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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/10/2009	.	
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The Committee on Community Affairs (Bennett) recommended the following:

Senate Amendment (with title amendment)

Between lines 397 and 398
insert:

Section 6. Subsection (1) of section 175.351, Florida Statutes, is amended to read:

175.351 Municipalities and special fire control districts having their own pension plans for firefighters.—For any municipality, special fire control district, local law municipality, local law special fire control district, or local law plan under this chapter, in order for municipalities and



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12 special fire control districts with their own pension plans for
13 firefighters, or for firefighters and police officers, where
14 included, to participate in the distribution of the tax fund
15 established pursuant to s. 175.101, local law plans must meet
16 the minimum benefits and minimum standards set forth in this
17 chapter.

18 (1) PREMIUM TAX INCOME.—If a municipality has a pension
19 plan for firefighters, or a pension plan for firefighters and
20 police officers, where included, which in the opinion of the
21 division meets the minimum benefits and minimum standards set
22 forth in this chapter, the board of trustees of the pension
23 plan, as approved by a majority of firefighters of the
24 municipality, may:

25 (a) Place the income from the premium tax in s. 175.101 in
26 such pension plan for the sole and exclusive use of its
27 firefighters, or for firefighters and police officers, where
28 included, where it shall become an integral part of that pension
29 plan and shall be used to pay ~~extra~~ benefits to the firefighters
30 included in that pension plan; or

31 (b) Place the income from the premium tax in s. 175.101 in
32 a separate supplemental plan to pay ~~extra~~ benefits to
33 firefighters, or to firefighters and police officers where
34 included, participating in such separate supplemental plan.

35
36 The premium tax provided by this chapter shall in all cases be
37 used in its entirety to provide ~~extra~~ benefits to firefighters,
38 or to firefighters and police officers, where included. However,
39 local law plans in effect on October 1, 1998, shall be required
40 to comply with the minimum benefit provisions of this chapter



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41 only to the extent that additional premium tax revenues become
42 available to incrementally fund the cost of such compliance as
43 provided in s. 175.162(2)(a). When a plan is in compliance with
44 such minimum benefit provisions, as subsequent additional
45 premium tax revenues become available, they shall be used to pay
46 for extra benefits implemented prior to July 1, 2009. Effective
47 July 1, 2009 and through June 30, 2011 for plans that are not
48 fully funded, additional premium tax revenues received in excess
49 of the amount needed for compliance with the minimum benefit
50 provisions of this chapter and for extra benefits implemented
51 prior to July 1, 2009, shall be used to reduce the required
52 contributions of the municipality or special fire control
53 district to the plan ~~provide extra benefits~~. For the purpose of
54 this chapter, "additional premium tax revenues" means revenues
55 received by a municipality or special fire control district
56 pursuant to s. 175.121 which exceed that amount received for
57 calendar year 1997, and the term "extra benefits" means benefits
58 implemented prior to July 1, 2009 that are in addition to or
59 greater than those provided to general employees of the
60 municipality and in addition to those in existence for
61 firefighters on March 12, 1999. Local law plans created by
62 special act before May 23, 1939, shall be deemed to comply with
63 this chapter.

64
65 ===== T I T L E A M E N D M E N T =====

66 And the title is amended as follows:

67 Delete line 31

68 and insert:

69 joint annuitant or beneficiary; amending s. 175.351, F.S.;



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70 revising requirements for the use of certain additional premium
71 tax revenues; providing for the specified use of such revenues
72 for a two-year period; revising a definition; amending s.
73 175.361,