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**MEMORANDUM 011-16HR**

**TO:** Agency Administrators

**FROM:** Carolyn Horwich, J.D., Director of Human Resources

**THROUGH:** Rip Colvin, Executive Director

**SUBJECT:** DMS, Division of Retirement, Legislative Update

**DATE:** April 25, 2016

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Attached please find the Division of Retirement Information Release. The retirement contribution rates were previously sent to all agencies administratively served by the Justice Administrative Commission.

Please review the in-line-of-duty death benefits for Special Risk Class Members and Chapter 119 changes.

Thank you.



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## DIVISION OF RETIREMENT INFORMATION RELEASE

**Release # 2016-193**

**April 22, 2016**

TO: All FRS Agency Heads and Retirement Coordinators

FROM: Elizabeth Stevens  
State Retirement Director

SUBJECT: **2016 Legislation**

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During the 2016 Regular Session, the Florida Legislature passed legislation that affects members of the Florida Retirement System (FRS) and other state-administered retirement plans. Legislation summaries and links to the bills that became law are on the Division of Retirement's website at [www.frs.MyFlorida.com](http://www.frs.MyFlorida.com). To access the summaries and links from the division's website, please click on Legislation and then 2016 Retirement Legislation.

It is very important that this information release be immediately distributed to the appropriate staff within your agency. Legislative changes are summarized below by subject area. You are notified as policies and procedures are established so that you can implement the changes necessary to comply with new legislation.

### **Contribution Rates**

Information Release 2016-192 dated April 13, 2016, provided employers with the total contribution rates by membership class and reporting plan code to be paid starting with the first payroll dated on or after July 1, 2016, for the 2016-2017 plan year for FRS members as well as rates for other state-administered retirement programs:

- The total contribution rate for FRS members includes required employee and employer contributions, the Retiree Health Insurance Subsidy Program (HIS) contribution rate and the administrative fee for the FRS Investment Plan and the Financial Guidance Program.
- The total contribution rates for the State University System Optional Retirement Program, the Senior Management Service Optional Annuity Program and the State Community College System Optional Retirement Program members include the employer and required employee contributions to the member's account, applicable administrative assessment, and an unfunded actuarial liability contribution for the FRS Pension Plan. The members of these programs may also contribute optional employee contributions up to the same percentage as the required employer contribution rate.
- The total contribution rates for reemployed retirees without renewed membership include employer contributions for the unfunded actuarial liability contribution for the membership class covering the position and HIS.

Information Release 2016-192 is also available on the Information Releases subpage under the Employer page of the division's website at [www.frs.MyFlorida.com](http://www.frs.MyFlorida.com).

## **In-Line-of-Duty Death Benefits for Special Risk Class Members**

Senate Bill 7012 (Chapter 2016-213, Laws of Florida) creates enhanced survivor benefits for Special Risk Class members who are killed in the line of duty on or after July 1, 2013. The benefits described below are effective for payments beginning July 2016 for applications received in a timely manner:

- The benefit payable to the surviving spouse or on behalf of an eligible dependent child or eligible children of a Pension Plan Special Risk Class member is increased from 50 percent of the salary at the time of death to 100 percent of the salary.
- A new benefit for the surviving spouse or on behalf of the dependent child or children of an Investment Plan Special Risk Class member is created with the benefit payable equal to 100 percent of the salary at the time of the member's death. Answers to the following questions may help you identify families of deceased members that may be eligible:

### [Who is eligible for this enhanced survivor benefit, and how long can benefits be paid?](#)

The surviving spouse of a Special Risk Class member who is killed in the line of duty on or after July 1, 2013 is eligible for this benefit.

In the event of the death of the spouse or if there is no surviving spouse, benefits are payable on behalf of the child or children until the youngest child reaches age 18 or until age 25 if the child is unmarried and enrolled as a full-time student.

### [What is the effective date of the benefits? Are benefits being paid to the eligible survivors retroactively if the Special Risk Class member was killed in the line of duty before July 1, 2016?](#)

The earliest effective date for payment of benefits is July 2016, provided that the Special Risk Class member was killed in the line of duty prior to July 1, 2016, and the application for benefits is received prior to July 2016 and approved. Otherwise, the effective date is the month after the application is received and approved.

If the Special Risk Class member is killed in the line of duty on or after July 1, 2016, the benefit is effective beginning the month after the member's death if the application has been received and approved.

### [How are the survivors who are eligible for this benefit being contacted if the member's death is before July 1, 2016?](#)

Families of Investment Plan Special Risk Class members killed in the line of duty between July 1, 2013 and June 30, 2016 will receive a letter and the application for benefits. Families of Pension Plan Special Risk Class members killed in the line of duty between July 1, 2013 and June 30, 2016 will receive a letter about the increased benefit beginning July 2016. Former employers and families of deceased Special Risk Class members whose death is not identified as in line of duty may also receive letters requesting information to make a determination.

### [What additional requirement is there for the spouse or dependent children of Investment Plan Special Risk Class members to receive this benefit?](#)

In addition to the survivor completing the application for benefits and having it approved, the Investment Plan account balance must be transferred to the FRS Trust Fund. If the account balance has already been paid out to the surviving spouse or dependent children, the benefit will be actuarially reduced to account for the value of the lump-sum payment already received.

### [Is this enhanced death benefit available to members in other membership classes?](#)

No, this enhanced benefit is only available to the surviving spouse or dependent child or children of Special Risk Class members that were killed in the line of duty on or after July 1, 2013.

**Is this enhanced benefit available for Pension Plan or Investment Plan Special Risk Class members that were killed in the line of duty before July 1, 2013?**

No, this enhanced benefit is only available for Pension Plan and Investment Plan Special Risk Class members that were killed in the line of duty on or after July 1, 2013.

**Where can family members get the application for the Special Risk in-line-of-duty death benefits?**

The FST-11b for Pension Plan Members and the FST-11b-IP for Investment Plan Members are available on the Division of Retirement's website.

**If the spouse or eligible child of a Pension Plan Special Risk Class member is already receiving the in-line-of-duty death benefit, is a new application required?**

No, a new application is not required for survivors of Pension Plan Special Risk Class members that are already receiving the in-line-of-duty death benefit. The families will receive a letter about the increased benefit effective with the July 2016 monthly benefit payment.

## **Public Records Exemptions and Disclosures**

The following public records exemptions apply to information held by the employing agency. The Division of Retirement cannot exclude any exempt information from public records requests that it receives unless notification is provided to the Division of Retirement by either the employer on behalf of its employees in eligible positions or directly by the employee in an eligible position.

Effective March 31, 2016, public records exemptions are provided for the home addresses, telephone numbers, dates of birth and photographs of the following employees, in addition to the names, home addresses, telephone numbers, dates of birth and places of employment of the spouses and children and locations of schools and day care facilities that their children attend:

- Current or former non-sworn investigative personnel employed by the Department of Financial Services whose duties include the investigation of fraud, theft, workers' compensation coverage requirements and compliance, other related criminal activities or state regulatory requirement violations [SB 592 (Chapter 2016-159, Laws of Florida)].
- Current or former emergency medical technicians or paramedics certified under chapter 401, Florida Statutes [SB 592 (Chapter 2016-159, Laws of Florida)].
- Current or former personnel employed in an agency's office of inspector general or internal audit department whose duties include auditing or investigating waste, fraud, abuse, theft, exploitation or other activities that could lead to criminal prosecution or administrative discipline [SB 752 (Chapter 2016-164, Laws of Florida)].

If you have questions, call the Division of Retirement's employer line toll-free at 877-377-1266 or 850-907-6540 if you are in the Tallahassee local calling area.