

# MEMORANDUM

Agenda Item No. 11(A)(11)

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**TO:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**DATE:** April 4, 2023

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution urging the Florida Legislature to enact House Bill 239, Senate Bill 224, or similar legislation which would decrease the age and years of service needed for special risk class members of the Florida Retirement System to reach their "normal retirement date" from 60 years of age or 30 years of service to 55 years of age or 25 years of service

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Roberto J. Gonzalez.

  
Geri Bonzon-Keenan  
County Attorney

GBK/jp

MDC001



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**DATE:** April 4, 2023

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(11)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(11)  
4-4-23

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT HOUSE BILL 239, SENATE BILL 224, OR SIMILAR LEGISLATION WHICH WOULD DECREASE THE AGE AND YEARS OF SERVICE NEEDED FOR SPECIAL RISK CLASS MEMBERS OF THE FLORIDA RETIREMENT SYSTEM TO REACH THEIR “NORMAL RETIREMENT DATE” FROM 60 YEARS OF AGE OR 30 YEARS OF SERVICE TO 55 YEARS OF AGE OR 25 YEARS OF SERVICE

**WHEREAS**, on January 18, 2023, Representative Demi Busatta Cabrera (R – Coral Gables) filed House Bill (“HB”) 239 for consideration during the 2023 session of the Florida Legislature; and

**WHEREAS**, HB 239 revises the statutory definition of “normal retirement date,” which is the date by which a Florida Retirement System (“FRS”) member attains normal retirement age and is vested, to decrease the age and years of service needed to reach retirement for Special Risk Class members of FRS initially enrolled on or after July 1, 2011, from 60 years of age or 30 years of service to 55 years of age or 25 years of service; and

**WHEREAS**, the bill makes additional conforming changes; and

**WHEREAS**, Senator Ed Hooper (R – Palm Harbor) also filed Senate Bill (“SB”) 224, which is an identical companion bill to HB 239, for consideration during the 2023 session of the Florida Legislature; and

**WHEREAS**, this Board is supportive of legislation which would lower the retirement age and years of service required to vest for Special Risk Class FRS members,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board:

**Section 1.** Urges the Florida Legislature to enact House Bill 239, Senate Bill 224, or similar legislation which would decrease the age and years of service needed for special risk class members of the Florida Retirement System to reach their “normal retirement date” from 60 years of age or 30 years of service to 55 years of age or 25 years of service.

**Section 2.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, the Senate President, the House Speaker, Representative Demi Busatta Cabrera, Senator Ed Hooper, and the Chair and remaining Members of the Miami-Dade State Legislative Delegation.

**Section 3.** Directs the County’s state lobbyists to advocate for the action described in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2023 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Roberto J. Gonzalez. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

- |                                  |                      |
|----------------------------------|----------------------|
| Oliver G. Gilbert, III, Chairman |                      |
| Anthony Rodríguez, Vice Chairman |                      |
| Marleine Bastien                 | Juan Carlos Bermudez |
| Kevin Marino Cabrera             | Sen. René García     |
| Roberto J. Gonzalez              | Keon Hardemon        |
| Danielle Cohen Higgins           | Eileen Higgins       |
| Kionne L. McGhee                 | Raquel A. Regalado   |
| Micky Steinberg                  |                      |

The Chairperson thereupon declared this resolution duly passed and adopted this 4<sup>th</sup> day of April, 2023. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

LUIS G. MONTALDO, CLERK AD INTERIM

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Jose I. Ortega