905 Division of Retirement; creation.—

1827 ~~(1)~~ There is created the Division of Retirement within the  
1828 Department of Management Services.

1829 ~~(2) The mission of the Division of Retirement is to provide~~  
1830 ~~quality and cost-effective retirement services as measured by~~  
1831 ~~member satisfaction and by comparison with administrative costs~~  
1832 ~~of comparable retirement systems.~~

1833 Section 15. Paragraph (a) of subsection (2) of section  
1834 121.23, Florida Statutes, is amended to read:

1835 121.23 Disability retirement and special risk membership  
1836 applications; Retirement Commission; powers and duties; judicial  
1837 review.—The provisions of this section apply to all proceedings  
1838 in which the administrator has made a written final decision on  
1839 the merits respecting applications for disability retirement,





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1840 reexamination of retired members receiving disability benefits,  
1841 applications for special risk membership, and reexamination of  
1842 special risk members in the Florida Retirement System. The  
1843 jurisdiction of the State Retirement Commission under this  
1844 section shall be limited to written final decisions of the  
1845 administrator on the merits.

1846 (2) A member shall be entitled to a hearing before the  
1847 State Retirement Commission pursuant to ss. 120.569 and  
1848 120.57(1) on the merits of any written adverse decision of the  
1849 administrator, if he or she files with the commission a written  
1850 request for such hearing within 21 days after receipt of such  
1851 written decision from the administrator. For the purpose of such  
1852 hearings, the commission shall be an "agency head" as defined by  
1853 s. 120.52.

1854 (a) The commission may ~~shall have the authority to~~ issue  
1855 orders as a result of the ~~a~~ hearing that are ~~shall be~~ binding on  
1856 all parties to the dispute and. ~~The commission~~ may order any  
1857 action that it deems appropriate. Any disability retirement  
1858 order of the commission that ~~issued pursuant to this subsection~~  
1859 ~~which~~ sustains the application of the member may include an  
1860 amount, to be determined by the commission, for reasonable  
1861 attorney's fees and taxable costs, which shall be calculated in  
1862 accordance with the statewide uniform guidelines for taxation of  
1863 costs in civil actions. The amount of the attorney's fees ~~fee~~  
1864 may not exceed 50 percent of the initial yearly benefit awarded  
1865 under s. 121.091(4). In cases involving disability retirement,  
1866 the ~~State Retirement~~ commission shall require the member to  
1867 present substantial competent medical evidence that meets the  
1868 requirements of s. 121.091(4)(c)2. and 3., and may require



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1869 vocational evidence, before awarding disability retirement  
1870 benefits.

1871 Section 16. Paragraph (a) of subsection (1) of section  
1872 121.24, Florida Statutes, is amended to read:

1873 121.24 Conduct of commission business; legal and other  
1874 assistance; compensation.—

1875 (1) The commission shall conduct its business within the  
1876 following guidelines:

1877 (a) For purposes of hearing appeals under s. 121.23, the  
1878 commission may meet in panels ~~consisting of no not~~ fewer than  
1879 three members. ~~For the purpose of meeting in these panels, a~~  
1880 ~~quorum shall be not fewer than two members. For all other~~  
1881 ~~purposes,~~ A quorum shall consist of three members. The  
1882 concurring vote of a majority of the members present ~~is shall be~~  
1883 required to reach a decision, issue orders, and conduct the  
1884 business of the commission.

1885 Section 17. Paragraph (h) of subsection (3) and paragraphs  
1886 (a) and (e) of subsection (5) of section 121.35, Florida  
1887 Statutes, are amended, and paragraph (g) is added to subsection  
1888 (5) of that section, to read:

1889 121.35 Optional retirement program for the State University  
1890 System.—

1891 (3) ELECTION OF OPTIONAL PROGRAM.—

1892 (h) A participant in the optional retirement program may  
1893 not participate in more than one state-administered retirement  
1894 system, plan, or class simultaneously. Except as provided in s.  
1895 121.052(6)(d), a participant who is or becomes dually employed  
1896 in two or more positions covered by the Florida Retirement  
1897 System, one of which is eligible for the optional program and



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1898 one of which is not, may remain a member of the optional program  
1899 and contributions shall be paid as required only on the salary  
1900 earned in the position eligible for the optional program during  
1901 the ~~such~~ period of dual employment; or, within 90 days after  
1902 becoming dually employed, he or she may elect membership in the  
1903 Regular Class of the Florida Retirement System in lieu of the  
1904 optional program and contributions shall be paid as required on  
1905 the total salary received for all employment. At retirement, the  
1906 average final compensation used to calculate any benefits for  
1907 which the member becomes eligible under the Florida Retirement  
1908 System must ~~shall~~ be based on all salary reported for both  
1909 positions during such period of dual employment. If the ~~When~~  
1910 ~~such~~ member ceases to be dually employed, he or she may, within  
1911 90 days, elect to remain in the Florida Retirement System class  
1912 for which he or she is eligible or to again become a participant  
1913 in the optional retirement program. Failure to elect membership  
1914 in the optional program within 90 days shall result in  
1915 compulsory membership in the Florida Retirement System, except  
1916 that a member filling a faculty position at ~~under~~ a college that  
1917 has a faculty practice plan at the University of Florida, at ~~or~~  
1918 the Medical Center at the University of South Florida, or other  
1919 state university shall again participate in the optional  
1920 retirement program as required in s. 121.051(1)(a).

1921 (5) BENEFITS.—

1922 (a) Benefits are ~~shall be~~ payable under the optional  
1923 retirement program only to vested participants in the program,  
1924 or their beneficiaries as designated by the participant in the  
1925 contract with a provider company, and such benefits shall be  
1926 paid only by the designated company in accordance with s. 403(b)



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1927 of the Internal Revenue Code and ~~in accordance with~~ the terms of  
1928 the annuity contract or contracts applicable to the participant.  
1929 Benefits ~~shall~~ accrue in individual accounts that are  
1930 participant-directed, portable, and funded by employer  
1931 contributions and the earnings thereon. The participant must be  
1932 terminated from all employment relationships with all Florida  
1933 Retirement System employers, as provided in s. 121.021(39), to  
1934 begin receiving the employer-funded benefit. Benefits funded by  
1935 employer contributions are ~~shall be~~ payable in accordance with  
1936 the following terms and conditions:

1937 1. Benefits shall be paid ~~payable~~ only to a participant, to  
1938 his or her beneficiaries, or to his or her estate, as designated  
1939 by the participant.

1940 2. Benefits shall be paid by the provider company or  
1941 companies in accordance with the law, the provisions of the  
1942 contract, and any applicable department ~~board~~ rule or policy.

1943 3. In the event of a participant's death, moneys  
1944 accumulated by, or on behalf of, the participant, less  
1945 withholding taxes remitted to the Internal Revenue Service, if  
1946 any, shall be distributed to the participant's designated  
1947 beneficiary or beneficiaries, or to the participant's estate, as  
1948 if the participant retired on the date of death, as provided in  
1949 paragraph (c). No other death benefits are ~~shall be~~ available to  
1950 ~~for~~ survivors of participants under the optional retirement  
1951 program except for such benefits, or coverage for such benefits,  
1952 as are separately afforded by the employer, at the employer's  
1953 discretion.

1954 (e) A participant who chooses to receive his or her  
1955 benefits upon termination as defined in s. 121.021(39) ~~must~~ ~~of~~



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1956 ~~employment shall have responsibility to~~ notify the provider  
1957 company of the date ~~on which~~ he or she wishes benefits funded by  
1958 employer contributions to begin. Benefits may be deferred until  
1959 ~~such time as~~ the participant chooses to make such application.

1960 (g) For purposes of this section, "retiree" means a former  
1961 participant of the optional retirement program who has  
1962 terminated employment and has taken a distribution as provided  
1963 in this subsection, except for a mandatory distribution of a de  
1964 minimis account authorized by the department.

1965 Section 18. Paragraphs (a) and (b) of subsection (1) of  
1966 section 121.591, Florida Statutes, is amended to read:

1967 121.591 Benefits payable under the Public Employee Optional  
1968 Retirement Program of the Florida Retirement System.—Benefits  
1969 may not be paid under this section unless the member has  
1970 terminated employment as provided in s. 121.021(39)(a) or is  
1971 deceased and a proper application has been filed in the manner  
1972 prescribed by the state board or the department. The state board  
1973 or department, as appropriate, may cancel an application for  
1974 retirement benefits when the member or beneficiary fails to  
1975 timely provide the information and documents required by this  
1976 chapter and the rules of the state board and department. In  
1977 accordance with their respective responsibilities as provided  
1978 herein, the State Board of Administration and the Department of  
1979 Management Services shall adopt rules establishing procedures  
1980 for application for retirement benefits and for the cancellation  
1981 of such application when the required information or documents  
1982 are not received. The State Board of Administration and the  
1983 Department of Management Services, as appropriate, are  
1984 authorized to cash out a de minimis account of a participant who



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1985 has been terminated from Florida Retirement System covered  
1986 employment for a minimum of 6 calendar months. A de minimis  
1987 account is an account containing employer contributions and  
1988 accumulated earnings of not more than \$5,000 made under the  
1989 provisions of this chapter. Such cash-out must either be a  
1990 complete lump-sum liquidation of the account balance, subject to  
1991 the provisions of the Internal Revenue Code, or a lump-sum  
1992 direct rollover distribution paid directly to the custodian of  
1993 an eligible retirement plan, as defined by the Internal Revenue  
1994 Code, on behalf of the participant. If any financial instrument  
1995 issued for the payment of retirement benefits under this section  
1996 is not presented for payment within 180 days after the last day  
1997 of the month in which it was originally issued, the third-party  
1998 administrator or other duly authorized agent of the State Board  
1999 of Administration shall cancel the instrument and credit the  
2000 amount of the instrument to the suspense account of the Public  
2001 Employee Optional Retirement Program Trust Fund authorized under  
2002 s. 121.4501(6). Any such amounts transferred to the suspense  
2003 account are payable upon a proper application, not to include  
2004 earnings thereon, as provided in this section, within 10 years  
2005 after the last day of the month in which the instrument was  
2006 originally issued, after which time such amounts and any  
2007 earnings thereon shall be forfeited. Any such forfeited amounts  
2008 are assets of the Public Employee Optional Retirement Program  
2009 Trust Fund and are not subject to the provisions of chapter 717.

2010 (1) NORMAL BENEFITS.—Under the Public Employee Optional  
2011 Retirement Program:

2012 (a) Benefits in the form of vested accumulations as  
2013 described in s. 121.4501(6) shall be payable under this



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2014 subsection in accordance with the following terms and  
2015 conditions:

2016 1. To the extent vested, benefits shall be payable only to  
2017 a participant.

2018 2. Benefits shall be paid by the third-party administrator  
2019 or designated approved providers in accordance with the law, the  
2020 contracts, and any applicable board rule or policy.

2021 3. To receive benefits under this subsection, the  
2022 participant must be terminated from all employment with all  
2023 Florida Retirement System employers, as provided in s.  
2024 121.021(39).

2025 4. Benefit payments may not be made until the participant  
2026 has been terminated for 3 calendar months, except that the board  
2027 may authorize by rule for the distribution of up to 10 percent  
2028 of the participant's account after being terminated for 1  
2029 calendar month if a participant has reached the normal  
2030 retirement requirements of the defined benefit plan, as provided  
2031 in s. 121.021(29).

2032 5. If a member or former member of the Florida Retirement  
2033 System receives an invalid distribution from the Public Employee  
2034 Optional Retirement Program Trust Fund, such person shall repay  
2035 the full invalid distribution to the trust fund within 90 days  
2036 after receipt of final notification by the State Board of  
2037 Administration or the third-party administrator that the  
2038 distribution was invalid. If such person fails to repay the full  
2039 invalid distribution within 90 days after receipt of final  
2040 notification, the person may be deemed retired from the Public  
2041 Employee Optional Retirement Program by the state board, as  
2042 provided pursuant to s. 121.4501(2)(j), and shall be subject to



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2043 the provisions of s. 121.122. If such person is deemed retired  
2044 by the state board, any joint and several liability set out in  
2045 s. 121.091(9)(d)2. ~~s. 121.091(9)(e)2.~~ becomes null and void, and  
2046 the state board, the Department of Management Services, or the  
2047 employing agency is not liable for gains on payroll  
2048 contributions that have not been deposited to the person's  
2049 account in the Public Employee Optional Retirement Program,  
2050 pending resolution of the invalid distribution. The member or  
2051 former member who has been deemed retired or who has been  
2052 determined by the board to have taken an invalid distribution  
2053 may appeal the agency decision through the complaint process as  
2054 provided under s. 121.4501(9)(f)3. As used in this subparagraph,  
2055 the term "invalid distribution" means any distribution from an  
2056 account in the Public Employee Optional Retirement Program which  
2057 is taken in violation of the provisions of this section, s.  
2058 121.091(9), or s. 121.4501.

2059 (b) If a participant elects to receive his or her benefits  
2060 upon termination of employment as defined in s. 121.021(39), the  
2061 participant must submit a written application or an equivalent  
2062 form to the third-party administrator indicating his or her  
2063 preferred distribution date and selecting an authorized method  
2064 of distribution as provided in paragraph (c). The participant  
2065 may defer receipt of benefits until he or she chooses to make  
2066 such application, subject to federal requirements.

2067 Section 19. Subsection (1) of section 238.183, Florida  
2068 Statutes, is amended to read:

2069 238.183 Developmental research school and Florida School  
2070 for the Deaf and the Blind instructional personnel; reemployment  
2071 after retirement.-





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2072 (1) Notwithstanding any other law, instructional personnel,  
2073 as defined in s. 1012.01(2), employed by a developmental  
2074 research school or the Florida School for the Deaf and the Blind  
2075 are eligible for reemployment after retirement in the same  
2076 manner as classroom teachers who are employed by the district  
2077 school boards, as described in ss. 121.091(9)(b)~~3~~ and  
2078 238.181(2)(c).

2079 Section 20. Paragraph (g) of subsection (3) and subsection  
2080 (8) of section 1012.33, Florida Statutes, are amended to read:  
2081 1012.33 Contracts with instructional staff, supervisors,  
2082 and school principals.-

2083 (3)

2084 (g) Beginning July 1, 2001, for each employee who enters  
2085 into a written contract, pursuant to this section, in a school  
2086 district in which the employee was not employed as of June 30,  
2087 2001, or was employed as of June 30, 2001, but has since broken  
2088 employment with that district for 1 school year or more, for  
2089 purposes of pay, a district school board must recognize and  
2090 accept each year of full-time public school teaching service  
2091 earned in the State of Florida or outside the state and for  
2092 which the employee received a satisfactory performance  
2093 evaluation. Instructional personnel employed pursuant to s.  
2094 121.091(9)(b)~~3~~ are exempt from the provisions of this  
2095 paragraph.

2096 (8) Notwithstanding any other provision of law, a retired  
2097 ~~any member who has retired~~ may interrupt retirement and be  
2098 reemployed in any public school. A ~~Any~~ member ~~so~~ reemployed by  
2099 the same district from which he or she retired may be employed  
2100 on a probationary contractual basis as provided in subsection



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2101 ~~(1); however, no regular retirement employee shall be eligible~~  
2102 ~~to renew membership under a retirement system created by chapter~~  
2103 ~~121 or chapter 238.~~

2104 Section 21. Sections 121.093, 121.094, and 121.45, Florida  
2105 Statutes, are repealed.

2106 Section 22. The Legislature finds that a proper and  
2107 legitimate state purpose is served when employees and retirees  
2108 of the state and its political subdivisions, as well as the  
2109 dependents, survivors, and beneficiaries of such employees and  
2110 retirees, are extended the basic protections afforded by  
2111 governmental retirement systems that provide fair and adequate  
2112 benefits and that are managed, administered, and funded in an  
2113 actuarially sound manner as required by s. 14, Art. X of the  
2114 State Constitution and part VII of chapter 112, Florida  
2115 Statutes. Therefore, the Legislature determines and declares  
2116 that the amendment of s. 121.091, Florida Statutes, by this act  
2117 fulfills an important state interest.

2118 Section 23. This act shall take effect July 1, 2009.

2119  
2120 ===== T I T L E A M E N D M E N T =====

2121 And the title is amended as follows:

2122 Delete everything before the enacting clause  
2123 and insert:

2124 A bill to be entitled  
2125 An act relating to retirement; amending s. 121.021,  
2126 F.S.; redefining the terms "employer," "officer or  
2127 employee," "past service," "normal retirement date,"  
2128 "termination," "regularly established position," and  
2129 "temporary position"; defining the terms "state board"



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2130 and "trustees"; amending s. 121.031, F.S.; requiring  
2131 promotional materials that refer to the Florida  
2132 Retirement System to include a disclaimer unless  
2133 approval is obtained from the Department of Management  
2134 Services or the State Board of Administration;  
2135 amending s. 121.051, F.S.; conforming a cross-  
2136 reference; clarifying when a State Community College  
2137 System Optional Retirement Program participant is  
2138 considered a retiree; revising provisions relating to  
2139 participation in the Florida Retirement System by  
2140 certain employers; excluding the participation of  
2141 certain entities under a lease agreement; amending s.  
2142 121.052, F.S.; revising membership criteria for  
2143 members of the Elected Officers' Class; revising the  
2144 dates when a governing body of a municipality or  
2145 special district may elect to designate its elected  
2146 positions for inclusion in the Elected Officers'  
2147 Class; amending s. 121.053, F.S.; revising provisions  
2148 relating to participation in the Elected Officers'  
2149 Class for retired members; providing that a member  
2150 whose DROP participation begins after a certain date  
2151 may not continue to earn interest on his or her DROP  
2152 account after the end of the 60-month DROP period;  
2153 amending s. 121.055, F.S.; revising provisions  
2154 relating to participation in the Senior Management  
2155 Service Class; revising provisions relating to de  
2156 minimis accounts; amending s. 121.071, F.S.; providing  
2157 an additional mechanism for the payment of employee  
2158 contributions to the system; amending s. 121.081,



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2159 F.S.; providing for receipt of credit for past or  
2160 prior service by charter school and charter technical  
2161 career center employees; prohibiting a member from  
2162 receiving credit for service covered and reported by  
2163 both a public employer and a private employer;  
2164 amending s. 121.091, F.S.; revising and clarifying  
2165 provisions relating to retirement benefits;  
2166 authorizing developmental research schools and charter  
2167 schools to reemploy certain retired members under  
2168 specified conditions; providing that retirees of a  
2169 state-administered retirement system who retire after  
2170 a certain date may not be reemployed by an employer  
2171 participating in the Florida Retirement System for 6  
2172 months; revising provisions relating to reemployment  
2173 of retirees of the Public Employee Optional Retirement  
2174 Program; providing that certain members who delay DROP  
2175 participation lose a month of DROP participation for  
2176 each month delayed; clarifying that DROP participation  
2177 may not be canceled; clarifying maximum DROP  
2178 participation; providing for the suspension of DROP  
2179 benefits to a participant who is reemployed; deleting  
2180 obsolete provisions; revising employer contribution  
2181 requirements; authorizing the Division of Retirement  
2182 to issue benefits pursuant to a qualified domestic  
2183 relations order directly to the alternate payee;  
2184 amending s. 121.1115, F.S.; revising provisions  
2185 relating to receiving retirement credit for out-of-  
2186 state service; providing that a member is not eligible  
2187 for and may not receive a benefit based on such



2188 service; amending s. 121.1122, F.S.; revising  
2189 provisions relating to receiving retirement credit for  
2190 in-state service; providing that certain members are  
2191 not eligible to purchase service credit; amending s.  
2192 121.122, F.S.; providing that certain retirees  
2193 initially reemployed on or after a specified date are  
2194 ineligible for renewed membership in the system;  
2195 revising conditions under which a retiree is entitled  
2196 to certain additional retirement benefits; amending s.  
2197 121.136, F.S.; revising provisions relating to the  
2198 annual statement of benefits provided to certain  
2199 active members of the system; amending s. 121.1905,  
2200 F.S.; deleting a provision describing the mission of  
2201 the Division of Retirement; amending s. 121.23, F.S.;  
2202 requiring the State Retirement Commission to use  
2203 certain requirements used by the Secretary of  
2204 Management Services before approving a disability  
2205 retirement benefit; amending s. 121.24, F.S.;  
2206 requiring a quorum of three members for all appeal  
2207 hearings held by the commission; amending s. 121.35,  
2208 F.S.; revising a compulsory membership exception for  
2209 certain members failing to elect membership in the  
2210 optional retirement program; providing a cross-  
2211 reference; defining the term "retiree" for purposes of  
2212 the State University System Optional Retirement  
2213 Program; amending ss. 121.591 and 238.183, F.S.;  
2214 providing and conforming cross-references; amending s.  
2215 1012.33, F.S.; deleting a provision preventing persons  
2216 who have retired from the public school system from



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2217           renewing membership in the Florida Retirement System  
2218           or Teachers' Retirement System upon reemployment by  
2219           the school system; repealing s. 121.093, F.S.,  
2220           relating to instructional personnel reemployment after  
2221           retirement from a developmental research school or the  
2222           Florida School for the Deaf and the Blind; repealing  
2223           s. 121.094, F.S., relating to instructional personnel  
2224           reemployment after retirement from a charter school;  
2225           repealing s. 121.45, F.S., relating to interstate  
2226           compacts relating to pension portability; providing a  
2227           declaration of important state interest; providing an  
2228           effective date.