1   A bill to be entitled

2   An act relating to the Florida Retirement System;

3   amending s. 121.091, F.S.; specifying eligibility of a

4   monthly death benefit payment to the surviving spouse,

5   child, or parent of a law enforcement officer or

6   firefighter employed by the state; providing an annual

7   appropriation; providing an effective date.

8

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

10

11   Section 1. Paragraph (i) is added to subsection (7) of

12   section 121.091, Florida Statutes, to read:

13   121.091 Benefits payable under the system.—Benefits may

14   not be paid under this section unless the member has terminated

15   employment as provided in s. 121.021(39)(a) or begun

16   participation in the Deferred Retirement Option Program as

17   provided in subsection (13), and a proper application has been

18   filed in the manner prescribed by the department. The department

19   may cancel an application for retirement benefits when the

20   member or beneficiary fails to timely provide the information

21   and documents required by this chapter and the department's

22   rules. The department shall adopt rules establishing procedures

23   for application for retirement benefits and for the cancellation

24   of such application when the required information or documents

25   are not received.

26   (7) DEATH BENEFITS.—

hb0039-00

27   (i)1.   Notwithstanding any other provisions in this chapter
28   or chapter 112 to the contrary, a qualifying survivor of a
29   member employed by the state as a law enforcement officer as
30   defined in s. 943.10, or as a firefighter as defined in s.
31   112.191, who is killed in the line of duty; is killed when off
32   duty while acting in an official capacity to prevent injury,
33   death, or loss of property; or otherwise killed by reason of his
34   or her employment as a law enforcement officer or as a
35   firefighter, is eligible for the following minimum benefits:
36   a.   The surviving spouse may receive a monthly payment
37   equal to the monthly salary being received by the member at the
38   time of death for the rest of the surviving spouse's lifetime.
39   b.   If the surviving spouse of the member dies, the monthly
40   payment that would have been payable to the surviving spouse had
41   the spouse lived shall be paid for the use and benefit of such
42   member's child or children under 18 years of age and unmarried
43   until the 18th birthday of the member's youngest child, or until
44   the end of the calendar year that the member's youngest child
45   reaches the age of 25 if such child is enrolled as a full-time
46   student.
47   c.   If a member leaves no surviving spouse but is survived
48   by a child or children under 18 years of age, the benefits
49   provided by sub-subparagraph 1.a., normally payable to a
50   surviving spouse, shall be paid for the use and benefit of such
51   member's child or children under 18 years of age and unmarried
52   until the 18th birthday of the member's youngest child, or until

53 the end of the calendar year that the member's youngest child

54 reaches the age of 25 if such child is enrolled as a full-time

55 student.

56   d. If a member leaves no surviving spouse or surviving

57 children, but is survived by one or more parents, the benefits

58 provided by sub-subparagraph 1.a., normally payable to a

59 surviving spouse or children, shall be paid for the use and

60 benefit of such member's parents for a period not to exceed 5

61 years.

62   2. There is hereby annually appropriated from the General

63 Revenue Fund, to be paid into the Florida Retirement System

64 Trust Fund, an amount necessary to cover the additional costs

65 associated with payment of the minimum benefits authorized by

66 this paragraph to the extent that the costs of such benefits

67 exceed other benefits authorized by law.

68   Section 2. This act shall take effect July 1, 2015.

hb0039-00