${\bf By}$ the Committee on Governmental Oversight and Productivity; and Senators Aronberg and Wilson

585-2365-05

1	A bill to be entitled
2	An act relating to the Florida Retirement
3	System; amending s. 121.021, F.S.; redefining
4	the term "compensation" to include certain
5	supplementary payments made to firefighters,
6	paramedics, and emergency medical technicians
7	and to certain employer-reported retirement
8	contributions; providing legislative intent;
9	providing an effective date.
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11	Be It Enacted by the Legislature of the State of Florida:
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13	Section 1. Paragraph (a) of subsection (22) of section
14	121.021, Florida Statutes, is amended to read:
15	121.021 DefinitionsThe following words and phrases
16	as used in this chapter have the respective meanings set forth
17	unless a different meaning is plainly required by the context:
18	(22) "Compensation" means the monthly salary paid a
19	member by his or her employer for work performed arising from
20	that employment.
21	(a) Compensation shall include:
22	1. Overtime payments paid from a salary fund.
23	2. Accumulated annual leave payments.
24	3. Payments in addition to the employee's base rate of
25	pay if all the following apply:
26	a. The payments are paid according to a formal written
27	policy that applies to all eligible employees equally;
28	b. The policy provides that payments shall commence no
29	later than the 11th year of employment;
30	c. The payments are paid for as long as the employee
31	continues his or her employment; and

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CODING: Words stricken are deletions; words underlined are additions.

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- d. The payments are paid at least annually.
- 4. Amounts withheld for tax sheltered annuities or deferred compensation programs, or any other type of salary reduction plan authorized under the Internal Revenue Code.
- 5. Payments made in lieu of a permanent increase in the base rate of pay, whether made annually or in 12 or 26 equal payments within a 12-month period, when the member's base pay is at the maximum of his or her pay range. When a portion of a member's annual increase raises his or her pay range and the excess is paid as a lump sum payment, such lump sum payment shall be compensation for retirement purposes.
- 6. Effective July 1, 2002, salary supplements made pursuant to s. 1012.72 requiring a valid National Board for Professional Standards certificate, notwithstanding the provisions of subparagraph 3.
- 7. Effective July 1, 2005, salary supplements made to firefighters, paramedics, or emergency medical technicians for the successful completion of employer-approved educational training or for additional job-related duties and responsibilities, notwithstanding the provisions of subparagraph 3. For all periods prior to July 1, 2005, employer-reported retirement contributions on these supplemental payments shall be compensation.

Section 2. It is declared by the Leqislature that firefighters, emergency medical technicians, paramedics, law enforcement officers, correctional officers, and correctional probation officers perform state and municipal functions; that it is their duty to protect life and property at their own risk and peril; that it is their duty to continuously instruct school personnel, public officials, and private citizens about safety; and that their activities are vital to the public

1	safety. Therefore, the Legislature declares that it is a
2	proper and legitimate state purpose to provide a uniform
3	retirement system for the benefit of firefighters, emergency
4	medical technicians, paramedics, law enforcement officers,
5	correctional officers, and correctional probation officers and
6	intends, in implementing the provisions of Section 14, Article
7	X of the State Constitution as they relate to municipal and
8	special district pension trust fund systems and plans, that
9	such retirement systems or plans be managed, administered,
10	operated, and funded in such manner as to maximize the
11	protection of pension trust funds. Pursuant to Section 18,
12	Article VII of the State Constitution, the Legislature
13	determines and declares that the provisions of this act
14	fulfill an important state interest.
15	Section 3. This act shall take effect July 1, 2005.
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17	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR
18	Senate Bill 1568
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20	The CS adds a statement of important state interest.
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