



324190

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/01/2012	.	
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	.	

The Committee on Governmental Oversight and Accountability
(Latvala) recommended the following:

Senate Amendment (with title amendment)

Between lines 8 and 9
insert:

Section 1. Subsection (6) is added to section 175.351,
Florida Statutes, 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
special fire control districts with their own pension plans for



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13 firefighters, or for firefighters and police officers if
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 (6) Notwithstanding any other provision, with respect to
19 any plan established under this chapter, if the municipality or
20 special fire control district and the plan members' collective
21 bargaining representative or, if none, a majority of the plan
22 members, mutually consent to the retirement benefits provided in
23 the plan or to the use of income from the premium tax provided
24 pursuant to this chapter, the provisions of the agreement shall
25 be deemed to comply with this chapter for retirement purposes.
26 This subsection is retroactive in application to any agreement
27 entered into or effective on or after October 1, 2010.

28
29 Between lines 63 and 64
30 insert:

31 Section 3. Subsection (6) is added to section 185.35,
32 Florida Statutes, to read:

33 185.35 Municipalities having their own pension plans for
34 police officers.—For any municipality, chapter plan, local law
35 municipality, or local law plan under this chapter, in order for
36 municipalities with their own pension plans for police officers,
37 or for police officers and firefighters if included, to
38 participate in the distribution of the tax fund established
39 pursuant to s. 185.08, local law plans must meet the minimum
40 benefits and minimum standards set forth in this chapter:

41 (6) Notwithstanding any other provision, with respect to



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42 any plan established under this chapter, if the municipality and
43 the plan members' collective bargaining representative or, if
44 none, a majority of the plan members, mutually consent to the
45 retirement benefits provided in the plan or to the use of income
46 from the premium tax provided pursuant to this chapter, the
47 provisions of the agreement shall be deemed to comply with this
48 chapter for retirement purposes. This subsection is retroactive
49 in application to any agreement entered into or effective on or
50 after October 1, 2010.

51 Section 4. The Legislature finds that a proper and
52 legitimate state purpose is served when employees and retirees
53 of the state and its political subdivisions, and the dependents,
54 survivors, and beneficiaries of such employees and retirees, are
55 extended the basic protections afforded by governmental
56 retirement systems that provide fair and adequate benefits and
57 that are managed, administered, and funded in an actuarially
58 sound manner as required by s. 14, Article X of the State
59 Constitution and part VII of chapter 112, Florida Statutes.
60 Therefore, the Legislature determines and declares that this act
61 fulfills an important state interest.

62
63 ===== T I T L E A M E N D M E N T =====

64 And the title is amended as follows:

65 Delete line 2

66 and insert:

67 An act relating to public retirement plans; amending
68 s. 175.351, F.S.; revising provisions relating to
69 benefits paid from the premium tax by a municipality
70 or special fire control district that has its own



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71 pension plan; providing for retroactive application;
72 amending

73

74 Delete line 4

75 and insert:

76 "compensation" or "salary" for purposes of police
77 officers' pensions; amending s. 185.35, F.S.; revising
78 provisions relating to benefits paid by a municipality
79 that has its own pension plan; providing for
80 retroactive application; providing a declaration of
81 important state interest; providing an effective