

By Representative Crady

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

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

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 17 Section 1. Short title.--This act may be cited as the
 18 "Keith Ward Act."

19 Section 2. Paragraph (b) of subsection (15) of section
 20 121.021, Florida Statutes, is amended to read:

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

24 (15)

25 (b) Effective October 1, 1978, "special risk member"
 26 means a member of the Florida Retirement System who is
 27 designated as a special risk member by the division in
 28 accordance with s. 121.0515. Such member must be employed as
 29 a law enforcement officer, a firefighter, or a correctional
 30 officer and must meet certain other special criteria as set
 31 forth in s. 121.0515. Effective January 1, 1999, the term

1 "special risk member" also includes any member who is employed
2 as a correctional probation officer and meets the special
3 criteria set forth in s. 121.0515(2)(d).

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

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

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

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

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

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

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

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

1 have such responsibilities; provided, however, administrative
2 support personnel, including, but not limited to, those whose
3 primary duties and responsibilities are in accounting,
4 purchasing, legal, and personnel, shall not be included;
5 however, probation and parole circuit and deputy circuit
6 administrators shall participate in the Special Risk Class.

7 Section 4. The Legislature finds that a proper and
8 legitimate state purpose is served when employees and retirees
9 of the state and of its political subdivisions, and the
10 dependents, survivors, and beneficiaries of such employees and
11 retirees, are extended the basic protections afforded by
12 governmental retirement systems that provide fair and adequate
13 benefits and that are managed, administered, and funded in an
14 actuarially sound manner, as required by Section 14 of Article
15 X of the State Constitution and part VII of chapter 112,
16 Florida Statutes. Therefore, the Legislature determines and
17 declares that the provisions of this act fulfill an important
18 state interest.

19 Section 5. This act shall take effect January 1 of the
20 year following the year in which enacted.

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23 HOUSE SUMMARY

24 Creates the "Keith Ward Act" to include correctional
25 probation officers in the Special Risk Class of the
26 Florida Retirement System provided they meet prescribed
27 criteria and include probation and parole regional
28 administrators in the Special Risk Class. Provides a
29 finding of important state interest.
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