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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 763 and 764
insert:

Section 13. Subsection (1) of section 185.35, Florida Statutes, is amended to read:

185.35 Municipalities having their own pension plans for police officers.—For any municipality, chapter plan, local law municipality, or local law plan under this chapter, in order for municipalities with their own pension plans for police officers, or for police officers and firefighters where included, to



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12 participate in the distribution of the tax fund established
13 pursuant to s. 185.08, local law plans must meet the minimum
14 benefits and minimum standards set forth in this chapter:

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

22 (a) Place the income from the premium tax in s. 185.08 in
23 such pension plan for the sole and exclusive use of its police
24 officers, or its police officers and firefighters where
25 included, where it shall become an integral part of that pension
26 plan and shall be used to pay ~~extra~~ benefits to the police
27 officers included in that pension plan; or

28 (b) May place the income from the premium tax in s. 185.08
29 in a separate supplemental plan to pay ~~extra~~ benefits to the
30 police officers, or police officers and firefighters where
31 included, participating in such separate supplemental plan.

32
33 The premium tax provided by this chapter shall in all cases be
34 used in its entirety to provide ~~extra~~ benefits to police
35 officers, or to police officers and firefighters, where
36 included. However, local law plans in effect on October 1, 1998,
37 shall be required to comply with the minimum benefit provisions
38 of this chapter only to the extent that additional premium tax
39 revenues become available to incrementally fund the cost of such
40 compliance as provided in s. 185.16(2). When a plan is in



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41 compliance with such minimum benefit provisions, as subsequent
42 additional tax revenues become available, they shall be used to
43 pay for extra benefits implemented prior to July 1, 2009.
44 Effective July 1, 2009 through June 30, 2011 for plans that are
45 not fully funded, any additional premium tax revenues received
46 in excess of the amount needed for compliance with the minimum
47 benefit provisions of this chapter and for extra benefits
48 implemented prior to July 1, 2009, shall be used to reduce the
49 required contributions of the municipality to the plan ~~provide~~
50 extra benefits. For the purpose of this chapter, "additional
51 premium tax revenues" means revenues received by a municipality
52 pursuant to s. 185.10 which exceed the amount received for
53 calendar year 1997, and the term "extra benefits" means benefits
54 implemented prior to July 1, 2009 that are in addition to or
55 greater than those provided to general employees of the
56 municipality and in addition to those in existence for police
57 officers on March 12, 1999. Local law plans created by special
58 act before May 23, 1939, shall be deemed to comply with this
59 chapter.

60
61 ===== T I T L E A M E N D M E N T =====

62 And the title is amended as follows:

63 Between lines 73 and 74

64 insert:

65 amending s. 185.35, F.S.; revising requirements for the use of
66 certain additional premium tax revenues; providing for the
67 specified use of such revenues for a two-year period; revising a
68 definition;