

## House Bill No. 1805

An act relating to the City of Tampa, Hillsborough County, and particularly to the City Pension Fund for Firefighters and Police Officers in the City of Tampa; authorizing the City of Tampa to enter into a supplemental contract with certain firefighters and police officers to provide for compliance with the minimum standards and benefits with respect to pension funds provided under chapters 175 and 185, Florida Statutes; confirming in part the City of Tampa Firefighters and Police Officers Pension Contract; providing an effective date.

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

Section 1. The City of Tampa is authorized and empowered to enter into a supplemental contract with each firefighter or police officer who became an active or contributing member of the City Pension Fund for Firefighters and Police Officers in the City of Tampa on or after October 16, 1992, or who hereafter enters into a pension contract with the City, amending Section 25 of the City of Tampa Firefighters and Police Officers Pension Contract as prescribed by Section 28-17 of the City of Tampa Code (Ordinance No. 4746-A, enacted September 30, 1969), as amended by Section 28-19 of the City of Tampa Code (Ordinance No. 6038-A, enacted September 17, 1974), pursuant to chapter 74-613, Laws of Florida, as further amended by chapter 92-231, Laws of Florida, chapter 94-463, Laws of Florida, and chapter 98-515, Laws of Florida, to read:

Section 25.

(A) To the extent that any provision of this contract is in conflict with sections 112.60-.67, Florida Statutes, or other these provisions of the Florida Statutes made applicable to the Fund, excluding chapters 175 and 185, Florida Statutes, that apply to local law plans established by municipal ordinance or special act, or provisions of Florida Statutes made applicable to pension funds established by special act, these provisions of Florida Statutes shall prevail. To the extent that any provision of this contract would result in a forfeiture of the right of the Pension Fund to participate in the distribution of the tax funds established in chapters 175 and 185, Florida Statutes, those provisions of the Florida Statutes shall prevail.

(B) To the extent that any provision of this contract would result in the loss of the tax-exempt status of the Fund, such contractual provision shall be null and void.

(C) To the extent any provision of this contract is not in compliance with the minimum benefits provisions of chapters 175 and 185, Florida Statutes, that apply to the Fund, the non-compliance with which would result in a forfeiture of the right the loss of tax exempt status of the Fund, such contractual provision shall be null and void. to participate in the distribution of the premium tax funds established in chapters 175 and 185, Florida Statutes, the City is authorized to amend this contract by local ordinance to cure such

non-compliance, only to the extent that additional premium tax revenues become available to incrementally fund the cost of such compliance, such ordinance is consistent with the terms of a collective bargaining agreement entered into among the City and the certified bargaining agents for firefighters and police officers, the procedures for the adoption of such ordinance are consistent with section 112.63(3), Florida Statutes, and such ordinance is adopted prior to March 31, 2003. Any local ordinance adopted by the City pursuant to this subparagraph shall be incorporated by reference into the pension contract of each firefighter and police officer who is an active or contributing member of the Fund on the date the amendments to such contract provided in such ordinance become effective.

(D) To the extent that any provision of this contract is not in compliance with the minimum standards provisions of chapters 175 and 185, Florida Statutes, that apply to the Fund, the non-compliance with which would result in a forfeiture of the right of the Fund to participate in the distribution of the premium tax funds established in chapters 175 and 185, Florida Statutes, the City is authorized to amend this contract by local ordinance to cure such non-compliance, provided such ordinance is consistent with the terms of a collective bargaining agreement entered into among the City and the certified bargaining agents for firefighters and police officers, and such ordinance is adopted prior to March 31, 2003. Any local ordinance adopted by the City pursuant to this subparagraph shall be incorporated by reference into the pension contract of each firefighter and police officer who is an active or contributing member of the Fund on the date the amendments to such contract provided in such ordinance become effective.

Section 2. The City of Tampa is authorized and empowered to enter into a supplemental contract with each firefighter or police officer who became an active or contributing member of the City Pension Fund for Firefighters and Police Officers in the City of Tampa prior to October 16, 1992, creating Section 25 of the City of Tampa Firefighters and Police Officers Pension Contract to read:

Section 25.

(A) To the extent that any provision of this contract is in conflict with sections 112.60-.67, Florida Statutes, or other provisions of the Florida Statutes made applicable to the Fund, excluding chapters 175 and 185, Florida Statutes, those provisions of the Florida Statutes shall prevail.

(B) To the extent that any provision of this contract would result in the loss of the tax-exempt status of the Fund, such contractual provision shall be null and void.

(C) To the extent that any provision of this contract is not in compliance with the minimum benefits provisions of chapters 175 and 185, Florida Statutes, that apply to the Fund, the non-compliance with which would result in a forfeiture of the right of the Fund to participate in the distribution of the premium tax funds established in chapters 175 and 185, Florida Statutes, the City is authorized to amend this contract by local ordinance to cure such non-compliance, only to the extent that additional premium tax

revenues become available to incrementally fund the cost of such compliance, such ordinance is consistent with the terms of a collective bargaining agreement entered into among the City and the certified bargaining agents for firefighters and police officers, the procedures for the adoption of such ordinance are consistent with section 112.63(3), Florida Statutes, and such ordinance is adopted prior to March 31, 2003. Any local ordinance adopted by the City pursuant to this subparagraph shall be incorporated by reference into the pension contract of each firefighter and police officer who is an active or contributing member of the Fund on the date the amendments to such contract provided in such ordinance become effective.

(D) To the extent that any provision of this contract is not in compliance with the minimum standards provisions to chapters 175 and 185, Florida Statutes, that apply to the Fund, the non-compliance with which would result in a forfeiture of the right of the Fund to participate in the distribution of the premium tax funds established in chapters 175 and 185, Florida Statutes, the City is authorized to amend this contract by local ordinance to cure such non-compliance, provided such ordinance is consistent with the terms of a collective bargaining agreement entered into among the City and the certified bargaining agents for firefighters and police officers, and such ordinance is adopted prior to March 31, 2003. Any local ordinance adopted by the City pursuant to this subparagraph shall be incorporated by reference into the pension contract of each firefighter and police officer who is an active or contributing member of the Fund on the date the amendments to such contract provided in such ordinance become effective.

Section 3. The City of Tampa Firefighters and Police Officers Pension Contract as prescribed by Section 28-17 of the City of Tampa Code (Ordinance No. 4746-A, enacted September 30, 1969), as amended by Section 28-19 of the City of Tampa Code (Ordinance No. 6038-A, enacted September 17, 1974), pursuant to chapter 74-613, Laws of Florida; as further amended by Ordinance No. 89-314, enacted December 21, 1989, and approved, ratified, validated, and confirmed by chapter 90-391, Laws of Florida, and as further amended by chapter 94-463, Laws of Florida, and chapter 98-515, Laws of Florida, is in all other respects approved, ratified, validated, and confirmed.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor June 7, 2000.

Filed in Office Secretary of State June 7, 2000.