

CHAPTER 2010-260

House Bill No. 1249

An act relating to the Lee County Sheriff's Office; amending chapter 74-522, Laws of Florida, as amended; providing that the sheriff has the burden of proving just cause in an appeal of disciplinary action; providing that certain retirement health insurance benefits shall not be available to employees commencing employment after a specified date; providing an effective date.

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

Section 1. Subsection (2) of section 13 and subsections (5) and (6) of section 15 of chapter 74-522, Laws of Florida, as amended by chapters 2007-320 and 2008-276, Laws of Florida, are amended to read:

Section 13. Discipline; suspensions; dismissal; appeals.—

(2) At the hearing, the sheriff employee has the burden of proving that ~~the Sheriff~~ lacked just cause supported by competent and substantial evidence for the disciplinary action under appeal.

Section 15. Funding of civil service board and retirement health insurance benefits.—

(5) Retirement health insurance benefits for employees with 15 or more years of service; employer premium payments.—Effective October 1, 1986, and thereafter, it is the duty of the Sheriff of Lee County to provide annually in his or her budget a sufficient sum of money to pay a portion of the cost of the health and hospitalization insurance premiums for employees of the Lee County Sheriff's Office who retire after having accumulated at least 15 or more years of full-time, active service with the office. Employer premiums payable under this provision are limited to major medical and hospitalization insurance and do not include premiums for dental or vision insurance. Retirees may purchase, at their expense, individual or family group dental insurance or vision insurance, or both. The benefits payable under this subsection shall not be available to any individual commencing employment with the Lee County Sheriff's Office on or after October 1, 2010.

(6) Benefits payable under subsection (5).—Benefits payable under subsection (5) are only available to employees commencing employment on or after October 1, 1986, and prior to October 1, 2010, who retire from the Florida Retirement System and terminate employment after 15 or more years of service with the Lee County Sheriff's Office. A member of the Florida Retirement System employed prior to October 1, 2009, who has been a full-time member of the Lee County Sheriff's Office for the 10 years immediately preceding his or her retirement may claim up to 5 years of previous service with another Florida Retirement System employer subject to verification by

the Division of Retirement of the Department of Management Services to meet the 15-year requirement as provided for in subsection (5). Persons hired by the Lee County Sheriff's Office on or after October 1, 2009, are not eligible to claim additional years of service from previous Florida Retirement System employers to qualify for employer-paid health and hospitalization insurance benefits as provided for in subsection (5).

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

Approved by the Governor May 28, 2010.

Filed in Office Secretary of State May 28, 2010.