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LEGISLATIVE ACTION

Senate

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House

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04/29/2009 03:23 PM

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Senator Bennett moved the following:

Senate Amendment (with title amendment)

Between lines 560 and 561

insert:

Section 8. Subsection (1) of section 175.351, Florida Statutes, is amended to read:

175.351 Municipalities and special fire control districts having their own pension plans for firefighters.—For any municipality, special fire control district, local law municipality, local law special fire control district, or local law plan under this chapter, in order for municipalities and special fire control districts with their own pension plans for



134318

13 firefighters, or for firefighters and police officers, where
14 included, to participate in the distribution of the tax fund
15 established pursuant to s. 175.101, local law plans must meet
16 the minimum benefits and minimum standards set forth in this
17 chapter.

18 (1) PREMIUM TAX INCOME.—

19 (a) If a municipality has a pension plan for firefighters,
20 or a pension plan for firefighters and police officers, where
21 included, which in the opinion of the division meets the minimum
22 benefits and ~~minimum~~ standards ~~set forth~~ in this chapter, the
23 board of trustees of the pension plan, as approved by a majority
24 of firefighters of the municipality, may:

25 ~~1.(a)~~ Place the income from the premium tax in s. 175.101
26 in the ~~such~~ pension plan for the sole and exclusive use of its
27 firefighters, or for firefighters and police officers, ~~where~~
28 ~~included~~, where it shall become an integral part of that pension
29 plan and ~~shall~~ be used to pay extra benefits to the firefighters
30 included in that pension plan; or

31 ~~2.(b)~~ Place the income from the premium tax in s. 175.101
32 into ~~in~~ a separate supplemental plan to pay extra benefits to
33 firefighters, or to firefighters and police officers ~~where~~
34 ~~included~~, participating in the ~~such~~ separate supplemental plan.

35 (b) The premium tax provided by this chapter must ~~shall~~ ~~in~~
36 ~~all cases~~ be used in its entirety to provide extra benefits to
37 firefighters, or to firefighters and police officers, where
38 included. ~~However~~,

39 1. Local law plans in effect on October 1, 1998, must ~~shall~~
40 ~~be required to~~ comply with the minimum benefit provisions of
41 this chapter only to the extent that additional premium tax



134318

42 revenues become available to incrementally fund the cost of such
43 compliance as provided in s. 175.162(2)(a). ~~If~~ ~~When~~ a plan is in
44 compliance ~~with such minimum benefit provisions~~, as subsequent
45 additional premium tax revenues become available, the revenues
46 ~~they~~ shall be used to provide extra benefits. Notwithstanding
47 any other provision of this chapter, effective July 1, 2009,
48 through June 30, 2011, for plans that are not fully funded,
49 premium tax revenues received in excess of the amount needed for
50 compliance with the minimum benefit provisions and for extra
51 benefits implemented before July 1, 2009, must be used to reduce
52 the required contributions of the municipality or special fire
53 control district to the plan.

54 2. For the purpose of this chapter, "additional premium tax
55 revenues" means revenues received by a municipality or special
56 fire control district pursuant to s. 175.121 which exceed the
57 ~~that~~ amount received for calendar year 1997, and the term "extra
58 benefits" means benefits in addition to or greater than those
59 provided to general employees of the municipality and in
60 addition to those in existence for firefighters on March 12,
61 1999. Local law plans created by special act before May 23,
62 1939, are ~~shall be~~ deemed to comply with this chapter.

63
64 ===== T I T L E A M E N D M E N T =====

65 And the title is amended as follows:

66 Delete line 42

67 and insert:

68 joint annuitant or beneficiary; amending s, 175.351,
69 F.S.; requiring excess premium taxes to be used to
70 reduce the contributions of a municipality or special



134318

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district to pension plans that are not fully funded;
amending s. 175.361,