

By Representatives Lawson and Westbrook

1 A bill to be entitled
 2 An act relating to the Florida Retirement
 3 System; amending s. 121.021, F.S.; redefining
 4 the term "special risk"; amending s. 121.0515,
 5 F.S.; describing certain eligible positions in
 6 a state forensic facility to be covered within
 7 the Special Risk Class of the Florida
 8 Retirement System; providing an effective date.

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

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 12 Section 1. Subsection (15) of section 121.021, Florida
 13 Statutes, is amended to read:

14 121.021 Definitions.--The following words and phrases
 15 as used in this chapter have the respective meanings set forth
 16 unless a different meaning is plainly required by the context:

17 (15)(a) Until October 1, 1978, "special risk member"
 18 means any officer or employee whose application is approved by
 19 the administrator and who receives salary payments for work
 20 performed as a peace officer; law enforcement officer; police
 21 officer; highway patrol officer; custodial employee at a
 22 correctional or detention facility; correctional agency
 23 employee whose duties and responsibilities involve direct
 24 contact with inmates, but excluding secretarial and clerical
 25 employees; firefighter; or an employee in any other job in the
 26 field of law enforcement or fire protection if the duties of
 27 such person are certified as hazardous by his or her employer.

28 (b) Effective October 1, 1978, "special risk member"
 29 means a member of the Florida Retirement System who is
 30 designated as a special risk member by the division in
 31 accordance with s. 121.0515. Such member must be employed as

1 a law enforcement officer, a firefighter, ~~or~~ a correctional
2 officer or, effective January 1, 1999, in an approved position
3 in a state forensic facility,and must meet certain other
4 special criteria as set forth in s. 121.0515.

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

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

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

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

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

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

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

25 (d) The member must be employed in a state forensic
26 facility as defined in s. 916.106, established for the
27 treatment of forensic clients, and his or her primary
28 responsibilities must require the custody, control, and
29 physical restraint of patients in a forensic unit of a state
30 hospital, or the member must be the supervisor of a member or
31 members who have such responsibilities. However, professional

1 medical personnel and administrative support personnel,
2 including, but not limited to, dentists, doctors, nurses, and
3 individuals whose primary responsibilities are in accounting,
4 purchasing, legal, clerical support, and personnel, shall not
5 be included.

6 Section 3. This act shall take effect October 1 of the
7 year in which enacted.

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HOUSE SUMMARY

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Adds specified positions in a state forensic facility.
Defines the term "special risk" for the purposes of the
Florida Retirement System. Provides that described
eligible positions in a state forensic facility shall be
covered as special risk positions in the system. See bill
for details.

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