



519514

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/03/2015	.	
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The Committee on Governmental Oversight and Accountability
(Hays) recommended the following:

Senate Amendment (with title amendment)

Between lines 180 and 181

insert:

Section 3. For the purpose of incorporating the amendment
made by this act to section 112.19, Florida Statutes, in a
reference thereto, Section 185.21, Florida Statutes, is
reenacted to read

185.21 Death prior to retirement; refunds of contributions
or payment of death benefits.—For any municipality, chapter



519514

11 plan, local law municipality, or local law plan under this
12 chapter:

13 (1) If a police officer dies before being eligible to
14 retire, the heirs, legatees, beneficiaries, or personal
15 representatives of such deceased police officer shall be
16 entitled to a refund of 100 percent, without interest, of the
17 contributions made to the municipal police officers' retirement
18 trust fund by such deceased police officer or, in the event an
19 annuity or life insurance contract has been purchased by the
20 board on such police officer, then to the death benefits
21 available under such life insurance or annuity contract, subject
22 to the limitations on such death benefits set forth in s.
23 185.061 whichever amount is greater.

24 (2) If a police officer having at least 10 years of
25 credited service dies prior to retirement, his or her
26 beneficiary is entitled to the benefits otherwise payable to the
27 police officer at early or normal retirement age.

28
29 In the event that a death benefit paid by a life insurance
30 company exceeds the limit set forth in s. 185.061(6), the excess
31 of the death benefit over the limit shall be paid to the
32 municipal police officers' retirement trust fund. However, death
33 benefits as provided pursuant to s. 112.19 or any other state or
34 federal law shall not be included in the calculation of death or
35 retirement benefits provided under this chapter.

36 Section 4. For the purpose of incorporating the amendment
37 made by this act to section 112.191, Florida Statutes, in a
38 reference thereto, Section 175.201, Florida Statutes, is
39 reenacted to read



519514

40 175.201 Death prior to retirement; refunds of
41 contributions; death benefits.—For any municipality, special
42 fire control district, chapter plan, local law municipality,
43 local law special fire control district, or local law plan under
44 this chapter:

45 (1) If a firefighter dies before being eligible to retire,
46 the heirs, legatees, beneficiaries, or personal representatives
47 of such deceased firefighter shall be entitled to a refund of
48 100 percent, without interest, of the contributions made to the
49 firefighters' pension trust fund by such deceased firefighter
50 or, in the event an annuity or life insurance contract has been
51 purchased by the board of trustees on such firefighter, then to
52 the death benefits available under such life insurance or
53 annuity contract subject to the limitations on such death
54 benefits set forth in s. 175.081, whichever amount is greater.

55 (2) If a firefighter having at least 10 years of credited
56 service dies prior to retirement, his or her beneficiary is
57 entitled to the benefits otherwise payable to the firefighter at
58 early or normal retirement age.

59
60 In the event that the death benefit paid by a life insurance
61 company exceeds the limit set forth in s. 175.081, the excess of
62 the death benefit over the limit shall be paid to the
63 firefighters' pension trust fund. However, death benefits
64 provided pursuant to s. 112.191 or any other state or federal
65 law shall not be included in the calculation of death or
66 retirement benefits provided under this chapter.

67
68 ===== T I T L E A M E N D M E N T =====



519514

69 And the title is amended as follows:

70 Delete line 11

71 and insert:

72 benefit; reenacting s. 185.21, F.S., relating to

73 municipal police pensions, to incorporate the

74 amendment made to s. 112.19, F.S.; reenacting s.

75 175.201, F.S., relating to firefighter pensions, to

76 incorporate the amendment made to s. 112.191, F.S.;

77 providing an effective date.