

By the Committee on Governmental Reform and Oversight and
Senator Silver

302-2065-98

1 A bill to be entitled
2 An act relating to the Florida Retirement
3 System; amending s. 121.055, F.S.; adding
4 assistant state attorneys, assistant statewide
5 prosecutors, and assistant public defenders to
6 the Senior Management Service Class of the
7 Florida Retirement System; providing an
8 effective date.

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

11
12 Section 1. Paragraph (h) of subsection (1) of section
13 121.055, Florida Statutes, is amended to read:

14 121.055 Senior Management Service Class.--There is
15 hereby established a separate class of membership within the
16 Florida Retirement System to be known as the "Senior
17 Management Service Class," which shall become effective
18 February 1, 1987.

19 (1)

20 (h)1. Except as provided in subparagraph 3., effective
21 January 1, 1994, participation in the Senior Management
22 Service Class shall be compulsory for the State Courts
23 Administrator and the Deputy State Courts Administrators, the
24 Clerk of the Supreme Court, the Marshal of the Supreme Court,
25 the Executive Director of the Justice Administrative
26 Commission, the Capital Collateral Representative, the clerks
27 of the district courts of appeals, the marshals of the
28 district courts of appeals, and the trial court administrator
29 in each judicial circuit. Effective January 1, 1994,
30 additional positions in the offices of the state attorney and
31 public defender in each judicial circuit may be designated for

1 inclusion in the Senior Management Service Class of the
2 Florida Retirement System, provided that:

3 a. Positions to be included in the class shall be
4 designated by the state attorney or public defender, as
5 appropriate. Notice of intent to designate positions for
6 inclusion in the class shall be published once a week for 2
7 consecutive weeks in a newspaper of general circulation
8 published in the county or counties affected, as provided in
9 chapter 50.

10 b. One nonelective full-time position may be
11 designated for each state attorney and public defender
12 reporting to the Division of Retirement; for agencies with 200
13 or more regularly established positions under the state
14 attorney or public defender, additional nonelective full-time
15 positions may be designated, not to exceed 0.5 percent of the
16 regularly established positions within the agency.

17 c. Each position added to the class must be a
18 managerial or policymaking position filled by an employee who
19 serves at the pleasure of the state attorney or public
20 defender without civil service protection, and who:

21 (I) Heads an organizational unit; or

22 (II) Has responsibility to effect or recommend
23 personnel, budget, expenditure, or policy decisions in his or
24 her areas of responsibility.

25 2. Participation in this class shall be compulsory,
26 except as provided in subparagraph 3., for any judicial
27 employee who holds a position designated for coverage in the
28 Senior Management Service Class and such participation shall
29 continue until the employee terminates employment in a covered
30 position. Effective January 1, 1999, participation in this
31 class shall be compulsory for assistant state attorneys,

1 assistant statewide prosecutors, and assistant public
2 defenders.

3 3. In lieu of participation in the Senior Management
4 Service Class, such members may participate in the Senior
5 Management Service Optional Annuity Program as established in
6 subsection (6).

7 Section 2. This act shall take effect October 1, 1998.

8

9 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
10 COMMITTEE SUBSTITUTE FOR
 Senate Bill 1074

11

12 The Committee Substitute places assistant state attorneys,
13 assistant statewide prosecutors, and assistant public
14 defenders in the Senior Management Class of the Florida
Retirement System.

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31