



422240

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/10/2009	.	
	.	
	.	
	.	

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



422240

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



422240

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, additional premium tax
48 revenues received in excess of the amount needed for compliance
49 with the minimum benefit provisions of this chapter and for
50 extra benefits implemented prior to July 1, 2009, shall be used
51 to reduce the required contributions of the municipality or
52 special fire control district to the plan ~~provide extra~~
53 ~~benefits~~. For the purpose of this chapter, "additional premium
54 tax revenues" means revenues received by a municipality or
55 special fire control district pursuant to s. 175.121 which
56 exceed that amount received for calendar year 1997, and the term
57 "extra benefits" means benefits implemented prior to July 1,
58 2009 that are in addition to or greater than those provided to
59 general employees of the municipality and in addition to those
60 in existence for firefighters on March 12, 1999. Local law plans
61 created by special act before May 23, 1939, shall be deemed to
62 comply with this chapter.

63
64 ===== T I T L E A M E N D M E N T =====

65 And the title is amended as follows:

66 Delete line 31

67 and insert:

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

69 revising requirements for the use of certain additional premium



422240

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