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S 243 GENERAL BILL by Ros-Lehtinen (Identical H 644, Compare H 567, H 1464, S 593, S 595)

E.R.S./Contribution Rates; resolves discrepancies between amendments re employer contribution rates, & dates changes in such rates take effect, for members of Special Risk Class; corrects errors in amendment re periods in which different benefit rates apply for different periods of service in that class, etc. Amends 121.071, .091. Effective Date: 06/28/89.

02/10/89 SENATE Prefiled

02/17/89 SENATE Referred to Personnel, Retirement and Collective Bargaining; Appropriations

02/20/89 SENATE On Committee agenda—Personnel, Retirement and Collective Bargaining, 03/08/89, 1:15 pm, Room-H

03/08/89 SENATE Comm. Report: Favorable by Personnel, Retirement and Collective Bargaining; Now in Appropriations

04/04/89 SENATE Introduced, referred to Personnel, Retirement and Collective Bargaining; Appropriations -SJ 28; Comm. Report: Favorable by Personnel, Retirement and Collective Bargaining -SJ 60; Now in Appropriations -SJ 60

04/18/89 SENATE Withdrawn from Appropriations -SJ 175; Placed on Calendar

05/02/89 SENATE Placed on Special Order Calendar -SJ 242; Passed; YEAS 38 NAYS 0 -SJ 253

05/09/89 HOUSE In Messages

05/16/89 HOUSE Received, placed on Calendar -HJ 489

05/17/89 HOUSE Placed on Special Order Calendar

05/23/89 HOUSE Substituted for HB 644; Read second time -HJ 592

05/24/89 HOUSE Read third time: Passed; YEAS 117 NAYS 0 -HJ 603

05/24/89 Ordered enrolled -SJ 418

06/12/89 Signed by Officers and presented to Governor

06/28/89 Became Law without Governor's Signature; Chapter No. 89-220

NOTES: Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

REVISED: _____

BILL NO. SB 243DATE: March 3, 1989Page 1

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Jones</u>	<u>Jones</u>	1. <u>PRCB</u>	<u>Favorable</u>
2. _____	_____	2. <u>AP</u>	<u>Withdrawn</u>
3. _____	_____	3. _____	_____
4. _____	_____	4. _____	_____

SUBJECT:	BILL NO. AND SPONSOR:
FRS; Resolving Certain Discrepancies	SB 243 by Senator Ros-Lehtinen

I. SUMMARY:

A. Present Situation:

Chapter 88-238, LOF, (CS/SB 150) relating to the five-year phase-in of increased retirement credit for members of the Special Risk Class contains errors with respect to certain of the dates during which time the different benefit rates specified in the bill are applicable. Presently, Chapter 88-238 provides:

<u>Retirement Credit/year</u>	<u>Present Dates</u>	<u>Dates Should Read</u>
2.2%	12/31/88-1/1/90	N/C
2.4%	12/31/90-1/1/91	12/31/89-1/1/91
2.6%	12/31/91-1/1/92	12/31/90-1/1/92
2.8%	12/31/92-1/1/93	12/31/91-1/1/93
3.0%	12/31/93 and thereafter	12/31/92 and thereafter

Additionally, the language contained in Chapter 88-238 regarding the increased contribution rates necessary to pay for the aforementioned increased retirement benefits is in the "old" paragraph or narrative format and does not conform to the "new" chart format for all FRS contribution rates which is contained in Chapter 88-382, LOF, (CS/HB 1497).

B. Effect of Proposed Changes:

This bill corrects those technical errors noted above with respect to the dates during which time certain benefits are applicable, and, further, as also noted above, conforms the "old" narrative or paragraph language regarding contribution rates to the "new" chart format.

This bill is technical in nature and does not in any substantive way alter or revise any of the provisions contained in Chapter 88-238 (CS/SB 150) regarding Special Risk retirement or Chapter 88-382 (CS/HB 1497) relating to FRS contribution rates.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

None

B. Government:

None

III. COMMENTS:

The issue of the constitutionality of Chapter 88-238, LOF, (CS/SB 150) is currently before the Circuit Court in the 2nd Judicial Circuit (Leon County). The suit, which questions the constitutionality of the funding provision in the bill, was filed by the Florida Association of Counties. The Florida League of Cities has also filed a similar suit. No hearing dates have been scheduled as yet.

This bill, which is technical in nature, in no way involves those issues which are before the court as outlined above.

IV. AMENDMENTS:

None.

AS PASSED BY THE 1989 LEGISLATURE

STORAGE NAME: h0644-f.emr

DATE: June 7, 1989

HOUSE OF REPRESENTATIVES
COMMITTEE ON EMPLOYEE & MANAGEMENT RELATIONS
FINAL STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT

BILL #: HB 644 (SB 243)

RELATING TO: Florida Retirement System; Resolving Certain Discrepancies

SPONSOR(S): Representative Ascherl

EFFECTIVE DATE: Upon becoming law

DATE BECAME LAW: June 28, 1989

CHAPTER #: 89-220, Laws of Florida

COMPANION BILL(S): SB 243

OTHER COMMITTEES OF REFERENCE: (1) Appropriations

(2)

I. SUMMARY:

A. PRESENT SITUATION:

Chapter 88-238, LOF, (CS/SB 150) relating to the five-year phase-in of increased retirement credit for members of the Special Risk Class contains errors with respect to certain of the dates during which time the different benefit rates specified in the bill are applicable. Presently, Chapter 88-238 provides:

<u>Retirement Credit/year</u>	<u>Present Dates</u>	<u>Dates Should Read</u>
2.2%	12/31/88-1/1/90	N/C
2.4%	12/31/90-1/1/91	12/31/89-1/1/91
2.6%	12/31/91-1/1/92	12/31/90-1/1/92
2.8%	12/31/92-1/1/93	12/31/91-1/1/93
3.0%	12/31/93 and thereafter	12/31/92 and thereafter

Additionally, the language contained in Chapter 88-238 regarding the increased contribution rates necessary to pay for the aforementioned increased retirement benefits is in the "old" paragraph or narrative format and does not conform to the "new" chart format for all FRS contribution rates which is contained in Chapter 88-382, LOF, (CS/HB 1497).

B. EFFECT OF PROPOSED CHANGES:

This bill corrects those technical errors noted above with respect to the dates during which time certain benefits are applicable, and, further, as also noted above, conforms the "old" narrative or paragraph language regarding contribution rates to the "new" chart format.

This bill is technical in nature and does not in any substantive way alter or revise any of the provisions contained in Chapter 88-238 (CS/SB 150) regarding Special Risk retirement or Chapter 88-382 (CS/HB 1497) relating to FRS contribution rates.

C. SECTION-BY-SECTION ANALYSIS:

None.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

None.

2. Recurring or Annualized Continuation Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Appropriations Consequences:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

None.

2. Recurring or Annualized Continuation Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

3. Effects on Competition, Private Enterprise, and Employment Markets:

None.

D. FISCAL COMMENTS:

III. LONG RANGE CONSEQUENCES:

None.

IV. COMMENTS:

The issue of the constitutionality of Chapter 88-238, LOF, (CS/SB 150) is currently before the Circuit Court in the 2nd Judicial Circuit (Leon County). The suit, which questions the constitutionality of the funding provisions in the bill, was filed by the Florida Association of Counties. The Florida League of Cities has also filed a similar suit. No hearing dates have been scheduled as yet.

This bill, which is technical in nature, in no way involves those issues which are before the court as outlined above.

This bill passed out of full committee on April 6, 1989.

V. SIGNATURES:

SUBSTANTIVE COMMITTEE:

Prepared by:



Ron Poppell

Staff Director:



Ron Poppell

SECOND COMMITTEE OF REFERENCE:

Prepared by:

Staff Director:

APPROPRIATIONS:

Prepared by:

Staff Director: