

By Senator Lee

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1 A bill to be entitled
2 An act relating to justices and judges; amending s.
3 25.073, F.S.; defining the terms "senior justice" and
4 "senior judge"; making technical corrections and
5 conforming terminology; amending s. 121.021, F.S.;
6 providing that "termination" for a senior justice or
7 judge occurs when all employment ceases and the
8 justice or judge retires from the Florida Retirement
9 System; amending s. 121.053, F.S.; conforming
10 terminology; amending s. 121.091, F.S.; providing that
11 a senior justice or judge is not subject to certain
12 specified limitations on employment after retirement;
13 amending s. 121.591, F.S.; providing that a senior
14 justice or judge may receive benefit payments under
15 certain circumstances; amending s. 216.292, F.S.;
16 conforming terminology; increasing by specified
17 amounts the required employer contribution rates of
18 the Florida Retirement System and the required
19 employer contribution rates for the unfunded actuarial
20 liability of the Florida Retirement System; providing
21 a finding by the Legislature of proper and legitimate
22 state purpose and a declaration of important state
23 interest; providing that specified provisions of the
24 act relating to retired justices and judges take
25 effect only if the Legislature appropriates a
26 specified amount to the judicial branch and the State
27 Courts Administrator certifies that the appropriation
28 was made and that the appropriation was not vetoed by
29 the Governor; providing an effective date.

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

Section 1. Section 25.073, Florida Statutes, is amended to read:

25.073 Retired justices or judges assigned to temporary duty; additional compensation; appropriation.—

(1) For purposes of this section, the term "senior retired justice" or "senior retired judge" means any former justice of the Supreme Court or judge of a district court of appeal or circuit or county court who is assigned to temporary duty in any of those courts pursuant to s. 2, Art. V of the State Constitution.

(2) A former justice or judge may serve as a senior justice or judge if he or she who:

(a) Was ~~Has~~ not ~~been~~ defeated in seeking reelection to, or did ~~has~~ not fail ~~failed~~ to be retained in seeking retention in, his or her last judicial office or was not defeated when last seeking election to judicial office; ~~and~~

(b) Is not engaged in the practice of law; and

(c) Has reached his or her normal retirement age or the age when vested as defined in s. 121.021 and is retired from the Florida Retirement System.

~~(3) (2) A senior Any retired justice of the Supreme Court or retired judge of a district court of appeal or circuit or county court assigned to temporary duty in any of such courts, pursuant to Art. V of the State Constitution, shall be compensated as follows:~~

(a) A senior ~~Any such~~ justice or judge shall be paid at

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59 least not less than \$200 for each day or portion of a day that
60 the such justice or judge is assigned to temporary duty.†
61 However, a senior no such justice or judge may not serve for
62 more than 60 days in any year without the approval of the Chief
63 Justice.

64 (b) A senior justice or judge is entitled to reimbursement
65 for necessary travel expenses expense incident to the
66 performance of duties required by his or her assignment ~~of such~~
67 ~~justice or judge~~ to temporary duty pursuant to ~~shall be paid by~~
68 ~~the state in accordance with the provisions of~~ s. 112.061.

69 (4)(3) Payments required under this section shall be made
70 from moneys to be appropriated for this purpose.

71 Section 2. Subsection (39) of section 121.021, Florida
72 Statutes, is amended to read:

73 121.021 Definitions.—The following words and phrases as
74 used in this chapter have the respective meanings set forth
75 unless a different meaning is plainly required by the context:

76 (39) (a) "Termination" occurs, except as provided in
77 paragraph (b) or paragraph (d), when a member ceases all
78 employment relationships with participating employers, however:

79 1. For retirements effective before July 1, 2010, if a
80 member is employed by any such employer within the next calendar
81 month, termination is ~~shall be~~ deemed not to have occurred. A
82 leave of absence constitutes a continuation of the employment
83 relationship, except that a leave of absence without pay due to
84 disability may constitute termination if such member makes
85 application for and is approved for disability retirement in
86 accordance with s. 121.091(4). The department or state board may
87 require other evidence of termination as it deems necessary.

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88 2. For retirements effective on or after July 1, 2010, if a
89 member is employed by any such employer within the next 6
90 calendar months, termination is ~~shall be~~ deemed not to have
91 occurred. A leave of absence constitutes a continuation of the
92 employment relationship, except that a leave of absence without
93 pay due to disability may constitute termination if such member
94 makes application for and is approved for disability retirement
95 in accordance with s. 121.091(4). The department or state board
96 may require other evidence of termination as it deems necessary.

97 (b) "Termination" for a member electing to participate in
98 the Deferred Retirement Option Program occurs when the program
99 participant ceases all employment relationships with
100 participating employers in accordance with s. 121.091(13),
101 however:

102 1. For termination dates occurring before July 1, 2010, if
103 the member is employed by any such employer within the next
104 calendar month, termination will be deemed not to have occurred,
105 except as provided in s. 121.091(13)(b)4.c. A leave of absence
106 constitutes ~~shall constitute~~ a continuation of the employment
107 relationship.

108 2. For termination dates occurring on or after July 1,
109 2010, if the member becomes employed by any such employer within
110 the next 6 calendar months, termination will be deemed not to
111 have occurred, except as provided in s. 121.091(13)(b)4.c. A
112 leave of absence constitutes a continuation of the employment
113 relationship.

114 (c) Effective July 1, 2011, "termination" for a member
115 receiving a refund of employee contributions occurs when a
116 member ceases all employment relationships with participating

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117 employers for 3 calendar months. A leave of absence constitutes
118 a continuation of the employment relationship.

119 (d) Effective July 1, 2013, "termination" for a senior
120 justice or senior judge, as defined in s. 25.073, occurs when
121 the justice or judge ceases all employment for 1 calendar month
122 and retires pursuant to this chapter.

123 Section 3. Subsection (6) of section 121.053, Florida
124 Statutes, is amended to read:

125 121.053 Participation in the Elected Officers' Class for
126 retired members.—

127 (6) A senior justice or senior ~~retired~~ judge, as defined in
128 s. 25.073 ~~consenting to temporary duty in any court, as assigned~~
129 ~~by the Chief Justice of the Supreme Court in accordance with s.~~
130 ~~2, Art. V of the State Constitution,~~ is not subject to the
131 renewed membership provisions of this section.

132 Section 4. Subsection (9) of section 121.091, Florida
133 Statutes, is amended to read:

134 121.091 Benefits payable under the system.—Benefits may not
135 be paid under this section unless the member has terminated
136 employment as provided in s. 121.021(39)(a) or begun
137 participation in the Deferred Retirement Option Program as
138 provided in subsection (13), and a proper application has been
139 filed in the manner prescribed by the department. The department
140 may cancel an application for retirement benefits when the
141 member or beneficiary fails to timely provide the information
142 and documents required by this chapter and the department's
143 rules. The department shall adopt rules establishing procedures
144 for application for retirement benefits and for the cancellation
145 of such application when the required information or documents

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146 are not received.

147 (9) EMPLOYMENT AFTER RETIREMENT; LIMITATION.—

148 (a) Any person who is retired under this chapter, except
149 under the disability retirement provisions of subsection (4),
150 may be employed by an employer that does not participate in a
151 state-administered retirement system and receive compensation
152 from that employment without limiting or restricting in any way
153 the retirement benefits payable to that person.

154 (b) Any person whose retirement is effective before July 1,
155 2010, or whose participation in the Deferred Retirement Option
156 Program terminates before July 1, 2010, except under the
157 disability retirement provisions of subsection (4) or as
158 provided in s. 121.053, may be reemployed by an employer that
159 participates in a state-administered retirement system and
160 receive retirement benefits and compensation from that employer,
161 except that the person may not be reemployed by an employer
162 participating in the Florida Retirement System before meeting
163 the definition of termination in s. 121.021 and may not receive
164 both a salary from the employer and retirement benefits for 12
165 calendar months immediately subsequent to the date of
166 retirement. However, a DROP participant shall continue
167 employment and receive a salary during the period of
168 participation in the Deferred Retirement Option Program, as
169 provided in subsection (13).

170 1. A retiree who violates such reemployment limitation
171 before completion of the 12-month limitation period must give
172 timely notice of this fact in writing to the employer and to the
173 Division of Retirement or the state board and shall have his or
174 her retirement benefits suspended for the months employed or the

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175 balance of the 12-month limitation period as required in sub-
176 subparagraphs b. and c. A retiree employed in violation of this
177 paragraph and an employer who employs or appoints such person
178 are jointly and severally liable for reimbursement to the
179 retirement trust fund, including the Florida Retirement System
180 Trust Fund and the Public Employee Optional Retirement Program
181 Trust Fund, from which the benefits were paid. The employer must
182 have a written statement from the retiree that he or she is not
183 retired from a state-administered retirement system. Retirement
184 benefits shall remain suspended until repayment has been made.
185 Benefits suspended beyond the reemployment limitation shall
186 apply toward repayment of benefits received in violation of the
187 reemployment limitation.

188 a. A district school board may reemploy a retiree as a
189 substitute or hourly teacher, education paraprofessional,
190 transportation assistant, bus driver, or food service worker on
191 a noncontractual basis after he or she has been retired for 1
192 calendar month. A district school board may reemploy a retiree
193 as instructional personnel, as defined in s. 1012.01(2)(a), on
194 an annual contractual basis after he or she has been retired for
195 1 calendar month. Any member who is reemployed within 1 calendar
196 month after retirement shall void his or her application for
197 retirement benefits. District school boards reemploying such
198 teachers, education paraprofessionals, transportation
199 assistants, bus drivers, or food service workers are subject to
200 the retirement contribution required by subparagraph 2.

201 b. A community college board of trustees may reemploy a
202 retiree as an adjunct instructor or as a participant in a phased
203 retirement program within the Florida Community College System,

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204 after he or she has been retired for 1 calendar month. A member
205 who is reemployed within 1 calendar month after retirement shall
206 void his or her application for retirement benefits. Boards of
207 trustees reemploying such instructors are subject to the
208 retirement contribution required in subparagraph 2. A retiree
209 may be reemployed as an adjunct instructor for no more than 780
210 hours during the first 12 months of retirement. A retiree
211 reemployed for more than 780 hours during the first 12 months of
212 retirement must give timely notice in writing to the employer
213 and to the Division of Retirement or the state board of the date
214 he or she will exceed the limitation. The division shall suspend
215 his or her retirement benefits for the remainder of the 12
216 months of retirement. Any retiree employed in violation of this
217 sub-subparagraph and any employer who employs or appoints such
218 person without notifying the division to suspend retirement
219 benefits are jointly and severally liable for any benefits paid
220 during the reemployment limitation period. The employer must
221 have a written statement from the retiree that he or she is not
222 retired from a state-administered retirement system. Any
223 retirement benefits received by the retiree while reemployed in
224 excess of 780 hours during the first 12 months of retirement
225 must be repaid to the Florida Retirement System Trust Fund, and
226 retirement benefits shall remain suspended until repayment is
227 made. Benefits suspended beyond the end of the retiree's first
228 12 months of retirement ~~shall~~ apply toward repayment of benefits
229 received in violation of the 780-hour reemployment limitation.

230 c. The State University System may reemploy a retiree as an
231 adjunct faculty member or as a participant in a phased
232 retirement program within the State University System after the

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233 retiree has been retired for 1 calendar month. A member who is
234 reemployed within 1 calendar month after retirement voids ~~shall~~
235 ~~void~~ his or her application for retirement benefits. The State
236 University System is subject to the retired contribution
237 required in subparagraph 2., as appropriate. A retiree may be
238 reemployed as an adjunct faculty member or a participant in a
239 phased retirement program for no more than 780 hours during the
240 first 12 months of his or her retirement. A retiree reemployed
241 for more than 780 hours during the first 12 months of retirement
242 must give timely notice in writing to the employer and to the
243 Division of Retirement or the state board of the date he or she
244 will exceed the limitation. The division shall suspend his or
245 her retirement benefits for the remainder of the 12 months. Any
246 retiree employed in violation of this sub-subparagraph and any
247 employer who employs or appoints such person without notifying
248 the division to suspend retirement benefits are jointly and
249 severally liable for any benefits paid during the reemployment
250 limitation period. The employer must have a written statement
251 from the retiree that he or she is not retired from a state-
252 administered retirement system. Any retirement benefits received
253 by the retiree while reemployed in excess of 780 hours during
254 the first 12 months of retirement must be repaid to the Florida
255 Retirement System Trust Fund, and retirement benefits shall
256 remain suspended until repayment is made. Benefits suspended
257 beyond the end of the retiree's first 12 months of retirement
258 ~~shall~~ apply toward repayment of benefits received in violation
259 of the 780-hour reemployment limitation.

260 d. The Board of Trustees of the Florida School for the Deaf
261 and the Blind may reemploy a retiree as a substitute teacher,

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262 substitute residential instructor, or substitute nurse on a
263 noncontractual basis after he or she has been retired for 1
264 calendar month. Any member who is reemployed within 1 calendar
265 month after retirement voids ~~shall void~~ his or her application
266 for retirement benefits. The Board of Trustees of the Florida
267 School for the Deaf and the Blind reemploying such teachers,
268 residential instructors, or nurses is subject to the retirement
269 contribution required by subparagraph 2.

270 e. A developmental research school may reemploy a retiree
271 as a substitute or hourly teacher or an education
272 paraprofessional as defined in s. 1012.01(2) on a noncontractual
273 basis after he or she has been retired for 1 calendar month. A
274 developmental research school may reemploy a retiree as
275 instructional personnel, as defined in s. 1012.01(2)(a), on an
276 annual contractual basis after he or she has been retired for 1
277 calendar month after retirement. Any member who is reemployed
278 within 1 calendar month voids his or her application for
279 retirement benefits. A developmental research school that
280 reemploys retired teachers and education paraprofessionals is
281 subject to the retirement contribution required by subparagraph
282 2.

283 f. A charter school may reemploy a retiree as a substitute
284 or hourly teacher on a noncontractual basis after he or she has
285 been retired for 1 calendar month. A charter school may reemploy
286 a retired member as instructional personnel, as defined in s.
287 1012.01(2)(a), on an annual contractual basis after he or she
288 has been retired for 1 calendar month after retirement. Any
289 member who is reemployed within 1 calendar month voids his or
290 her application for retirement benefits. A charter school that

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291 reemploys such teachers is subject to the retirement
292 contribution required by subparagraph 2.

293 2. The employment of a retiree or DROP participant of a
294 state-administered retirement system does not affect the average
295 final compensation or years of creditable service of the retiree
296 or DROP participant. Before July 1, 1991, upon employment of any
297 person, other than an elected officer as provided in s. 121.053,
298 who is retired under a state-administered retirement program,
299 the employer shall pay retirement contributions in an amount
300 equal to the unfunded actuarial liability portion of the
301 employer contribution which would be required for regular
302 members of the Florida Retirement System. Effective July 1,
303 1991, contributions shall be made as provided in s. 121.122 for
304 retirees who have renewed membership or, as provided in
305 subsection (13), for DROP participants.

306 3. Any person who is holding an elective public office
307 which is covered by the Florida Retirement System and who is
308 concurrently employed in nonelected covered employment may elect
309 to retire while continuing employment in the elective public
310 office if he or she terminates his or her nonelected covered
311 employment. Such person shall receive his or her retirement
312 benefits in addition to the compensation of the elective office
313 without regard to the time limitations otherwise provided in
314 this subsection. A person who seeks to exercise the provisions
315 of this subparagraph as they existed before May 3, 1984, may not
316 be deemed to be retired under those provisions, unless such
317 person is eligible to retire under this subparagraph, as amended
318 by chapter 84-11, Laws of Florida.

319 (c) Any person whose retirement is effective on or after

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320 July 1, 2010, or whose participation in the Deferred Retirement
321 Option Program terminates on or after July 1, 2010, who is
322 retired under this chapter, except under the disability
323 retirement provisions of subsection (4) or as provided in s.
324 121.053, may be reemployed by an employer that participates in a
325 state-administered retirement system and receive retirement
326 benefits and compensation from that employer. However, a person
327 may not be reemployed by an employer participating in the
328 Florida Retirement System before meeting the definition of
329 termination in s. 121.021 and may not receive both a salary from
330 the employer and retirement benefits for 6 calendar months after
331 meeting the definition of termination, except as provided in
332 paragraph (f). However, a DROP participant shall continue
333 employment and receive a salary during the period of
334 participation in the Deferred Retirement Option Program, as
335 provided in subsection (13).

336 1. The reemployed retiree may not renew membership in the
337 Florida Retirement System.

338 2. The employer shall pay retirement contributions in an
339 amount equal to the unfunded actuarial liability portion of the
340 employer contribution that would be required for active members
341 of the Florida Retirement System in addition to the
342 contributions required by s. 121.76.

343 3. A retiree initially reemployed in violation of this
344 paragraph and an employer that employs or appoints such person
345 are jointly and severally liable for reimbursement of any
346 retirement benefits paid to the retirement trust fund from which
347 the benefits were paid, including the Florida Retirement System
348 Trust Fund and the Public Employee Optional Retirement Program

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349 Trust Fund, as appropriate. The employer must have a written
350 statement from the employee that he or she is not retired from a
351 state-administered retirement system. Retirement benefits shall
352 remain suspended until repayment is made. Benefits suspended
353 beyond the end of the retiree's 6-month reemployment limitation
354 period shall apply toward the repayment of benefits received in
355 violation of this paragraph.

356 (d) This subsection applies to retirees, as defined in s.
357 121.4501(2) and except as provided in paragraph (f), of the
358 Florida Retirement System Investment Plan, subject to the
359 following conditions:

360 1. A retiree may not be reemployed with an employer
361 participating in the Florida Retirement System until such person
362 has been retired for 6 calendar months.

363 2. A retiree employed in violation of this subsection and
364 an employer that employs or appoints such person are jointly and
365 severally liable for reimbursement of any benefits paid to the
366 retirement trust fund from which the benefits were paid. The
367 employer must have a written statement from the retiree that he
368 or she is not retired from a state-administered retirement
369 system.

370 (e) The limitations of this subsection apply to
371 reemployment in any capacity irrespective of the category of
372 funds from which the person is compensated.

373 (f)1. Effective July 1, 2013, a senior justice or senior
374 judge, as defined in s. 25.073, must be retired for 1 calendar
375 month.

376 2. The temporary assignment of a senior justice or judge
377 after being retired for 1 calendar month is not considered

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378 reemployment or employment after retirement for purposes of
379 chapter 121 and renewed membership in the Florida Retirement
380 System is not allowed.

381 Section 5. Paragraph (a) of subsection (1) of section
382 121.591, Florida Statutes, is amended to read:

383 121.591 Payment of benefits.—Benefits may not be paid under
384 the Florida Retirement System Investment Plan unless the member
385 has terminated employment as provided in s. 121.021(39) (a) or is
386 deceased and a proper application has been filed as prescribed
387 by the state board or the department. Benefits, including
388 employee contributions, are not payable under the investment
389 plan for employee hardships, unforeseeable emergencies, loans,
390 medical expenses, educational expenses, purchase of a principal
391 residence, payments necessary to prevent eviction or foreclosure
392 on an employee's principal residence, or any other reason except
393 a requested distribution for retirement, a mandatory de minimis
394 distribution authorized by the administrator, or a required
395 minimum distribution provided pursuant to the Internal Revenue
396 Code. The state board or department, as appropriate, may cancel
397 an application for retirement benefits if the member or
398 beneficiary fails to timely provide the information and
399 documents required by this chapter and the rules of the state
400 board and department. In accordance with their respective
401 responsibilities, the state board and the department shall adopt
402 rules establishing procedures for application for retirement
403 benefits and for the cancellation of such application if the
404 required information or documents are not received. The state
405 board and the department, as appropriate, are authorized to cash
406 out a de minimis account of a member who has been terminated

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407 from Florida Retirement System covered employment for a minimum
408 of 6 calendar months. A de minimis account is an account
409 containing employer and employee contributions and accumulated
410 earnings of not more than \$5,000 made under the provisions of
411 this chapter. Such cash-out must be a complete lump-sum
412 liquidation of the account balance, subject to the provisions of
413 the Internal Revenue Code, or a lump-sum direct rollover
414 distribution paid directly to the custodian of an eligible
415 retirement plan, as defined by the Internal Revenue Code, on
416 behalf of the member. Any nonvested accumulations and associated
417 service credit, including amounts transferred to the suspense
418 account of the Florida Retirement System Investment Plan Trust
419 Fund authorized under s. 121.4501(6), shall be forfeited upon
420 payment of any vested benefit to a member or beneficiary, except
421 for de minimis distributions or minimum required distributions
422 as provided under this section. If any financial instrument
423 issued for the payment of retirement benefits under this section
424 is not presented for payment within 180 days after the last day
425 of the month in which it was originally issued, the third-party
426 administrator or other duly authorized agent of the state board
427 shall cancel the instrument and credit the amount of the
428 instrument to the suspense account of the Florida Retirement
429 System Investment Plan Trust Fund authorized under s.
430 121.4501(6). Any amounts transferred to the suspense account are
431 payable upon a proper application, not to include earnings
432 thereon, as provided in this section, within 10 years after the
433 last day of the month in which the instrument was originally
434 issued, after which time such amounts and any earnings
435 attributable to employer contributions shall be forfeited. Any

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436 forfeited amounts are assets of the trust fund and are not
437 subject to chapter 717.

438 (1) NORMAL BENEFITS.—Under the investment plan:

439 (a) Benefits in the form of vested accumulations as
440 described in s. 121.4501(6) are payable under this subsection in
441 accordance with the following terms and conditions:

442 1. Benefits are payable only to a member, an alternate
443 payee of a qualified domestic relations order, or a beneficiary.

444 2. Benefits shall be paid by the third-party administrator
445 or designated approved providers in accordance with the law, the
446 contracts, and any applicable board rule or policy.

447 3. The member must be terminated from all employment with
448 all Florida Retirement System employers, as provided in s.
449 121.021(39).

450 4. Benefit payments may not be made until the member has
451 been terminated for 3 calendar months, except that the state
452 board may authorize by rule for the distribution of up to 10
453 percent of the member's account after being terminated for 1
454 calendar month if the member has reached the normal retirement
455 date as defined in s. 121.021.

456 5. Effective July 1, 2013, a senior justice or senior
457 judge, as defined in s. 25.073, may continue to receive benefit
458 payments while employed as a senior justice or senior judge
459 after providing proof of termination from his or her regularly
460 established position.

461 ~~6.5.~~ If a member or former member of the Florida Retirement
462 System receives an invalid distribution, such person must either
463 repay the full amount within 90 days after receipt of final
464 notification by the state board or the third-party administrator

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465 that the distribution was invalid, or, in lieu of repayment, the
466 member must terminate employment from all participating
467 employers. If such person fails to repay the full invalid
468 distribution within 90 days after receipt of final notification,
469 the person may be deemed retired from the investment plan by the
470 state board and is subject to s. 121.122. If such person is
471 deemed retired, any joint and several liability set out in s.
472 121.091(9)(d)2. is void, and the state board, the department, or
473 the employing agency is not liable for gains on payroll
474 contributions that have not been deposited to the person's
475 account in the investment plan, pending resolution of the
476 invalid distribution. The member or former member who has been
477 deemed retired or who has been determined by the state board to
478 have taken an invalid distribution may appeal the agency
479 decision through the complaint process as provided under s.
480 121.4501(9)(g)3. As used in this subparagraph, the term "invalid
481 distribution" means any distribution from an account in the
482 investment plan which is taken in violation of this section, s.
483 121.091(9), or s. 121.4501.

484 Section 6. Paragraph (b) of subsection (2) of section
485 216.292, Florida Statutes, is amended to read:

486 216.292 Appropriations nontransferable; exceptions.—

487 (2) The following transfers are authorized to be made by
488 the head of each department or the Chief Justice of the Supreme
489 Court whenever it is deemed necessary by reason of changed
490 conditions:

491 (b) After providing notice at least 5 working days before
492 ~~prior to~~ implementation:

493 1. The transfer of funds within programs identified in the

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494 General Appropriations Act from identical funding sources
495 between the following appropriation categories without
496 limitation so long as such a transfer does not result in an
497 increase, to the total recurring general revenue or trust fund
498 cost of the agency or entity of the judicial branch in the
499 subsequent fiscal year: other personal services, expenses,
500 operating capital outlay, food products, state attorney and
501 public defender operations, data processing services, operating
502 and maintenance of patrol vehicles, overtime payments, salary
503 incentive payments, compensation to senior justices and senior
504 ~~retired~~ judges, law libraries, and juror and witness payments.

505 2. The transfer of funds and positions from identical
506 funding sources between salaries and benefits appropriation
507 categories within programs identified in the General
508 Appropriations Act. Such transfers must be consistent with
509 legislative policy and intent and may not adversely affect
510 achievement of approved performance outcomes or outputs in any
511 program.

512 Section 7. (1) In order to fund the benefit changes
513 provided for in this act, the required employer contribution
514 rates of the Florida Retirement System established in s.
515 121.71(4), Florida Statutes, shall be adjusted as follows:

516 (a) The Elected Officers' Class-Justices, Judges is
517 increased by 0.45 percentage points.

518 (b) The Deferred Retirement Option Program is increased by
519 0.01 percentage points.

520 (2) In order to fund the benefit changes provided for in
521 this act, the required employer contribution rates for the
522 unfunded actuarial liability of the Florida Retirement System

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523 established in s. 121.71(5), Florida Statutes, for the Elected
524 Officers' Class—Justices, Judges shall be increased by 0.91
525 percentage points.

526 (3) The adjustments provided in subsections (1) and (2)
527 shall be made in addition to other changes to such contribution
528 rates which may be enacted into law to take effect on July 1,
529 2013, and July 1, 2014. The Division of Law Revision and
530 Information is requested to adjust accordingly the contribution
531 rates provided in s. 121.71, Florida Statutes.

532 Section 8. The Legislature finds that a proper and
533 legitimate state purpose is served when employees and retirees
534 of the state and its political subdivisions, and the dependents,
535 survivors, and beneficiaries of such employees and retirees, are
536 extended the basic protections afforded by governmental
537 retirement systems that provide fair and adequate benefits and
538 that are managed, administered, and funded in an actuarially
539 sound manner as required by section 14, Article X of the State
540 Constitution and part VII of chapter 112, Florida Statutes.
541 Therefore, the Legislature determines and declares that this act
542 fulfills an important state interest.

543 Section 9. This act shall take effect only if:

544 (1) The Legislature appropriates during the 2013
545 Legislative Session the sum of at least \$1.6 million from the
546 General Revenue Fund on a recurring basis to the judicial branch
547 in order to fund the increased employer contributions associated
548 with the costs of the retirement benefits granted in this act;
549 and

550 (2) The State Courts Administrator certifies to the
551 President of the Senate and the Speaker of the House of

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552 Representatives that the appropriation was made and that the
553 appropriation was not vetoed by the Governor.

554 Section 10. This act shall take effect July 1, 2013.