

By the Committee on Governmental Operations and
Representative Fasano

1 A bill to be entitled
2 An act relating to the Florida Retirement
3 System; amending s. 121.021, F.S.; including
4 certain correctional probation officers within
5 the Special Risk Class of that system; amending
6 s. 121.0515, F.S.; specifying criteria for
7 inclusion of correctional probation officers in
8 that class; providing for inclusion of
9 probation and parole circuit and deputy circuit
10 administrators in that class; providing a
11 finding of important state interest; providing
12 an effective date.

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

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16 Section 1. Paragraph (b) of subsection (15) of section
17 121.021, Florida Statutes, 1996 Supplement, is amended to
18 read:

19 121.021 Definitions.--The following words and phrases
20 as used in this chapter have the respective meanings set forth
21 unless a different meaning is plainly required by the context:

22 (15)

23 (b) Effective October 1, 1978, "special risk member"
24 means a member of the Florida Retirement System who is
25 designated as a special risk member by the division in
26 accordance with s. 121.0515. Such member must be employed as
27 a law enforcement officer, a firefighter, or a correctional
28 officer and must meet certain other special criteria as set
29 forth in s. 121.0515. Effective January 1, 1998, the term
30 "special risk member" also includes any member who is employed

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1 as a correctional probation officer and meets the special
2 criteria set forth in s. 121.0515(2)(d).

3 Section 2. Subsection (2) of section 121.0515, Florida
4 Statutes, is amended to read:

5 121.0515 Special risk membership; criteria;
6 designation and removal of classification; credits for past
7 service and prior service; retention of special risk normal
8 retirement date.--

9 (2) CRITERIA.--A member, to be designated as a special
10 risk member, must meet the following criteria:

11 (a) The member must be employed as a law enforcement
12 officer and be certified, or required to be certified, in
13 compliance with s. 943.1395; however, sheriffs and elected
14 police chiefs shall be excluded from meeting the certification
15 requirements of this paragraph. In addition, the member's
16 duties and responsibilities must include the pursuit,
17 apprehension, and arrest of law violators or suspected law
18 violators; or the member must be an active member of a bomb
19 disposal unit whose primary responsibility is the location,
20 handling, and disposal of explosive devices; or the member
21 must be the supervisor or command officer of a member or
22 members who have such responsibilities; provided, however,
23 administrative support personnel, including, but not limited
24 to, those whose primary duties and responsibilities are in
25 accounting, purchasing, legal, and personnel, shall not be
26 included;

27 (b) The member must be employed as a firefighter and
28 be certified, or required to be certified, in compliance with
29 s. 633.35 and be employed solely within the fire department of
30 the employer or agency of state government. In addition, the
31 member's duties and responsibilities must include on-the-scene

1 fighting of fires or direct supervision of firefighting units,
2 or the member must be the supervisor or command officer of a
3 member or members who have such responsibilities; provided,
4 however, administrative support personnel, including, but not
5 limited to, those whose primary duties and responsibilities
6 are in accounting, purchasing, legal, and personnel, shall not
7 be included; ~~or~~

8 (c) The member must be employed as a correctional
9 officer and be certified, or required to be certified, in
10 compliance with s. 943.1395. In addition, the member's
11 primary duties and responsibilities must be the custody, and
12 physical restraint when necessary, of prisoners or inmates
13 within a prison, jail, or other criminal detention facility,
14 or while on work detail outside the facility, or while being
15 transported; or the member must be the supervisor or command
16 officer of a member or members who have such responsibilities;
17 provided, however, administrative support personnel,
18 including, but not limited to, those whose primary duties and
19 responsibilities are in accounting, purchasing, legal, and
20 personnel, shall not be included; however, superintendents and
21 assistant superintendents shall participate in the Special
22 Risk Class; ~~or~~

23 (d) The member must be employed as a correctional
24 probation officer and be certified, or required to be
25 certified, in compliance with s. 943.1395. In addition, the
26 member's primary duties and responsibilities must be the
27 supervised custody, surveillance, control, investigation, and
28 counseling of assigned inmates, probationers, parolees, or
29 community controllees within institutions or the community; or
30 the member must be the supervisor of a member or members who
31 have such responsibilities; provided, however, administrative

1 support personnel, including, but not limited to, those whose
2 primary duties and responsibilities are in accounting,
3 purchasing, legal, and personnel, shall not be included;
4 however, probation and parole circuit and deputy circuit
5 administrators shall participate in the Special Risk Class.
6 Section 3. The Legislature finds that a proper and
7 legitimate state purpose is served when employees and retirees
8 of the state and of its political subdivisions, and the
9 dependents, survivors, and beneficiaries of such employees and
10 retirees, are extended the basic protections afforded by
11 governmental retirement systems that provide fair and adequate
12 benefits and that are managed, administered, and funded in an
13 actuarially sound manner, as required by Section 14 of Article
14 X of the State Constitution and part VII of chapter 112,
15 Florida Statutes. Therefore, the Legislature determines and
16 declares that the provisions of this act fulfill an important
17 state interest.
18 Section 4. This act shall take effect January 1, 1998.
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21 HOUSE SUMMARY
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23 Includes correctional probation officers in the Special
24 Risk Class of the Florida Retirement System provided they
25 meet prescribed criteria and includes probation and
26 parole regional administrators in the Special Risk Class.
27 Provides a finding of important state interest.
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