



326778

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/01/2013	.	
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The Committee on Appropriations (Ring and Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Subsection (2) of section 175.021, Florida Statutes, is amended to read:

175.021 Legislative declaration.—

(2) This chapter hereby establishes, for all municipal and special district pension plans existing ~~now or hereafter~~ under this chapter, including chapter plans and local law plans, required ~~minimum~~ benefits and minimum standards for the operation and funding of such plans, hereinafter referred to as



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13 firefighters' pension trust funds, which must be met as a
14 condition precedent to the plan or plan sponsor receiving a
15 distribution of insurance premium tax revenues under s. 175.121.
16 The required ~~minimum~~ benefits and minimum standards for each
17 plan as set forth in this chapter may not be diminished by local
18 charter, ordinance, or resolution or by special act of the
19 Legislature, or ~~nor may the minimum benefits or minimum~~
20 ~~standards~~ be reduced or offset by any other local, state, or
21 federal law that may include firefighters in its operation,
22 except as provided under s. 112.65.

23 Section 2. Section 175.032, Florida Statutes, is amended to
24 read:

25 175.032 Definitions.—For any municipality, special fire
26 control district, chapter plan, local law municipality, local
27 law special fire control district, or local law plan under this
28 chapter, the term ~~following words and phrases have the following~~
29 ~~meanings:~~

30 (1) "Additional premium tax revenues" means revenues
31 received by a municipality or special fire control district
32 pursuant to s. 175.121 which exceed base premium tax revenues.

33 (2) ~~(1)(a)~~ "Average final compensation" for:

34 (a) A full-time firefighter means one-twelfth of the
35 average annual compensation of the 5 best years of the last 10
36 years of creditable service before ~~prior to~~ retirement,
37 termination, or death, or the career average as a full-time
38 firefighter since July 1, 1953, whichever is greater. A year is
39 ~~shall be~~ 12 consecutive months or such other consecutive period
40 of time as is used and consistently applied.

41 (b) ~~"Average final compensation" for~~ A volunteer



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42 firefighter means the average salary of the 5 best years of the
43 last 10 best contributing years before a ~~prior to~~ change in
44 status to a permanent full-time firefighter or retirement as a
45 volunteer firefighter or the career average of a volunteer
46 firefighter, since July 1, 1953, whichever is greater.

47 (3) "Base benefits" means the level of benefits in
48 existence for firefighters on March 12, 1999.

49 (4) "Base premium tax revenues" means revenues received by
50 a municipality or special fire control district pursuant to s.
51 175.121 equal to the amount of such revenues received for
52 calendar year 1997.

53 (5)~~(2)~~ "Chapter plan" means a separate defined benefit
54 pension plan for firefighters which incorporates by reference
55 the provisions of this chapter and has been adopted by the
56 governing body of a municipality or special district. Except as
57 may be specifically authorized in this chapter, the provisions
58 of a chapter plan may not differ from the plan provisions set
59 forth in ss. 175.021-175.341 and 175.361-175.401. Actuarial
60 valuations of chapter plans shall be conducted by the division
61 as provided by s. 175.261(1).

62 (6)~~(3)~~ "Compensation" or "salary" means, for
63 noncollectively bargained service earned before July 1, 2011, or
64 for service earned under collective bargaining agreements in
65 place before July 1, 2011, the fixed monthly remuneration paid a
66 firefighter. If remuneration is based on actual services
67 rendered, as in the case of a volunteer firefighter, the term
68 means the total cash remuneration received yearly for such
69 services, prorated on a monthly basis. For noncollectively
70 bargained service earned on or after July 1, 2011, or for



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71 service earned under collective bargaining agreements entered
72 into on or after July 1, 2011, the term has the same meaning
73 except that when calculating retirement benefits, up to 300
74 hours per year in overtime compensation may be included as
75 specified in the plan or collective bargaining agreement, but
76 payments for accrued unused sick or annual leave may not be
77 included.

78 (a) Any retirement trust fund or plan that meets the
79 requirements of this chapter does not, solely by virtue of this
80 subsection, reduce or diminish the monthly retirement income
81 otherwise payable to each firefighter covered by the retirement
82 trust fund or plan.

83 (b) The member's compensation or salary contributed as
84 employee-elective salary reductions or deferrals to any salary
85 reduction, deferred compensation, or tax-sheltered annuity
86 program authorized under the Internal Revenue Code shall be
87 deemed to be the compensation or salary the member would receive
88 if he or she were not participating in such program and ~~shall be~~
89 treated as compensation for retirement purposes under this
90 chapter.

91 (c) For any person who first becomes a member in any plan
92 year beginning on or after January 1, 1996, compensation for
93 that plan year may not include any amounts in excess of the
94 Internal Revenue Code s. 401(a)(17) limitation, as amended by
95 the Omnibus Budget Reconciliation Act of 1993, which limitation
96 of \$150,000 shall be adjusted as required by federal law for
97 qualified government plans and ~~shall be~~ further adjusted for
98 changes in the cost of living in the manner provided by Internal
99 Revenue Code s. 401(a)(17)(B). For any person who first became a



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100 member before the first plan year beginning on or after January
101 1, 1996, the limitation on compensation may not be less than the
102 maximum compensation amount that was allowed to be taken into
103 account under the plan in effect on July 1, 1993, which
104 limitation shall be adjusted for changes in the cost of living
105 since 1989 in the manner provided by Internal Revenue Code s.
106 401(a)(17)(1991).

107 (7)~~(4)~~ "Creditable service" or "credited service" means the
108 aggregate number of years of service, and fractional parts of
109 years of service, of any firefighter, omitting intervening years
110 and fractional parts of years when such firefighter may not have
111 been employed by the municipality or special fire control
112 district, subject to the following conditions:

113 (a) A ~~No~~ firefighter may not ~~will~~ receive credit for years
114 or fractional parts of years of service if he or she has
115 withdrawn his or her contributions to the fund for those years
116 or fractional parts of years of service, unless the firefighter
117 repays into the fund the amount he or she has withdrawn, plus
118 interest determined by the board. The member shall have at least
119 90 days after his or her reemployment to make repayment.

120 (b) A firefighter may voluntarily leave his or her
121 contributions in the fund for ~~a period of~~ 5 years after leaving
122 the employ of the fire department, pending the possibility of
123 being rehired by the same department, without losing credit for
124 the time he or she has participated actively as a firefighter.
125 If the firefighter is not reemployed as a firefighter, with the
126 same department, within 5 years, his or her contributions shall
127 be returned without interest.

128 (c) Credited service under this chapter shall be provided



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129 only for service as a firefighter, ~~as defined in subsection (8),~~
130 or for military service and does not include credit for any
131 other type of service. A municipality ~~may,~~ by local ordinance,
132 or a special fire control district ~~may,~~ by resolution, may
133 provide for the purchase of credit for military service prior to
134 employment as well as for prior service as a firefighter for
135 some other employer as long as a firefighter is not entitled to
136 receive a benefit for such prior service ~~as a firefighter~~. For
137 purposes of determining credit for prior service as a
138 firefighter, in addition to service as a firefighter in this
139 state, credit may be given for federal, other state, or county
140 service if the prior service is recognized by the Division of
141 State Fire Marshal as provided under chapter 633, or the
142 firefighter provides proof to the board of trustees that his or
143 her service is equivalent to the service required to meet the
144 definition of a firefighter under subsection (12) ~~(8)~~.

145 (8) ~~(5)~~ "Deferred Retirement Option Plan" or "DROP" means a
146 local law plan retirement option in which a firefighter may
147 elect to participate. A firefighter may retire for all purposes
148 of the plan and defer receipt of retirement benefits into a DROP
149 account while continuing employment with his or her employer.
150 However, a firefighter who enters ~~the~~ DROP and who is otherwise
151 eligible to participate may ~~shall not thereby~~ be precluded from
152 participating, or continuing to participate, in a supplemental
153 plan in existence on, or created after, March 12, 1999 ~~the~~
154 ~~effective date of this act.~~

155 (9) "Defined contribution plan" means the component of a
156 local law plan to which deposits are made to provide benefits
157 for firefighters, or for firefighters and police officers if



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158 both are included. Such component is an element of a local law
159 plan and exists in conjunction with the defined benefit
160 component that meets the required benefits and minimum standards
161 of this chapter. The retirement benefits of the defined
162 contribution plan shall be provided through individual member
163 accounts, in accordance with the applicable provisions of the
164 Internal Revenue Code and related regulations, and are limited
165 to the contributions made into each member's account and the
166 actual accumulated earnings, net of expenses, earned on the
167 member's account.

168 (10)-(6) "Division" means the Division of Retirement of the
169 Department of Management Services.

170 (11)-(7) "Enrolled actuary" means an actuary who is enrolled
171 under Subtitle C of Title III of the Employee Retirement Income
172 Security Act of 1974 and who is a member of the Society of
173 Actuaries or the American Academy of Actuaries.

174 (12)-(8)(a) "Firefighter" means any person employed solely
175 by a constituted fire department of any municipality or special
176 fire control district who is certified as a firefighter as a
177 condition of employment in accordance with s. 633.35 and whose
178 duty it is to extinguish fires, to protect life, or to protect
179 property. The term includes all certified, supervisory, and
180 command personnel whose duties include, in whole or in part, the
181 supervision, training, guidance, and management responsibilities
182 of full-time firefighters, part-time firefighters, or auxiliary
183 firefighters but does not include part-time firefighters or
184 auxiliary firefighters. However, for purposes of this chapter
185 only, the term also includes public safety officers who are
186 responsible for performing both police and fire services, who



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187 are certified as police officers or firefighters, and who are
188 certified by their employers to the Chief Financial Officer as
189 participating in this chapter before October 1, 1979. Effective
190 October 1, 1979, public safety officers who have not been
191 certified as participating in this chapter are considered police
192 officers for retirement purposes and are eligible to participate
193 in chapter 185. Any plan may provide that the fire chief has an
194 option to participate, ~~or not,~~ in that plan.

195 (b) "Volunteer firefighter" means any person whose name is
196 carried on the active membership roll of a constituted volunteer
197 fire department or a combination of a paid and volunteer fire
198 department of any municipality or special fire control district
199 and whose duty it is to extinguish fires, to protect life, and
200 to protect property. Compensation for services rendered by a
201 volunteer firefighter does ~~shall~~ not disqualify him or her as a
202 volunteer. A person may ~~shall~~ not be disqualified as a volunteer
203 firefighter solely because he or she has other gainful
204 employment. Any person who volunteers assistance at a fire but
205 is not an active member of a department described herein is not
206 a volunteer firefighter within the meaning of this paragraph.

207 ~~(13)-(9)~~ "Firefighters' Pension Trust Fund" means a trust
208 fund, by whatever name known, as provided under s. 175.041, for
209 the purpose of assisting municipalities and special fire control
210 districts in establishing and maintaining a retirement plan for
211 firefighters.

212 ~~(14)-(10)~~ "Local law municipality" is any municipality in
213 which ~~there exists~~ a local law plan exists.

214 ~~(15)-(11)~~ "Local law plan" means a retirement defined
215 benefit pension plan, which includes both a defined benefit plan



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216 component and a defined contribution plan component, for
217 firefighters, or for firefighters or police officers if both are
218 ~~where~~ included, as described in s. 175.351, established by
219 municipal ordinance, special district resolution, or special act
220 of the Legislature, which ~~enactment~~ sets forth all plan
221 provisions. Local law plan provisions may vary from the
222 provisions of this chapter if the, provided that required
223 ~~minimum~~ benefits and minimum standards of this chapter are met.
224 However, any such variance must ~~shall~~ provide a greater benefit
225 for firefighters. Actuarial valuations of local law plans shall
226 be conducted by an enrolled actuary as provided in s.
227 175.261(2).

228 ~~(16)-(12)~~ "Local law special fire control district" is any
229 special fire control district in which ~~there exists~~ a local law
230 plan exists.

231 (17) "Long-term funded ratio" or "funded ratio" means the
232 ratio of the actuarial value of assets of the plan to the
233 actuarial accrued liabilities of the plan, as reported in the
234 most recent actuarial valuation of the plan, deemed to be in
235 compliance with chapter 112 by the Department of Management
236 Services.

237 ~~(18)-(13)~~ "Property insurance" means property insurance as
238 defined in s. 624.604 and covers real and personal property
239 within the corporate limits of a any municipality, or within the
240 boundaries of a any special fire control district, within the
241 state. "Multiple peril" means a combination or package policy
242 that includes both property and casualty coverage for a single
243 premium.

244 (19) "Required benefits" means the lesser of the minimum



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245 benefits set forth in this chapter and the base benefits of the
246 plan. For local law plans created after March 1, 2013, the
247 required benefits are the minimum benefits set forth in this
248 chapter.

249 (20)~~(14)~~ "Retiree" or "retired firefighter" means a
250 firefighter who has entered retirement status. For the purposes
251 of a plan that includes a Deferred Retirement Option Plan
252 (DROP), a firefighter who enters ~~the~~ DROP is ~~shall be~~ considered
253 a retiree for all purposes of the plan. However, a firefighter
254 who enters ~~the~~ DROP and who is otherwise eligible to participate
255 may ~~shall~~ not ~~thereby~~ be precluded from participating, or
256 continuing to participate, in a supplemental plan in existence
257 on, or created after, March 12, 1999 ~~the effective date of this~~
258 ~~act.~~

259 (21)~~(15)~~ "Retirement" means a firefighter's separation from
260 city or fire district employment as a firefighter with immediate
261 eligibility for ~~receipt of~~ benefits under the plan. For purposes
262 of a plan that includes a Deferred Retirement Option Plan
263 (DROP), "retirement" means the date a firefighter enters ~~the~~
264 DROP.

265 (22) "Special benefits" means benefits provided in a
266 defined contribution plan for firefighters.

267 (23)~~(16)~~ "Special fire control district" means a special
268 district, as defined in s. 189.403~~(1)~~, established for the
269 purposes of extinguishing fires, protecting life, and protecting
270 property within the incorporated or unincorporated portions of a
271 ~~any~~ county or combination of counties, or within any combination
272 of incorporated and unincorporated portions of a ~~any~~ county or
273 combination of counties. The term does not include any dependent



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274 or independent special district, as those terms are defined in
275 s. 189.403(2) ~~and (3)~~, respectively, the employees of which are
276 members of the Florida Retirement System pursuant to s.
277 121.051(1) or (2).

278 ~~(24)(17)~~ "Supplemental plan" means a plan to which deposits
279 are made to provide extra benefits for firefighters, or for
280 firefighters and police officers if both are ~~where~~ included
281 ~~under this chapter~~. Such a plan is an element of a local law
282 plan and exists in conjunction with a defined benefit component
283 ~~plan~~ that meets the required ~~minimum~~ benefits and minimum
284 standards of this chapter. Any supplemental plan in existence on
285 March 1, 2013, shall be deemed to be a defined contribution plan
286 in compliance with s. 175.351(8).

287 ~~(25)(18)~~ "Supplemental plan municipality" means a ~~any~~ local
288 law municipality in which ~~there existed~~ a supplemental plan
289 existed, of any type or nature, as of December 1, 2000.

290 Section 3. Paragraph (b) of subsection (7) of section
291 175.071, Florida Statutes, is amended to read:

292 175.071 General powers and duties of board of trustees.—For
293 any municipality, special fire control district, chapter plan,
294 local law municipality, local law special fire control district,
295 or local law plan under this chapter:

296 (7) To assist the board in meeting its responsibilities
297 under this chapter, the board, if it so elects, may:

298 (b) Employ an independent enrolled actuary, as defined in
299 s. 175.032(7), at the pension fund's expense.

300

301 If the board chooses to use the municipality's or special
302 district's legal counsel or actuary, or chooses to use any of



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303 the municipality's or special district's other professional,
304 technical, or other advisers, it must do so only under terms and
305 conditions acceptable to the board.

306 Section 4. Paragraphs (d) through (g) of subsection (1) of
307 section 175.091, Florida Statutes, are amended, and a new
308 paragraph (e) is added to that subsection, to read:

309 175.091 Creation and maintenance of fund.—For any
310 municipality, special fire control district, chapter plan, local
311 law municipality, local law special fire control district, or
312 local law plan under this chapter:

313 (1) The firefighters' pension trust fund in each
314 municipality and in each special fire control district shall be
315 created and maintained in the following manner:

316 (d) By mandatory payment by the municipality or special
317 fire control district of a sum equal to the normal cost of and
318 the amount required to fund any actuarial deficiency shown by an
319 actuarial valuation as provided in part VII of chapter 112 after
320 taking into account the amounts described in paragraphs (b),
321 (c), (f), (g), and (h) and the amounts of the tax proceeds
322 described in paragraph (a) which must be used to fund defined
323 benefit plan benefits, except as otherwise excluded from
324 consideration in determining the mandatory payment.

325 (e) For local law plans, and in addition to the mandatory
326 payment specified in paragraph (d), by mandatory payment by the
327 municipality or special fire control district of the amount
328 specified in s. 175.351(3), if the long-term funded ratio of the
329 plan is less than 80 percent.

330 (f)~~(e)~~ By all gifts, bequests, and devises when donated to
331 the fund.



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332 (g) ~~(f)~~ By all accretions to the fund by way of interest or
333 dividends on bank deposits, or otherwise.

334 (h) ~~(g)~~ By all other sources or income now or hereafter
335 authorized by law for the augmentation of such firefighters'
336 pension trust fund.

337
338 Nothing in this section shall be construed to require
339 adjustment of member contribution rates in effect on the date
340 this act becomes a law, including rates that exceed 5 percent of
341 salary, provided that such rates are at least one-half of 1
342 percent of salary.

343 Section 5. Section 175.351, Florida Statutes, is amended to
344 read:

345 175.351 Municipalities and special fire control districts
346 that have ~~having~~ their own pension plans for firefighters. ~~For~~
347 ~~any municipality, special fire control district, local law~~
348 ~~municipality, local law special fire control district, or local~~
349 ~~law plan under this chapter,~~ In order for a municipality or
350 ~~municipalities and special fire control district that has its~~
351 ~~districts with their own pension plan plans~~ for firefighters, or
352 for firefighters and police officers if both are included, to
353 participate in the distribution of the tax fund established
354 under ~~pursuant to~~ s. 175.101, a local law plan and its plan
355 sponsor plans must meet the required ~~minimum~~ benefits and
356 minimum standards set forth in this chapter.

357 (1) If a municipality has a pension plan for firefighters,
358 ~~or a pension plan~~ for firefighters and police officers if both
359 are included, which in the opinion of the division meets the
360 required ~~minimum~~ benefits and minimum standards set forth in



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361 this chapter, the board of trustees of the pension plan, must ~~as~~
362 ~~approved by a majority of firefighters of the municipality, may:~~

363 ~~(a)~~ place the income from the premium tax in s. 175.101 in
364 such ~~pension~~ plan for the sole and exclusive use of its
365 firefighters, or for firefighters and police officers if both
366 are included, where it shall become an integral part of that
367 ~~pension~~ plan and ~~shall~~ be used to fund benefits for firefighters
368 as follows:

369 (a) The base premium tax revenues must be used to fund base
370 benefits.

371 (b) Of the premium tax revenues received which are in
372 excess of the amount received for the 2012 calendar year, and
373 any accumulations of additional premium tax revenues that have
374 not been applied to fund extra benefits:

375 1. If the plan has a long-term funded ratio of less than 80
376 percent:

377 a. Fifty percent must be used as additional contributions
378 to pay the plan's actuarial deficiency and may not be considered
379 in the determination of the mandatory payment described in s.
380 175.091(1)(d);

381 b. Twenty-five percent must be used to fund base benefits;
382 and

383 c. The remainder must be placed in a defined contribution
384 plan to fund special benefits.

385 2. If the plan has a long-term funded ratio of 80 percent
386 or greater:

387 a. Fifty percent must be used to fund base benefits; and

388 b. The remainder must be placed in a defined contribution
389 plan to fund special benefits.



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390 (c) Additional premium tax revenues not described in
391 paragraph (b) must be used to fund benefits that were not
392 included in the base benefits to pay extra benefits to the
393 firefighters included in that pension plan; or

394 ~~(b) Place the income from the premium tax in s. 175.101 in~~
395 ~~a separate supplemental plan to pay extra benefits to~~
396 ~~firefighters, or to firefighters and police officers if~~
397 ~~included, participating in such separate supplemental plan.~~

398 (2) Insurance premium tax revenues may not be used to fund
399 benefits provided in a defined benefit plan which were not
400 provided by the plan as of March 1, 2013; however, for a local
401 law plan created after March 1, 2013, up to 50 percent of the
402 insurance premium tax revenues may be used to fund defined
403 benefit plan component benefits and the remainder used to fund
404 defined contribution plan component benefits.

405 (3) If a plan offers benefits in excess of its required
406 benefits, such benefits may be reduced if the plan continues to
407 meet the required benefits of the plan and the minimum standards
408 set forth in this chapter. The amount of insurance premium tax
409 revenues previously used to fund benefits in excess of the
410 plan's required benefits before the reduction must be used as
411 provided in subsection (1)(b). Twenty-five percent of the amount
412 of any mandatory contribution paid by the municipality or
413 special fire control district which was previously used to fund
414 benefits above the level of required benefits provided before
415 the reduction must be used as additional contributions as
416 specified in s. 175.091 to fund the plan's actuarial deficiency.

417 ~~(4)(2)~~ The premium tax provided by this chapter shall in
418 all cases be used in its entirety to provide retirement extra



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419 benefits to firefighters, or to firefighters and police officers
420 if both are included. ~~However, local law plans in effect on~~
421 ~~October 1, 1998, must comply with the minimum benefit provisions~~
422 ~~of this chapter only to the extent that additional premium tax~~
423 ~~revenues become available to incrementally fund the cost of such~~
424 ~~compliance as provided in s. 175.162(2)(a). If a plan is in~~
425 ~~compliance with such minimum benefit provisions, as subsequent~~
426 ~~additional premium tax revenues become available, they must be~~
427 ~~used to provide extra benefits.~~ Local law plans created by
428 special act before May 27, 1939, are deemed to comply with this
429 chapter. ~~For the purpose of this chapter, the term:~~

430 ~~(a) "Additional premium tax revenues" means revenues~~
431 ~~received by a municipality or special fire control district~~
432 ~~pursuant to s. 175.121 which exceed that amount received for~~
433 ~~calendar year 1997.~~

434 ~~(b) "Extra benefits" means benefits in addition to or~~
435 ~~greater than those provided to general employees of the~~
436 ~~municipality and in addition to those in existence for~~
437 ~~firefighters on March 12, 1999.~~

438 (5)~~(3)~~ A retirement plan or amendment to a retirement plan
439 may not be proposed for adoption unless the proposed plan or
440 amendment contains an actuarial estimate of the costs involved.
441 Such proposed plan or proposed plan change may not be adopted
442 without the approval of the municipality, special fire control
443 district, or, where permitted, the Legislature. Copies of the
444 proposed plan or proposed plan change and the actuarial impact
445 statement of the proposed plan or proposed plan change shall be
446 furnished to the division before the last public hearing
447 thereon. Such statement must also indicate whether the proposed



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448 plan or proposed plan change is in compliance with s. 14, Art. X
449 of the State Constitution and those provisions of part VII of
450 chapter 112 which are not expressly provided in this chapter.
451 Notwithstanding any other provision, only those local law plans
452 created by special act of legislation before May 27, 1939, are
453 deemed to meet the minimum benefits and minimum standards only
454 in this chapter.

455 (6)~~(4)~~ Notwithstanding any other provision, with respect to
456 any supplemental plan municipality:

457 (a) A local law plan and a supplemental plan may continue
458 to use their definition of compensation or salary in existence
459 on March 12, 1999.

460 (b) Section 175.061(1)(b) does not apply, and a local law
461 plan and a supplemental plan shall continue to be administered
462 by a board or boards of trustees numbered, constituted, and
463 selected as the board or boards were numbered, constituted, and
464 selected on December 1, 2000.

465 ~~(c) The election set forth in paragraph (1)(b) is deemed to~~
466 ~~have been made.~~

467 (7)~~(5)~~ The retirement plan setting forth the benefits and
468 the trust agreement, if any, covering the duties and
469 responsibilities of the trustees and the regulations of the
470 investment of funds must be in writing, and copies made
471 available to the participants and to the general public.

472 (8) In addition to the defined benefit component of the
473 local law plan, each plan sponsor must have a defined
474 contribution plan component within the local law plan by October
475 1, 2013, or upon the creation date of a new participating plan.
476 However, the plan sponsor of any plan established by special act



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477 of the Legislature has until July 1, 2014, to create a defined
478 contribution component within the plan.

479 (9) Notwithstanding any other provision of this chapter, a
480 municipality or special fire control district that has
481 implemented or proposed changes to a local law plan based on the
482 municipality's or district's reliance on an interpretation of
483 this chapter by the department on or after August 14, 2012, and
484 before March 1, 2013, may continue the implemented changes or
485 continue to implement proposed changes. Such reliance must be
486 evidenced by formal correspondence between the municipality or
487 district and the department which describes the specific changes
488 to the local law plan, with the initial correspondence from the
489 municipality or district dated prior to March 1, 2013. The
490 changes to the local law plan that are otherwise contrary to the
491 provisions of this chapter may continue in effect until the
492 earlier of October 1, 2016, or the effective date of a
493 collective bargaining agreement that is contrary to the changes
494 to the local law plan.

495 Section 6. Subsection (2) of section 185.01, Florida
496 Statutes, is amended to read:

497 185.01 Legislative declaration.—

498 (2) This chapter hereby establishes, for all municipal
499 pension plans ~~now or hereinafter~~ provided for under this
500 chapter, including chapter plans and local law plans, required
501 ~~minimum~~ benefits and minimum standards for the operation and
502 funding of such plans, hereinafter referred to as municipal
503 police officers' retirement trust funds, which must be met as a
504 condition precedent to the plan or plan sponsor receiving a
505 distribution of insurance premium tax revenues under s. 185.10.



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506 The required ~~minimum~~ benefits and minimum standards for each
507 plan as set forth in this chapter may not be diminished by local
508 ordinance or by special act of the Legislature, or ~~nor may the~~
509 ~~minimum benefits or minimum standards~~ be reduced or offset by
510 any other local, state, or federal plan that may include police
511 officers in its operation, except as provided under s. 112.65.

512 Section 7. Section 185.02, Florida Statutes, is amended to
513 read:

514 185.02 Definitions.—For any municipality, chapter plan,
515 local law municipality, or local law plan under this chapter,
516 the term ~~following words and phrases as used in this chapter~~
517 ~~shall have the following meanings, unless a different meaning is~~
518 ~~plainly required by the context:~~

519 (1) “Additional premium tax revenues” means revenues
520 received by a municipality pursuant to s. 185.10 which exceed
521 base premium tax revenues.

522 (2) ~~(1)~~ “Average final compensation” means one-twelfth of
523 the average annual compensation of the 5 best years of the last
524 10 years of creditable service prior to retirement, termination,
525 or death.

526 (3) “Base benefits” means the level of benefits in
527 existence for police officers on March 12, 1999.

528 (4) “Base premium tax revenues” means revenues received by
529 a municipality pursuant to s. 185.10 equal to the amount of such
530 revenues received for calendar year 1997.

531 (5) ~~(2)~~ “Casualty insurance” means automobile public
532 liability and property damage insurance to be applied at the
533 place of residence of the owner, or if the subject is a
534 commercial vehicle, to be applied at the place of business of



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535 the owner; automobile collision insurance; fidelity bonds;
536 burglary and theft insurance; and plate glass insurance.
537 "Multiple peril" means a combination or package policy that
538 includes both property coverage and casualty coverage for a
539 single premium.

540 ~~(6)~~⁽³⁾ "Chapter plan" means a separate defined benefit
541 pension plan for police officers which incorporates by reference
542 the provisions of this chapter and has been adopted by the
543 governing body of a municipality as provided in s. 185.08.
544 Except as may be specifically authorized in this chapter, the
545 provisions of a chapter plan may not differ from the plan
546 provisions set forth in ss. 185.01-185.341 and 185.37-185.39.
547 Actuarial valuations of chapter plans shall be conducted by the
548 division as provided by s. 185.221(1) (b).

549 ~~(7)~~⁽⁴⁾ "Compensation" or "salary" means, for
550 noncollectively bargained service earned before July 1, 2011, or
551 for service earned under collective bargaining agreements in
552 place before July 1, 2011, the total cash remuneration including
553 "overtime" paid by the primary employer to a police officer for
554 services rendered, but not including any payments for extra duty
555 or special detail work performed on behalf of a second party
556 employer. ~~A local law plan may limit the amount of overtime~~
557 ~~payments which can be used for retirement benefit calculation~~
558 ~~purposes; however, such overtime limit may not be less than 300~~
559 ~~hours per officer per calendar year.~~ For noncollectively
560 bargained service earned on or after July 1, 2011, or for
561 service earned under collective bargaining agreements entered
562 into on or after July 1, 2011, the term has the same meaning
563 except that when calculating retirement benefits, up to 300



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564 hours per year in overtime compensation may be included as
565 specified in the plan or collective bargaining agreement, but
566 payments for accrued unused sick or annual leave may not be
567 included.

568 (a) Any retirement trust fund or plan that meets the
569 requirements of this chapter does not, solely by virtue of this
570 subsection, reduce or diminish the monthly retirement income
571 otherwise payable to each police officer covered by the
572 retirement trust fund or plan.

573 (b) The member's compensation or salary contributed as
574 employee-elective salary reductions or deferrals to any salary
575 reduction, deferred compensation, or tax-sheltered annuity
576 program authorized under the Internal Revenue Code shall be
577 deemed to be the compensation or salary the member would receive
578 if he or she were not participating in such program and shall be
579 treated as compensation for retirement purposes under this
580 chapter.

581 (c) For any person who first becomes a member in any plan
582 year beginning on or after January 1, 1996, compensation for
583 that plan year may not include any amounts in excess of the
584 Internal Revenue Code s. 401(a)(17) limitation, as amended by
585 the Omnibus Budget Reconciliation Act of 1993, which limitation
586 of \$150,000 shall be adjusted as required by federal law for
587 qualified government plans and ~~shall be~~ further adjusted for
588 changes in the cost of living in the manner provided by Internal
589 Revenue Code s. 401(a)(17)(B). For any person who first became a
590 member before the first plan year beginning on or after January
591 1, 1996, the limitation on compensation may not be less than the
592 maximum compensation amount that was allowed to be taken into



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593 account under the plan ~~as~~ in effect on July 1, 1993, which
594 limitation shall be adjusted for changes in the cost of living
595 since 1989 in the manner provided by Internal Revenue Code s.
596 401(a)(17)(1991).

597 ~~(8)(5)~~ "Creditable service" or "credited service" means the
598 aggregate number of years of service and fractional parts of
599 years of service of any police officer, omitting intervening
600 years and fractional parts of years when such police officer may
601 not have been employed by the municipality subject to the
602 following conditions:

603 (a) ~~A~~ ~~No~~ police officer may not ~~will~~ receive credit for
604 years or fractional parts of years of service if he or she has
605 withdrawn his or her contributions to the fund for those years
606 or fractional parts of years of service, unless the police
607 officer repays into the fund the amount he or she has withdrawn,
608 plus interest as determined by the board. The member has ~~shall~~
609 ~~have~~ at least 90 days after his or her reemployment to make
610 repayment.

611 (b) A police officer may voluntarily leave his or her
612 contributions in the fund for ~~a period of~~ 5 years after leaving
613 the employ of the police department, pending the possibility of
614 his or her being rehired by the same department, without losing
615 credit for the time he or she has participated actively as a
616 police officer. If he or she is not reemployed as a police
617 officer with the same department within 5 years, his or her
618 contributions shall be returned to him or her without interest.

619 (c) Credited service under this chapter shall be provided
620 only for service as a police officer, ~~as defined in subsection~~
621 ~~(11)~~, or for military service and may not include credit for any



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622 other type of service. A municipality ~~may~~, by local ordinance,
623 may provide for the purchase of credit for military service
624 occurring before employment as well as prior service as a police
625 officer for some other employer as long as the police officer is
626 not entitled to receive a benefit for such ~~other~~ prior service
627 ~~as a police officer~~. For purposes of determining credit for
628 prior service, in addition to service as a police officer in
629 this state, credit may be given for federal, other state, or
630 county service as long as such service is recognized by the
631 Criminal Justice Standards and Training Commission within the
632 Department of Law Enforcement as provided under chapter 943 or
633 the police officer provides proof to the board of trustees that
634 such service is equivalent to the service required to meet the
635 definition of a police officer under subsection (16) ~~(11)~~.

636 (d) In determining the creditable service of a ~~any~~ police
637 officer, credit for up to 5 years of the time spent in the
638 military service of the Armed Forces of the United States shall
639 be added to the years of actual service, if:

640 1. The police officer is in the active employ of the
641 municipality before ~~prior to~~ such service and leaves a position,
642 other than a temporary position, for the purpose of voluntary or
643 involuntary service in the Armed Forces of the United States.

644 2. The police officer is entitled to reemployment under ~~the~~
645 ~~provisions of~~ the Uniformed Services Employment and Reemployment
646 Rights Act.

647 3. The police officer returns to his or her employment as a
648 police officer of the municipality within 1 year after ~~from~~ the
649 date of his or her release from such active service.

650 (9) ~~(6)~~ "Deferred Retirement Option Plan" or "DROP" means a



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651 local law plan retirement option in which a police officer may
652 elect to participate. A police officer may retire for all
653 purposes of the plan and defer receipt of retirement benefits
654 into a DROP account while continuing employment with his or her
655 employer. However, a police officer who enters the DROP and who
656 is otherwise eligible to participate may ~~shall~~ not ~~thereby~~ be
657 precluded from participating, or continuing to participate, in a
658 supplemental plan in existence on, or created after, March 12,
659 1999 ~~the effective date of this act.~~

660 (10) "Defined contribution plan" means the component of a
661 local law plan to which deposits are made to provide benefits
662 for police officers, or for police officers and firefighters if
663 both are included. Such component is an element of a local law
664 plan and exists in conjunction with the defined benefit
665 component that meets the required benefits and minimum standards
666 of this chapter. The retirement benefits of the defined
667 contribution plan shall be provided through individual member
668 accounts, in accordance with the applicable provisions of the
669 Internal Revenue Code and related regulations, and are limited
670 to the contributions made into each member's account and the
671 actual accumulated earnings, net of expenses, earned on the
672 member's account.

673 (11)-(7) "Division" means the Division of Retirement of the
674 Department of Management Services.

675 (12)-(8) "Enrolled actuary" means an actuary who is enrolled
676 under Subtitle C of Title III of the Employee Retirement Income
677 Security Act of 1974 and who is a member of the Society of
678 Actuaries or the American Academy of Actuaries.

679 (13)-(9) "Local law municipality" is any municipality in



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680 which ~~there exists~~ a local law plan exists.

681 (14)~~(10)~~ "Local law plan" means a retirement defined
682 benefit pension plan, which includes both a defined benefit plan
683 component and a defined contribution plan component, for police
684 officers, or for police officers and firefighters if both are,
685 ~~where~~ included, as described in s. 185.35, established by
686 municipal ordinance or special act of the Legislature, which
687 ~~enactment~~ sets forth all plan provisions. Local law plan
688 provisions may vary from the provisions of this chapter if the,
689 ~~provided that~~ required ~~minimum~~ benefits and minimum standards of
690 this chapter are met. However, any such variance must ~~shall~~
691 provide a greater benefit for police officers. Actuarial
692 valuations of local law plans shall be conducted by an enrolled
693 actuary as provided in s. 185.221(2)(b).

694 (15) "Long-term funded ratio" or "funded ratio" means the
695 ratio of the actuarial value of assets of the plan to the
696 actuarial accrued liabilities of the plan, as reported in the
697 most recent actuarial valuation of the plan, deemed to be in
698 compliance with chapter 112 by the Department of Management
699 Services.

700 (16)~~(11)~~ "Police officer" means any person who is elected,
701 appointed, or employed full time by a ~~any~~ municipality, who is
702 certified or required to be certified as a law enforcement
703 officer in compliance with s. 943.1395, who is vested with
704 authority to bear arms and make arrests, and whose primary
705 responsibility is the prevention and detection of crime or the
706 enforcement of the penal, criminal, traffic, or highway laws of
707 the state. The term ~~This definition~~ includes all certified
708 supervisory and command personnel whose duties include, in whole



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709 or in part, the supervision, training, guidance, and management
710 responsibilities of full-time law enforcement officers, part-
711 time law enforcement officers, or auxiliary law enforcement
712 officers, but does not include part-time law enforcement
713 officers or auxiliary law enforcement officers as those terms
714 ~~the same~~ are defined in s. 943.10(6) and (8), respectively. For
715 the purposes of this chapter only, the term also includes
716 ~~"police officer" also shall include~~ a public safety officer who
717 is responsible for performing both police and fire services. Any
718 plan may provide that the police chief shall have an option to
719 participate, ~~or not,~~ in that plan.

720 (17) ~~(12)~~ "Police Officers' Retirement Trust Fund" means a
721 trust fund, by whatever name known, as provided under s. 185.03
722 for the purpose of assisting municipalities in establishing and
723 maintaining a retirement plan for police officers.

724 (18) "Required benefits" means the lesser of the minimum
725 benefits set forth in this chapter and the base benefits of the
726 plan. For local law plans created after March 1, 2013, the
727 required benefits are the minimum benefits set forth in this
728 chapter.

729 (19) ~~(13)~~ "Retiree" or "retired police officer" means a
730 police officer who has entered retirement status. For the
731 purposes of a plan that includes a Deferred Retirement Option
732 Plan (DROP), a police officer who enters ~~the DROP is shall be~~
733 considered a retiree for all purposes of the plan. However, a
734 police officer who enters ~~the~~ DROP and who is otherwise eligible
735 to participate may shall not ~~thereby~~ be precluded from
736 participating, or continuing to participate, in a supplemental
737 plan in existence on, or created after, March 12, 1999 ~~the~~



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738 ~~effective date of this act.~~

739 (20)~~(14)~~ "Retirement" means a police officer's separation
740 from city employment as a police officer with immediate
741 eligibility for ~~receipt of~~ benefits under the plan. For purposes
742 of a plan that includes a Deferred Retirement Option Plan
743 (DROP), "retirement" means the date a police officer enters ~~the~~
744 DROP.

745 (21) "Special benefits" means benefits provided in a
746 defined contribution plan for police officers.

747 (22)~~(15)~~ "Supplemental plan" means a plan to which deposits
748 of the premium tax moneys as provided in s. 185.08 are made to
749 provide extra benefits to police officers, or police officers
750 and firefighters if both are ~~where included, under this chapter.~~
751 Such a plan is an element of a local law plan and exists in
752 conjunction with a defined benefit component plan that meets the
753 required minimum benefits and minimum standards of this chapter.
754 Any supplemental plan in existence on March 1, 2013, shall be
755 deemed to be defined contribution plan in compliance with s.
756 185.35(8).

757 (23)~~(16)~~ "Supplemental plan municipality" means a ~~any~~ local
758 law municipality in which ~~there existed~~ a supplemental plan
759 existed as of December 1, 2000.

760 Section 8. Paragraph (b) of subsection (6) of section
761 185.06, Florida Statutes, is amended to read:

762 185.06 General powers and duties of board of trustees.—For
763 any municipality, chapter plan, local law municipality, or local
764 law plan under this chapter:

765 (6) To assist the board in meeting its responsibilities
766 under this chapter, the board, if it so elects, may:



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767 (b) Employ an independent enrolled actuary, as defined in
768 s. 185.02~~(8)~~, at the pension fund's expense.

769
770 If the board chooses to use the municipality's or special
771 district's legal counsel or actuary, or chooses to use any of
772 the municipality's other professional, technical, or other
773 advisers, it must do so only under terms and conditions
774 acceptable to the board.

775 Section 9. Paragraphs (d) through (g) of subsection (1) of
776 section 185.07, Florida Statutes, are amended, and a new
777 paragraph (e) is added to that subsection, to read:

778 185.07 Creation and maintenance of fund.—For any
779 municipality, chapter plan, local law municipality, or local law
780 plan under this chapter:

781 (1) The municipal police officers' retirement trust fund in
782 each municipality described in s. 185.03 shall be created and
783 maintained in the following manner:

784 (d) By payment by the municipality or other sources of a
785 sum equal to the normal cost and the amount required to fund any
786 actuarial deficiency shown by an actuarial valuation as provided
787 in part VII of chapter 112 after taking into account the amounts
788 described in paragraphs (b), (c), (f), (g), and (h) and the
789 amounts of the tax proceeds described in paragraph (a) which
790 must be used to fund defined benefit plan benefits, except as
791 otherwise excluded from consideration in determining the
792 mandatory payment.

793 (e) For local law plans, and in addition to the mandatory
794 payment described in paragraph (d), by mandatory payment by the
795 municipality of the amount specified in s. 185.35(3), if the



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796 long-term funded ratio of the plan is less than 80 percent.

797 (f)~~(e)~~ By all gifts, bequests and devises when donated to
798 the fund.

799 (g)~~(f)~~ By all accretions to the fund by way of interest or
800 dividends on bank deposits or otherwise.

801 (h)~~(g)~~ By all other sources of income now or hereafter
802 authorized by law for the augmentation of such municipal police
803 officers' retirement trust fund.

804

805 Nothing in this section shall be construed to require
806 adjustment of member contribution rates in effect on the date
807 this act becomes a law, including rates that exceed 5 percent of
808 salary, provided that such rates are at least one-half of 1
809 percent of salary.

810 Section 10. Section 185.35, Florida Statutes, is amended to
811 read:

812 185.35 Municipalities that have ~~having~~ their own retirement
813 ~~pension~~ plans for police officers. ~~For any municipality, chapter~~
814 ~~plan, local law municipality, or local law plan under this~~
815 ~~chapter,~~ In order for a municipality that has ~~municipalities~~
816 ~~with its~~ ~~their~~ own retirement plan ~~pension plans~~ for police
817 officers, or for police officers and firefighters if both are
818 included, to participate in the distribution of the tax fund
819 established under ~~pursuant to~~ s. 185.08, a local law plan and
820 its plan sponsor ~~plans~~ must meet the required ~~minimum~~ benefits
821 and minimum standards set forth in this chapter:

822 (1) If a municipality has a retirement ~~pension~~ plan for
823 police officers, or for police officers and firefighters if both
824 are included, which, in the opinion of the division, meets the



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825 required minimum benefits and minimum standards set forth in
826 this chapter, the board of trustees of the pension plan must, ~~as~~
827 ~~approved by a majority of police officers of the municipality,~~
828 ~~may:~~

829 ~~(a)~~ place the income from the premium tax in s. 185.08 in
830 such ~~pension~~ plan for the sole and exclusive use of its police
831 officers, or its police officers and firefighters if included,
832 where it shall become an integral part of that ~~pension~~ plan and
833 ~~shall~~ be used to fund benefits for police officers as follows:

834 (a) The base premium tax revenues must be used to fund base
835 benefits.

836 (b) Of the premium tax revenues received which are in
837 excess of the amount received for the 2012 calendar year, and
838 any accumulations of additional premium tax revenues which have
839 not been applied to fund extra benefits:

840 1. If the plan has a long-term funded ratio of less than 80
841 percent:

842 a. Fifty percent must be used as additional contributions
843 to pay the plan's actuarial deficiency and may not be considered
844 in the determination of the mandatory payment described in s.
845 185.07(1)(d);

846 b. Twenty-five percent must be used to fund base benefits;
847 and

848 c. The remainder must be placed in a defined contribution
849 plan to fund special benefits.

850 2. If the plan has a long-term funded ratio of 80 percent
851 or greater:

852 a. Fifty percent must be used to fund base benefits; and

853 b. The remainder must be placed in a defined contribution



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854 plan to fund special benefits.

855 (c) Additional premium tax revenues not described in
856 paragraph (b) must be used to fund benefits that were not
857 included in the base benefits ~~pay extra benefits to the police~~
858 ~~officers included in that pension plan; or~~

859 ~~(b) May place the income from the premium tax in s. 185.08~~
860 ~~in a separate supplemental plan to pay extra benefits to the~~
861 ~~police officers, or police officers and firefighters if~~
862 ~~included, participating in such separate supplemental plan.~~

863 (2) Insurance premium tax revenues may not be used to fund
864 benefits provided in a defined benefit plan which were not
865 provided by the plan as of March 1, 2013; however, for a local
866 law plan created after March 1, 2013, up to 50 percent of the
867 insurance premium tax revenues may be used to fund defined
868 benefit plan component benefits and the remainder used to fund
869 defined contribution plan component benefits.

870 (3) If a plan offers benefits in excess of its required
871 benefits, such benefits may be reduced if the plan continues to
872 meet the required benefits of the plan and the minimum standards
873 set forth in this chapter. The amount of insurance premium tax
874 revenues previously used to fund benefits in excess of the
875 plan's required benefits before the reduction must be used as
876 provided in subsection (1)(b). Twenty-five percent of the amount
877 of any mandatory contribution paid by the municipality or
878 special fire control district which was previously used to fund
879 benefits above the level of required benefits provided before
880 the reduction must be used as additional contributions as
881 specified in s. 185.07 to fund the plan's actuarial deficiency.

882 (4)(2) The premium tax provided by this chapter shall ~~in~~



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883 ~~all cases~~ be used in its entirety to provide retirement ~~extra~~
884 benefits to police officers, or to police officers and
885 firefighters if both are included. However, ~~local law plans in~~
886 ~~effect on October 1, 1998, must comply with the minimum benefit~~
887 ~~provisions of this chapter only to the extent that additional~~
888 ~~premium tax revenues become available to incrementally fund the~~
889 ~~cost of such compliance as provided in s. 185.16(2). If a plan~~
890 ~~is in compliance with such minimum benefit provisions, as~~
891 ~~subsequent additional tax revenues become available, they shall~~
892 ~~be used to provide extra benefits.~~ Local law plans created by
893 special act before May 27, 1939, shall be deemed to comply with
894 this chapter. ~~For the purpose of this chapter, the term:~~

895 ~~(a) "Additional premium tax revenues" means revenues~~
896 ~~received by a municipality pursuant to s. 185.10 which exceed~~
897 ~~the amount received for calendar year 1997.~~

898 ~~(b) "Extra benefits" means benefits in addition to or~~
899 ~~greater than those provided to general employees of the~~
900 ~~municipality and in addition to those in existence for police~~
901 ~~officers on March 12, 1999.~~

902 (5)~~(3)~~ A retirement plan or amendment to a retirement plan
903 may not be proposed for adoption unless the proposed plan or
904 amendment contains an actuarial estimate of the costs involved.
905 Such proposed plan or proposed plan change may not be adopted
906 without the approval of the municipality or, where permitted,
907 the Legislature. Copies of the proposed plan or proposed plan
908 change and the actuarial impact statement of the proposed plan
909 or proposed plan change shall be furnished to the division
910 before the last public hearing thereon. Such statement must also
911 indicate whether the proposed plan or proposed plan change is in



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912 compliance with s. 14, Art. X of the State Constitution and
913 those provisions of part VII of chapter 112 which are not
914 expressly provided in this chapter. Notwithstanding any other
915 provision, only those local law plans created by special act of
916 legislation before May 27, 1939, are deemed to meet the minimum
917 benefits and minimum standards only in this chapter.

918 (6)~~(4)~~ Notwithstanding any other provision, with respect to
919 any supplemental plan municipality:

920 (a) Section 185.02(7)(a) ~~185.02(4)(a)~~ does not apply, and a
921 local law plan and a supplemental plan may continue to use their
922 definition of compensation or salary in existence on March 12,
923 1999.

924 (b) A local law plan and a supplemental plan must continue
925 to be administered by a board or boards of trustees numbered,
926 constituted, and selected as the board or boards were numbered,
927 constituted, and selected on December 1, 2000.

928 ~~(c) The election set forth in paragraph (1)(b) is deemed to~~
929 ~~have been made.~~

930 (7)~~(5)~~ The retirement plan setting forth the benefits and
931 the trust agreement, if any, covering the duties and
932 responsibilities of the trustees and the regulations of the
933 investment of funds must be in writing and copies made available
934 to the participants and to the general public.

935 (8) In addition to the defined benefit component of the
936 local law plan, each plan sponsor must have a defined
937 contribution plan component within the local law plan by October
938 1, 2013, or upon the creation date of a new participating plan.
939 However, the plan sponsor of any plan established by special act
940 of the Legislature has until July 1, 2014, to create a defined



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941 contribution component within the plan.

942 (9) Notwithstanding any other provision of this chapter, a
943 municipality that has implemented or proposed changes to a local
944 law plan based on the municipality's reliance on an
945 interpretation of this chapter by the department on or after
946 August 14, 2012 and before March 1, 2013, may continue the
947 implemented changes or continue to implement proposed changes.
948 Such reliance must be evidenced by formal correspondence between
949 the municipality and the department which describes the specific
950 changes to the local law plan, with the initial correspondence
951 from the municipality dated prior to March 1, 2013. The changes
952 to the local law plan which are otherwise contrary to the
953 provisions of this chapter may continue in effect until the
954 earlier of October 1, 2016, or the effective date of a
955 collective bargaining agreement that is contrary to the changes
956 to the local law plan.

957 Section 11. The Legislature finds that a proper and
958 legitimate state purpose is served when employees and retirees
959 of the state and its political subdivisions, and the dependents,
960 survivors, and beneficiaries of such employees and retirees, are
961 extended the basic protections afforded by governmental
962 retirement systems that provide fair and adequate benefits and
963 that are managed, administered, and funded in an actuarially
964 sound manner as required by s. 14, Article X of the State
965 Constitution and part VII of chapter 112, Florida Statutes.
966 Therefore, the Legislature determines and declares that this act
967 fulfills an important state interest.

968 Section 12. This act shall take effect July 1, 2013.

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970
971 ===== T I T L E A M E N D M E N T =====

972 And the title is amended as follows:

973 Delete everything before the enacting clause
974 and insert:

975 A bill to be entitled
976 An act relating to firefighter and police officer
977 pension plans; amending s. 175.021, F.S.; revising the
978 legislative declaration to require all plans to meet
979 the requirements of ch. 175, F.S., in order to receive
980 insurance premium tax revenues; amending s. 175.032,
981 F.S.; revising definitions to conform to changes made
982 by the act and adding new definitions; amending s.
983 175.071, F.S.; conforming a cross-reference; amending
984 s. 175.091, F.S.; revising existing payment provisions
985 and providing for an additional mandatory payment by
986 the municipality or special fire control district to
987 the firefighters' pension trust fund; amending s.
988 175.351, F.S., relating to municipalities and special
989 fire control districts that have their own pension
990 plans and want to participate in the distribution of a
991 tax fund; revising criteria governing the use of
992 income from the premium tax; requiring plan sponsors
993 to have a defined contribution plan in place by a
994 certain date; authorizing a municipality to implement
995 certain changes to a local law plan which are contrary
996 to ch. 175, F.S., under certain time-limited
997 circumstances; amending s. 185.01, F.S.; revising the
998 legislative declaration to require all plans to meet



999 the requirements of ch. 185, F.S., in order to receive
1000 insurance premium tax revenues; amending s. 185.02,
1001 F.S.; revising definitions to conform to changes made
1002 by the act and adding new definitions; deleting a
1003 provision allowing a local law plan to limit the
1004 amount of overtime payments which can be used for
1005 retirement benefit calculations; amending s. 185.06,
1006 F.S.; conforming a cross-reference; amending s.
1007 185.07, F.S.; revising existing payment provisions and
1008 providing for an additional mandatory payment by the
1009 municipality to the police officers' retirement trust
1010 fund; amending s. 185.35, F.S., relating to
1011 municipalities that have their own pension plans for
1012 police officers and want to participate in the
1013 distribution of a tax fund; revising criteria
1014 governing the use of income from the premium tax;
1015 requiring plan sponsors to have a defined contribution
1016 plan in place by a certain date; authorizing a
1017 municipality to implement certain changes to a local
1018 law plan which are contrary to ch. 185, F.S., under
1019 certain time-limited circumstances; providing a
1020 declaration of important state interest; providing an
1021 effective date.