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CS/HB 1145

2014 Legislature

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2 An act relating to the City of West Palm Beach, Palm
3 Beach County; amending chapter 24981 (1947), Laws of
4 Florida, as amended, relating to the West Palm Beach
5 Police Pension Fund; revising funding of share
6 accounts, member contributions, and refunds; providing
7 an effective date.

8
9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Paragraph (b) of subsection (11) and subsection
12 (19) of section 16 of chapter 24981 (1947), Laws of Florida, as
13 amended, are amended to read:

14 Section 16. West Palm Beach Police Pension Fund.—

15 (11) Chapter 185 share accounts.—

16 (b) Share account funding.—

17 1. Chapter 185 moneys.—Each individual member account
18 shall be credited with the moneys received from chapter 185,
19 Florida Statutes, tax revenues in June 1988 and thereafter. Of
20 the Chapter 185 moneys received in calendar years 2011, and
21 2012, and 2014, the full amount will be used to reduce the
22 employee contributions to 11 percent as provided for in
23 subparagraph (19) (a)1. This is for calendar years 2011, and
24 2012, and 2014 only. Effective for the fiscal year ending
25 September 30, 2013, and beginning again October 1, 2014 ~~2013,~~
26 the employee contribution will ~~once again~~ be 11 percent, and all

ENROLLED

CS/HB 1145

2014 Legislature

27 of the Chapter 185 moneys received in calendar years ~~year~~ 2013
28 and 2015 and each calendar year ~~and~~ thereafter will ~~once again~~
29 be allocated to the share accounts.

30 2. Forfeitures.—In addition, any forfeitures as provided
31 in paragraph (e) shall be credited to the individual member
32 accounts in accordance with the formula set forth in paragraph
33 (c).

34 (19) Member's contributions; refunds.—

35 (a) Member's contributions.—

36 1. The member shall contribute 7 percent of his or her
37 salary to the Fund. Effective the first full payroll period
38 after January 1, 2005, the member shall contribute 9 percent of
39 his or her salary to the Fund, which shall be deducted each pay
40 period from the salary of each member in the Department.
41 Effective the first full payroll period after January 1, 2006,
42 the member shall contribute 10 percent of his or her salary to
43 the Fund, which shall be deducted each pay period from the
44 salary of each member in the Department. Effective the first
45 full payroll period after January 1, 2007, the member shall
46 contribute 11 percent of his or her salary to the Fund, which
47 shall be deducted each pay period from the salary of each member
48 in the Department. All amounts of member contributions that are
49 deducted shall be immediately paid over to the Pension Fund. Any
50 contribution amount over 7 percent is to be used to purchase
51 eligibility for participation in the postretirement health
52 insurance benefits. Effective October 1, 2011, the employee

ENROLLED

CS/HB 1145

2014 Legislature

53 contributions will be 18 percent and effective October 1, 2013,
54 the employee contribution will be 20 percent. Of the Chapter 185
55 moneys received in calendar years 2011, ~~and 2012,~~ and 2014, the
56 full amount will be used to reduce the employee contributions to
57 11 percent. Effective for the fiscal year ending September 30,
58 2013, and beginning again October 1, 2014 ~~2013,~~ and each fiscal
59 year thereafter, the employee contributions will ~~once again~~ be
60 11 percent, and the Chapter 185 moneys received in calendar
61 years year 2013 and 2015 and each calendar year thereafter will
62 ~~once again~~ be allocated to the share accounts. Should the
63 Chapter 185 moneys received be insufficient to reduce the
64 member's contributions to 11 percent, then the City will make up
65 the difference. No amount of the Chapter 185 money is to be
66 considered employee contributions for purposes of a refund of
67 contributions as provided for in paragraph (19) (b).

68 2. The City shall cause the contributions provided for in
69 subparagraph 1. to be deducted from the compensation of each
70 member on each payroll, for each pay period, so long as he or
71 she remains a member of the Fund. The member's contributions
72 provided for herein shall be made, notwithstanding that the
73 minimum compensation provided by law for any member is thereby
74 changed. Each member shall be deemed to consent and agree to the
75 deductions made and provided for herein. Payment of
76 compensation, less said deductions, shall be a full and complete
77 discharge and acquittance of all claims and demands whatsoever
78 for the services rendered by him or her during the period

ENROLLED

CS/HB 1145

2014 Legislature

79 covered by such payment, except as to benefits provided by this
80 act. When deducted, each of said contributions shall be paid
81 into the Fund and credited to the individual member from whose
82 compensation said deduction was made.

83 3. In addition to the contribution deducted from the
84 compensation of a member, as hereinbefore provided, a member
85 shall deposit in the Fund, by a single contribution or by an
86 increased rate of contribution, as approved by the Board of
87 Trustees, the amount of previously withdrawn member
88 contributions not repaid to the Fund, together with regular
89 interest from the date of withdrawal to the date of repayment.
90 In no case shall any member be given credit for service rendered
91 prior to the date he withdrew his aggregate contributions until
92 he or she repays to the member's deposit account all amounts due
93 the account by such member.

94 (b) Refund of member's contributions.—

95 1. Should any member cease to be employed by the City as a
96 police officer and not be entitled to a pension payable from the
97 Fund, upon application to and approval by the Board, he or she
98 shall be paid the aggregate contributions standing to his or her
99 credit in the Fund, without interest, less any benefits paid to
100 him or her. In accordance with paragraph (2) (q), a member who
101 has ceased to be employed by the City as a police officer may
102 elect to voluntarily leave his or her contributions in the
103 member's deposit account for a period of up to 5 years, pending
104 the possibility of being rehired by the Department. If the

ENROLLED

CS/HB 1145

2014 Legislature

105 member is not reemployed at the expiration of 5 years following
106 the date the member ceased to be employed by the City as a
107 police officer, all contributions remaining in the member's
108 deposit account shall be refunded without interest. No amount of
109 the Chapter 185 money is to be considered employee contributions
110 for purposes of a refund of contributions as provided for in
111 this paragraph.

112 2. Upon the death of a member, if no pension becomes
113 payable on account of his or her death, the aggregate
114 contributions standing to the member's credit in the Fund at the
115 time of death shall be paid to his or her designated
116 beneficiary. If there be no such designated person surviving the
117 member, his or her aggregate contributions shall be paid to his
118 or her estate in accordance with subsection (17).

119 3. Repayments of refunds of a member's aggregate
120 contributions, in accordance with subsection (6) and as provided
121 in this paragraph, may be made in bimonthly installments
122 according to such rules and regulations as the Board of Trustees
123 shall from time to time adopt.

124 Section 2. This act shall take effect upon becoming a law.