

By Senators Crist, Lee, Miller and Sebesta

13-469-01

See HB

1 A bill to be entitled
 2 An act relating to the City of Tampa,
 3 Hillsborough County, and particularly to the
 4 City Pension Fund for Firefighters and Police
 5 Officers in the City of Tampa; authorizing the
 6 City of Tampa to enter into a supplemental
 7 contract with certain firefighters and police
 8 officers to provide for the purchase of
 9 creditable service for past service; amending
 10 chapter 23559, Laws of Florida, 1945, as
 11 amended, relating to the General Employees'
 12 Pension Plan of the City of Tampa; revising the
 13 benefits to certain firefighters and police
 14 officers; confirming in part the City of Tampa
 15 Firefighters and Police Officers Pension
 16 Contract; providing an effective date.

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

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 20 Section 1. The City of Tampa is authorized and
 21 empowered to enter into a supplemental contract with each and
 22 every firefighter or police officer who is an active or
 23 contributing member of the City Pension for Firefighters and
 24 Police Officers in the City of Tampa on or after the date this
 25 act becomes a law, or who hereafter enters into a pension
 26 contract with the City, creating Section 28 of the City of
 27 Tampa Firefighters and Police Officers Pension Contract to
 28 read:

29 Section 28. Election to Purchase Past Creditable
 30 Service by Certain Firefighters and Police Officers.

31

1 (A) Each firefighter and police officer who, on
2 October 15, 1992, was a member in Division B of the General
3 Employees' Pension Plan for the City of Tampa, who became a
4 member of this Fund for service occurring on and after October
5 16, 1992, and is a member of this Fund on or after June 1,
6 2001, may elect to purchase creditable service under this
7 Pension Contract for service as a firefighter or police
8 officer with the City of Tampa prior to October 16, 1992, if
9 said employee complies with the following:

10 (1) Notify the City of Tampa and the Board of Trustees
11 of this Fund, in writing, at any time between July 1, 2001,
12 and December 31, 2001, of his or her desire to purchase
13 creditable service for such past service;

14 (2) Upon electing to purchase creditable service for
15 such past service, such employee shall submit on a form
16 required by the City an irrevocable waiver of any pension
17 benefits under the General Employees' Pension Plan for the
18 City of Tampa; and

19 (3) By September 30, 2002, such employee shall pay
20 into the pension fund a sum of money equal to the aggregate
21 employee contributions, plus compound interest thereon at the
22 rate of 10 percent (10%) per annum, which the employee would
23 have paid into the Fund pursuant to Section 2(D) of this
24 Contract, had the employee participated in the Fund during the
25 period of such prior service.

26 (B) For each firefighter and police officer electing
27 to purchase creditable service for past service as provided in
28 this Section by September 30, 2002, the City shall pay into
29 the pension fund a sum of money equal to the City
30 contributions, plus compound interest thereon at the rate of
31 10 percent (10%) per annum, which the City would have paid

1 into the Fund for such firefighters and police officers
2 pursuant to Section 2(B) and (C) of this Contract, had such
3 firefighters and police officers participated in the Fund
4 during the period of such prior service.

5 (C) Notwithstanding any other provision of this
6 contract, benefits for creditable service purchased by
7 firefighters and police officers pursuant to this Section 28
8 shall be calculated in the same manner as are such
9 firefighters' and police officers' benefits for creditable
10 service commencing on October 16, 1992.

11 Section 2. Section 21 of chapter 23559, Laws of
12 Florida, 1945, as amended, is amended to read:

13 Section 21. Pension Benefits; Certain Firefighters and
14 Police Officers.--Notwithstanding any other provision of this
15 act to the contrary, the following provisions shall apply only
16 to those firefighters and police officers who prior to October
17 16, 1992, (the effective date of the Older Workers Benefit
18 Protection Act [the "OWBPA Effective Date"]) were participants
19 in Division B of the Plan and who ~~become~~ became members of the
20 City Pension Fund for Firefighters and Police Officers in the
21 City of Tampa as of the OWBPA Effective Date pursuant to
22 chapter 94-463, Laws of Florida, and who did not subsequently
23 purchase creditable service under the City Pension Fund for
24 Firefighters and Police Officers in the City of Tampa for
25 service as a firefighter or police officer with the City of
26 Tampa prior to the OWBPA Effective Date:

27 (1) Longevity retirement, deferred pension, early
28 retirement and death benefits accrued as of the OWBPA
29 Effective Date shall be computed by using only that period of
30 Service prior to the OWBPA Effective Date and shall be paid
31 to, or paid on behalf of, each such firefighter or police

1 officer on and after the OWBPA Effective Date as set forth
2 under the terms of this Act.

3 (2) Death benefits payable on behalf of any such
4 firefighter or police officer shall be provided only as set
5 forth in subparagraphs 2, 3 and 4 of Section 12(B) of this
6 Plan; provided, however, that if a death benefit is paid under
7 the City Pension Fund for Firefighters and Police Officers in
8 the City of Tampa on behalf of any such firefighter or police
9 officer on account of death resulting from injuries or causes
10 occurring while in the discharge of duty as a firefighter or
11 police officer, then no death benefit shall be paid on behalf
12 of such firefighter or police officer under this Act.

13 (3) Disability benefits shall not be paid to any such
14 firefighter or police officer after the OWBPA Effective Date.

15 (4) For purposes of determining the minimum number of
16 years necessary to have a vested pension and the Normal
17 Retirement Date of any such firefighter or police officer,
18 Service after the OWBPA Effective Date shall be counted as
19 Continuous Service under this Act.

20 (5) The Average Monthly Salary of each such
21 firefighter or police officer shall be determined by
22 calculating the average of such firefighter's or police
23 officer's salary for the highest 3 of the last 10 years of
24 participation in Division B of the Plan prior to the OWBPA
25 Effective Date, and dividing by 12; provided, however, that in
26 the event such firefighter or police officer does not have 10
27 years of participation in Division B of the Plan prior to the
28 OWBPA Effective Date at the time his Average Monthly Salary is
29 calculated, the average for the highest 3 of the total number
30 of years of participation in Division B of the Plan prior to
31 the OWBPA Effective Date, shall be used; provided, further,

1 that if such firefighter or police officer does not have 3
2 years of participation in Division B of the Plan prior to the
3 OWBPA Effective Date, the average for years of such
4 participation shall be used.

5 Section 3. The City of Tampa Firefighters and Police
6 Officers Pension Contract as prescribed by Section 28-17 of
7 the City of Tampa Code [Ordinance No. 4746-A, enacted
8 September 30, 1969], as amended by Section 28-19 of the City
9 of Tampa Code [Ordinance No. 6038-A, enacted September 17,
10 1974], pursuant to chapter 74-613, Laws of Florida; as further
11 amended by Ordinance No. 89-314, enacted December 21, 1989,
12 and approved, ratified, validated, and confirmed by chapter
13 90-391, Laws of Florida; and as further amended by chapter
14 94-463, Laws of Florida, and chapter 98-515, Laws of Florida,
15 is in all other respects approved, ratified, validated, and
16 confirmed.

17 Section 4. This act shall take effect upon becoming a
18 law.

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