

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

8
 9 Be It Enacted by the Legislature of the State of Florida:

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 11 Section 1. Subsection (2) of section 121.111, Florida
 12 Statutes, is amended to read:

13 121.111 Credit for military service.--

14 (2) (a) Any member ~~whose initial date of employment is~~
 15 ~~before January 1, 1987,~~ who has military service as defined in
 16 s. 121.021(20) (b) ~~7~~ and who does not claim such service under
 17 subsection (1) may receive creditable service for such military
 18 service if:

19 1.(a) The member is vested;

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

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

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29 | compounded annually thereafter, until payment is made to the
30 | proper retirement trust fund.

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

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

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

56 | (c)~~(e)~~ Any member claiming credit under this subsection

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57 must certify on the form prescribed by the department that
58 credit for such service has not and will not be claimed for
59 retirement purposes under any other federal, state, or local
60 retirement or pension system where "length of service" is a
61 factor in determining the amount of compensation received,
62 except if ~~where~~ credit for such service has been granted in a
63 pension system providing retired pay for nonregular service as
64 provided in paragraph (b) ~~(d)~~. If the member dies prior to
65 retirement, the member's beneficiary must make the required
66 certification before credit may be claimed. If such
67 certification is not made by the member or the member's
68 beneficiary, credit for wartime military service may ~~shall~~ not
69 be claimed ~~allowed~~.

70 (d) ~~(f)~~ Service credit awarded for wartime military service
71 equals ~~shall be~~ the total number of years, months, and days from
72 and including the date of entry into active duty through the
73 date of discharge from active duty, up to a maximum of 4 years.
74 If the military service includes a partial year, it must ~~shall~~
75 be stated as a fraction of a year. Creditable military service
76 must ~~shall~~ be calculated in accordance with rule 60S-
77 2.005(2)(j), Florida Administrative Code.

78 Section 2. Effective July 1, 2009, in order to fund the
79 benefits provided by this act:

80 (1) The contribution rate that applies to the Regular
81 Class of the Florida Retirement System is increased by 0.11
82 percentage points.

83 (2) The contribution rate that applies to the Special Risk
84 Class of the Florida Retirement System is increased by 0.16

85 percentage points.

86 (3) The contribution rate that applies to the Special Risk
87 Administrative Support Class of the Florida Retirement System is
88 increased by 0.21 percentage points.

89 (4) The contribution rate that applies to the Judicial
90 subclass of the Elected Officers' Class of the Florida
91 Retirement System is increased by 0.20 percentage points.

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

96 (6) The contribution rate that applies to the County
97 Officers' subclass of the Elected Officers' Class of the Florida
98 Retirement System is increased by 0.22 percentage points.

99 (7) The contribution rate that applies to the Senior
100 Management Service Class of the Florida Retirement System is
101 increased by 0.18 percentage points.

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

108 Section 3. The Legislature finds that a proper and
109 legitimate state purpose is served when certain employees and
110 retirees of the state and its political subdivisions, and the
111 dependents, survivors, and beneficiaries of such employees and
112 retirees, are extended the basic protections afforded by

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113 governmental retirement systems. These persons must be provided
114 benefits that are fair and adequate and that are managed,
115 administered, and funded in an actuarially sound manner, as
116 required by Section 14, Article X of the State Constitution, and
117 part VII of chapter 112, Florida Statutes. Therefore, the
118 Legislature determines and declares that this act fulfills an
119 important state interest.

120 Section 4. This act shall take effect July 1, 2009.