



791054

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/17/2011	.	
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The Committee on Governmental Oversight and Accountability
(Ring) recommended the following:

Senate Amendment (with title amendment)

Delete lines 189 - 234
and insert:
benefits and minimum standards set forth in this chapter, the
board of trustees of the pension plan, as approved by a majority
of firefighters, or firefighters and police officers, of the
municipality or fire control district, may:

(a) Place the income from the premium tax in s. 175.101 in
such pension plan for the sole and exclusive use of its
firefighters, or for firefighters and police officers if, ~~where~~
included, where it shall become an integral part of that pension



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13 plan and shall be used to pay extra benefits to the
14 firefighters, or firefighters and police officers, included in
15 that pension plan; or

16 (b) Place the income from the premium tax in s. 175.101 in
17 a separate supplemental plan to pay extra benefits to
18 firefighters, or to firefighters and police officers if where
19 included, participating in such separate supplemental plan.

20 (2) The premium tax provided by this chapter shall in all
21 cases be used in its entirety to provide retirement ~~extra~~
22 benefits to firefighters, or to firefighters and police officers
23 if, where included. However, local law plans in effect on
24 October 1, 1998, must ~~shall be required to~~ comply with the
25 minimum benefit provisions of this chapter only to the extent
26 that additional premium tax revenues become available to
27 incrementally fund the cost of such compliance as provided in s.
28 175.162(2) (a). If when a plan is in compliance with such minimum
29 benefit provisions, as subsequent additional premium tax
30 revenues become available, they must ~~shall~~ be used to provide
31 extra benefits, except as provided in subsection (1). For the
32 purpose of this chapter, "additional premium tax revenues" means
33 revenues received by a municipality or special fire control
34 district pursuant to s. 175.121 which exceed that amount
35 received for calendar year 1997, and the term "extra benefits"
36 means benefits in addition to or greater than those provided to
37 general employees of the municipality and in addition to those
38 in existence for firefighters on March 12, 1999. Local law plans
39 created by special act before May 23, 1939, shall be deemed to
40 comply with this chapter. Notwithstanding any other provisions
41 of this section, if, as of March 1, 2011:



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42 (a) A plan's actuarial accrued liability is funded below 80
43 percent, the premium tax revenues in excess of the adjusted base
44 amount and accumulated excess premium tax revenues held in
45 reserve shall be used to pay the plan's actuarial accrued
46 liability until the liability exceeds 80 percent.

47 (b) For a supplemental plan that exists in conjunction with
48 a defined benefit plan under this chapter, the defined benefit
49 plan's actuarial accrued liability is funded below 70 percent,
50 the premium tax revenues in excess of the adjusted base amount
51 of the defined benefit plan shall be used to pay the plan's
52 actuarial accrued liability until such liability is at least 80
53 percent funded.

54 Delete lines 339 - 381

55 and insert:

56 forth in this chapter, the board of trustees of the pension
57 plan, as approved by a majority of police officers, or police
58 officers and firefighters, of the municipality, may:

59 (a) Place the income from the premium tax in s. 185.08 in
60 such pension plan for the sole and exclusive use of its police
61 officers, or its police officers and firefighters if where
62 included, where it shall become an integral part of that pension
63 plan and shall be used to pay extra benefits to the police
64 officers, or police officers and firefighters, included in that
65 pension plan; or

66 (b) May place the income from the premium tax in s. 185.08
67 in a separate supplemental plan to pay extra benefits to the
68 police officers, or police officers and firefighters if where
69 included, participating in such separate supplemental plan.

70 (2) The premium tax provided by this chapter shall in all



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71 cases be used in its entirety to provide retirement ~~extra~~
72 benefits to police officers, or to police officers and
73 firefighters ~~if, where~~ included. However, local law plans in
74 effect on October 1, 1998, must ~~shall be required to~~ comply with
75 the minimum benefit provisions of this chapter only to the
76 extent that additional premium tax revenues become available to
77 incrementally fund the cost of such compliance as provided in s.
78 185.16(2). ~~If when~~ a plan is in compliance with such minimum
79 benefit provisions, as subsequent additional tax revenues become
80 available, they shall be used to provide extra benefits, except
81 as provided under subsection (1). For the purpose of this
82 chapter, "additional premium tax revenues" means revenues
83 received by a municipality pursuant to s. 185.10 which exceed
84 the amount received for calendar year 1997, and the term "extra
85 benefits" means benefits in addition to or greater than those
86 provided to general employees of the municipality and in
87 addition to those in existence for police officers on March 12,
88 1999. Local law plans created by special act before May 23,
89 1939, shall be deemed to comply with this chapter.

90 Notwithstanding any other provisions of this section, if, as of
91 March 1, 2011:

92 (a) A plan's actuarial accrued liability is funded below 80
93 percent, the premium tax revenues in excess of the adjusted base
94 amount and accumulated excess premium tax revenues held in
95 reserve shall be used to pay the plan's actuarial accrued
96 liability until the liability exceeds 80 percent.

97 (b) For a supplemental plan that exists in conjunction with
98 a defined benefit plan under this chapter, the defined benefit
99 plan's actuarial accrued liability is funded below 70 percent,



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100 the premium tax revenues in excess of the adjusted base amount
101 of the defined benefit plan shall be used to pay the plan's
102 actuarial accrued liability until such liability is at least 80
103 percent funded.

104

105 ===== T I T L E A M E N D M E N T =====

106 And the title is amended as follows:

107 Delete lines 21 - 26

108 and insert:

109 district that has its own pension plan; providing for
110 funding a plan's actuarial accrued liability;
111 conforming a cross-reference; amending s. 185.02,
112 F.S.; revising the definition of the terms
113 "compensation" and "salary" for purposes of police
114 officers' pensions; amending s. 185.35, F.S.; revising
115 provisions relating to benefits paid by a municipality
116 that has its own pension plan; providing for funding a
117 plan's actuarial accrued liability;