

By Senator Silver

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A bill to be entitled
An act relating to judicial employees; amending
s. 121.055, F.S.; adding assistant state
attorneys, assistant statewide prosecutors, and
assistant public defenders to the Senior
Management Service Class of the Florida
Retirement System; providing an effective date.

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

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

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

(1)

(h)1. Except as provided in subparagraph 3., effective
January 1, 1994, participation in the Senior Management
Service Class shall be compulsory for the State Courts
Administrator and the Deputy State Courts Administrators, the
Clerk of the Supreme Court, the Marshal of the Supreme Court,
the Executive Director of the Justice Administrative
Commission, the Capital Collateral Representative, the clerks
of the district courts of appeals, the marshals of the
district courts of appeals, and the trial court administrator
in each judicial circuit. Effective January 1, 1994,
additional positions in the offices of the state attorney and
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 Department of Management Services; for
13 agencies with 200 or more regularly established positions
14 under the state attorney or public defender, additional
15 nonelective full-time positions may be designated, not to
16 exceed 0.5 percent of the regularly established positions
17 within the agency.

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

22 (I) Heads an organizational unit; or

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

26 2. Participation in this class shall be compulsory,
27 except as provided in subparagraph 3., for any judicial
28 employee who holds a position designated for coverage in the
29 Senior Management Service Class, and such participation shall
30 continue until the employee terminates employment in a covered
31 position. Effective January 1, 2001, participation in this

1 class shall be compulsory for assistant state attorneys,
2 assistant statewide prosecutors, and assistant public
3 defenders.

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

8 Section 2. This act shall take effect October 1, 2000.

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SENATE SUMMARY

Includes assistant state attorneys, assistant statewide
prosecutors, and assistant public defenders in the Senior
Management Service Class of the Florida Retirement
System.