Florida Senate - 2007

By Senator Aronberg

27-343-07 1 A bill to be entitled 2 An act relating to the Florida Retirement System; amending s. 121.111, F.S.; authorizing 3 additional persons to purchase credit for prior 4 5 military wartime service; providing an б effective date. 7 Be It Enacted by the Legislature of the State of Florida: 8 9 10 Section 1. Subsection (2) of section 121.111, Florida Statutes, is amended to read: 11 12 121.111 Credit for military service.--13 (2)(a) Any member whose initial date of employment is before January 1, 1987, who has military service as defined in 14 s. $121.021(20)(b)_{\tau}$ and who does not claim such service under 15 subsection (1) may receive creditable service for such 16 17 military service if: <u>1.(a)</u> The member is vested; 18 2.(b) Creditable service, not to exceed a total of 4 19 years, is claimed only as service earned in the Regular Class 20 21 of membership; and 22 3.(c) The member pays into the proper retirement trust 23 fund 4 percent of gross salary, based upon his or her first year of salary subsequent to July 1, 1945, that he or she has 2.4 credit for under this system, plus 4 percent interest thereon 25 compounded annually from the date of first creditable service 26 27 under this chapter until July 1, 1975, and 6.5 percent 2.8 interest compounded annually thereafter, until payment is made to the proper retirement trust fund. 29 30 (b)(d) The member may not receive credit for any wartime military service if the member also receives credit 31 1

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1 for such service under any federal, state, or local retirement 2 or pension system where "length of service" is a factor in determining the amount of compensation received. However, 3 credit for wartime military service may be received where the 4 member also receives credit under a pension system providing 5 6 retired pay for nonregular service in the Armed Forces of the 7 United States in accordance with 10 U.S.C. ss. 1331 et seq., 8 as follows: 1. Any person whose retirement date under the Florida 9 Retirement System is prior to July 1, 1985, may claim such 10 service at any time, as provided in this subsection, upon 11 12 payment of contributions and interest as provided in paragraph 13 (c), with interest computed to the retired member's retirement date. The benefit shall be recalculated and increased to 14 include the additional service credit granted for such wartime 15 military service, and a lump-sum payment shall be made to the 16 17 retiree for the amount owed due to the additional service 18 credit, retroactive to the date of retirement. 2. Any person whose retirement date is on or after 19 July 1, 1985, must claim such service and pay the required 20 21 contributions, as provided in paragraph(a)3.(c), prior to 2.2 the commencement of his or her retirement benefits, as 23 provided in this subsection. (c)(e) Any member claiming credit under this 2.4 subsection must certify on the form prescribed by the 25 department that credit for such service has not and will not 26 27 be claimed for retirement purposes under any other federal, 2.8 state, or local retirement or pension system where "length of 29 service" is a factor in determining the amount of compensation received, except where credit for such service has been 30 granted in a pension system providing retired pay for 31

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1 nonregular service as provided in paragraph(b). If the 2 member dies prior to retirement, the member's beneficiary must make the required certification before credit may be claimed. 3 4 If such certification is not made by the member or the member's beneficiary, credit for wartime military service 5 б shall not be allowed. 7 (d)(f) Service credit awarded for wartime military 8 service shall be the total number of years, months, and days from and including the date of entry into active duty through 9 10 the date of discharge from active duty, up to a maximum of 4 years. If the military service includes a partial year, it 11 12 shall be stated as a fraction of a year. Creditable military 13 service shall be calculated in accordance with rule 60S-2.005(2)(j), Florida Administrative Code. 14 Section 2. This act shall take effect July 1, 2007. 15 16 17 SENATE SUMMARY 18 Authorizes a member of the Florida Retirement System to 19 purchase credit for prior military wartime service regardless of when the member initially began his or her 20 employment. 21 22 23 2.4 25 26 27 28 29 30 31

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