

By the Committee on Governmental Oversight and Accountability

585-02355-19

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1                   A bill to be entitled  
2           An act relating to judicial retirement; amending s.  
3           121.052, F.S.; modifying provisions authorizing  
4           justices or judges to purchase additional service  
5           credit in the Florida Retirement System under certain  
6           circumstances to conform to the revisions made to the  
7           mandatory judicial retirement age established in s. 8,  
8           Art. V of the State Constitution; providing an  
9           effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Subsection (4) of section 121.052, Florida  
14 Statutes, is amended to read:

15           121.052 Membership class of elected officers.—

16           (4) PARTICIPATION BY ELECTED OFFICERS SERVING A SHORTENED  
17 TERM DUE TO APPORTIONMENT, FEDERAL INTERVENTION, ETC.—

18           (a) A duly elected officer whose term of office was  
19 shortened by legislative or judicial apportionment pursuant to  
20 s. 16, Art. III of the State Constitution may, after the term of  
21 office to which he or she was elected is completed, pay into the  
22 Florida Retirement System Trust Fund the amount of contributions  
23 that would have been made by the officer or the officer's  
24 employer on his or her behalf, plus 4 percent interest  
25 compounded annually from the date he or she left office until  
26 July 1, 1975, and 6.5 percent interest compounded annually  
27 thereafter, and may receive service credit for the length of  
28 time the officer would have served if such term had not been  
29 shortened by apportionment.

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30 (b) Any duly elected officer whose term of office was  
31 shortened because the election at which he or she was elected  
32 was delayed as a result of federal intervention under the  
33 federal Voting Rights Act may, after the term of office to which  
34 he or she was elected is completed, pay into the System Trust  
35 Fund the amount of contributions that would have been made by  
36 the employee or by the employer on his or her behalf for the  
37 period of time the assumption of office was delayed, plus 4  
38 percent interest compounded annually from the date he or she  
39 assumed office until July 1, 1975, and 6.5 percent interest  
40 compounded annually thereafter, and may receive service credit  
41 for the length of time he or she would have served if such term  
42 had not been shortened by delay of the election.

43 (c) For the purpose of this chapter, "creditable service"  
44 includes the period from November 1972 to January 1973 which  
45 would have been served by an elected county officer but for the  
46 enactment of chapter 67-510, Laws of Florida, if the inclusion  
47 of such period would provide any person affected with sufficient  
48 creditable service to qualify for retirement benefits pursuant  
49 to this chapter.

50 (d)1. Any justice or judge, or any retired justice or judge  
51 who retired before July 1, 1993, who ~~has~~ attained the age of 70  
52 years before July 1, 2019, and who was ~~is~~ prevented under s. 8,  
53 Art. V of the State Constitution from completing his or her term  
54 of office because of age may elect to purchase credit for all or  
55 a portion of the months he or she would have served during the  
56 remainder of the term of office; however, he or she may claim  
57 those months only after the date the service would have  
58 occurred. The justice or judge must pay into the Florida

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59 Retirement System Trust Fund the amount of contributions that  
60 would have been made by the employer on his or her behalf for  
61 the period of time being claimed, plus 6.5 percent interest  
62 thereon compounded each June 30 from the date he or she left  
63 office, in order to receive service credit in this class for the  
64 period of time being claimed. After the date the service would  
65 have occurred, and upon payment of the required contributions,  
66 the retirement benefit of a retired justice or judge shall be  
67 adjusted prospectively to include the additional creditable  
68 service; however, such adjustment may be made only once.

69 2. Any justice or judge who did ~~does~~ not seek retention or  
70 election to a subsequent term of office because he or she was  
71 ~~would be~~ prevented under s. 8, Art. V of the State Constitution  
72 from completing such term of office upon attaining the age of 70  
73 years may elect to purchase service credit for service as a  
74 temporary judge as assigned by the court if the temporary  
75 assignment immediately follows the last full term of office  
76 served and the purchase is limited to the number of months of  
77 service needed to vest retirement benefits. To receive  
78 retirement credit for such temporary service beyond termination,  
79 the justice or judge must pay into the Florida Retirement System  
80 Trust Fund the amount of contributions that would have been made  
81 by the justice or judge and the employer on his or her behalf  
82 had he or she continued in office for the period of time being  
83 claimed, plus 6.5 percent interest thereon compounded each June  
84 30 from the date he or she left office.

85 Section 2. This act shall take effect July 1, 2019.