

Bill No. CS for SB 380

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Crist moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 25, between lines 7 and 8, delete		
15			
16	insert:		
17	Section 12. Paragraph (c) is added to subsection (15)		
18	of section 121.021, Florida Statutes, to 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	<u>(c) Effective January 1, 1999, "special risk member"</u>		
24	<u>means a member of the Florida Retirement System who is</u>		
25	<u>designated as a special risk member by the division in</u>		
26	<u>accordance with s. 121.0515. Such member must be employed as</u>		
27	<u>a law enforcement officer, a firefighter, a correctional</u>		
28	<u>officer, an emergency medical technician, or a paramedic and</u>		
29	<u>must meet certain other special criteria as set forth in s.</u>		
30	<u>121.0515.</u>		
31	Section 13. Subsections (1) and (2) and paragraph (a)		

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1 of subsection (7) of section 121.0515, Florida Statutes, are
2 amended to read:

3 121.0515 Special risk membership; criteria;
4 designation and removal of classification; credits for past
5 service and prior service; retention of special risk normal
6 retirement date.--

7 (1) LEGISLATIVE INTENT.--In creating the Special Risk
8 Class of membership within the Florida Retirement System, it
9 is the intent and purpose of the Legislature to recognize that
10 persons employed in certain categories of law enforcement,
11 firefighting, ~~and~~ criminal detention, and emergency medical
12 care positions are required as one of the essential functions
13 of their positions to perform work that is physically
14 demanding or arduous, or work that requires extraordinary
15 agility and mental acuity, and that such persons, because of
16 diminishing physical and mental faculties, may find that they
17 are not able, without risk to the health and safety of
18 themselves, the public, or their coworkers, to continue
19 performing such duties and thus enjoy the full career and
20 retirement benefits enjoyed by persons employed in other
21 positions and that, if they find it necessary, due to the
22 physical and mental limitations of their age, to retire at an
23 earlier age and usually with less service, they will suffer an
24 economic deprivation therefrom. Therefore, as a means of
25 recognizing the peculiar and special problems of this class of
26 employees, it is the intent and purpose of the Legislature to
27 establish a class of retirement membership that awards more
28 retirement credit per year of service than that awarded to
29 other employees; however, nothing contained herein shall
30 require ineligibility for special risk membership upon
31 reaching age 55.

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

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

19 (b) The member must be employed as a firefighter and
20 be certified, or required to be certified, in compliance with
21 s. 633.35 and be employed solely within the fire department of
22 the employer or agency of state government. In addition, the
23 member's duties and responsibilities must include on-the-scene
24 fighting of fires or direct supervision of firefighting units,
25 or the member must be the supervisor or command officer of a
26 member or members who have such responsibilities; provided,
27 however, administrative support personnel, including, but not
28 limited to, those whose primary duties and responsibilities
29 are in accounting, purchasing, legal, and personnel, shall not
30 be included; ~~or~~

31 (c) The member must be employed as a correctional

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1 officer and be certified, or required to be certified, in
 2 compliance with s. 943.1395. In addition, the member's
 3 primary duties and responsibilities must be the custody, and
 4 physical restraint when necessary, of prisoners or inmates
 5 within a prison, jail, or other criminal detention facility,
 6 or while on work detail outside the facility, or while being
 7 transported; or the member must be the supervisor or command
 8 officer of a member or members who have such responsibilities;
 9 provided, however, administrative support personnel,
 10 including, but not limited to, those whose primary duties and
 11 responsibilities are in accounting, purchasing, legal, and
 12 personnel, shall not be included; however, superintendents and
 13 assistant superintendents shall participate in the Special
 14 Risk Class; or-

15 (d) The member must be employed by a licensed Advance
 16 Life Support (ALS) or Basic Life Support (BLS) employer as an
 17 emergency medical technician or a paramedic and be certified
 18 in compliance with s. 401.27. In addition, the member's
 19 primary duties and responsibilities must include on-the-scene
 20 emergency medical care. However, administrative support
 21 personnel, including, but not limited to, those whose primary
 22 responsibilities are in accounting, purchasing, legal, and
 23 personnel, shall not be included.

24 (7) RETENTION OF SPECIAL RISK NORMAL RETIREMENT
 25 DATE.--

26 (a) A special risk member who is moved or reassigned
 27 to a nonspecial risk law enforcement, firefighting, ~~or~~
 28 correctional, or emergency medical care administrative support
 29 position with the same agency, or who is subsequently employed
 30 in such a position with any law enforcement, firefighting, ~~or~~
 31 correctional, or emergency medical care agency under the

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1 Florida Retirement System, shall earn credit for such service
2 at the same percentage rate as that earned by a regular
3 member. Notwithstanding the provisions of subsection (4),
4 service in such an administrative support position shall, for
5 purposes of s. 121.091, apply toward satisfaction of the
6 special risk normal retirement date, as defined in s.
7 121.021(29)(c), provided that, while in such position, the
8 member remains certified as a law enforcement officer,
9 firefighter, ~~or~~ correctional officer, emergency medical
10 technician, or paramedic; remains subject to reassignment at
11 any time to a position qualifying for special risk membership;
12 and completes an aggregate of 10 or more years of service as a
13 designated special risk member prior to retirement.

14 Section 14. The Legislature finds that a proper and
15 legitimate state purpose is served when employees and retirees
16 of the state and of its political subdivisions, and the
17 dependents, survivors, and beneficiaries of such employees and
18 retirees, are extended the basic protections afforded by
19 governmental retirement systems that provide fair and adequate
20 benefits and that are managed, administered, and funded in an
21 actuarially sound manner, as required by Section 14 of Article
22 X of the State Constitution and part VII of chapter 112,
23 Florida Statutes. Therefore, the Legislature determines and
24 declares that this act fulfills an important state interest.

25
26 (Redesignate subsequent sections.)

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28
29 ===== T I T L E A M E N D M E N T =====

30 And the title is amended as follows:

31 On page 2, line 8, delete after the semicolon

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1 insert:

2 amending s. 121.021, F.S.; redefining the term
3 "special risk member"; amending s. 121.0515,
4 F.S.; adding to the Special Risk Class of
5 membership certain emergency medical
6 technicians and paramedics; providing
7 legislative intent;

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