

By Senator Mitchell

4-212A-00

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 employees
5 of the Department of Corrections 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.

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

16
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 (c)1. Effective October 1, 1999, "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, a correctional
30 officer, an emergency medical technician, or a paramedic and
31

1 must meet certain other special criteria as set forth in s.
2 121.0515.

3 2. Effective January 1, 2001, the term "special risk
4 member" also includes any member who is employed as a
5 correctional probation officer and meets the special criteria
6 set forth in s. 121.0515(2)(e); and any member who is employed
7 by the Department of Corrections in one of the following
8 positions and has daily contact with inmates inside a
9 correctional facility:

- 10 a. Vocational instructor II or III.
- 11 b. Education and training specialist.
- 12 c. Teacher aide.
- 13 d. Library technical assistant.
- 14 e. Psychological specialist.
- 15 f. Senior psychologist.
- 16 g. Pharmacist.
- 17 h. Senior pharmacist.
- 18 i. Pharmacy manager.
- 19 j. Dentist.
- 20 k. Senior dentist.
- 21 l. Physician.
- 22 m. Senior physician.
- 23 n. Senior registered nurse.
- 24 o. Registered nurse specialist.
- 25 p. Clinical associate.
- 26 q. Advanced registered nurse practitioner.
- 27 r. Registered nurse supervisor.
- 28 s. Senior registered nurse supervisor.
- 29 t. Pharmacy technician.
- 30 u. Senior licensed practical nurse.
- 31 v. Medical technologist I or II.

- 1 w. Medical laboratory manager.
2 x. Dental assistant.
3 y. Unit treatment and rehabilitation specialist.
4 z. Unit treatment and rehabilitation senior supervisor
5 I.
6 aa. Chaplain.
7 bb. Chaplain supervisor.
8 cc. Senior chaplain.
9 dd. Institutional counselor.
10 ee. Barber/beautician II.
11 ff. Food service director I or II.
12 gg. Utilities supervisor-HAC/UP.
13 hh. Assistant maintenance and construction
14 superintendent-DC.
15 ii. Maintenance and construction superintendent-DC.
16 jj. Maintenance and construction superintendent.
17 kk. Correctional sentence specialist.
18 ll. Placement and transition specialist-EJT.
19 mm. Education supervisor I or II-EJT.
20 nn. Academic teacher-EJT.

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

23 121.0515 Special risk membership; criteria;
24 designation and removal of classification; credits for past
25 service and prior service; retention of special risk normal
26 retirement date.--

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

29 (a) The member must be employed as a law enforcement
30 officer and be certified, or required to be certified, in
31 compliance with s. 943.1395; however, sheriffs and elected

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

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

26 (c) The member must be employed as a correctional
27 officer and be certified, or required to be certified, in
28 compliance with s. 943.1395. In addition, the member's
29 primary duties and responsibilities must be the custody, and
30 physical restraint when necessary, of prisoners or inmates
31 within a prison, jail, or other criminal detention facility,

1 or while on work detail outside the facility, or while being
2 transported; or the member must be the supervisor or command
3 officer of a member or members who have such responsibilities;
4 provided, however, administrative support personnel,
5 including, but not limited to, those whose primary duties and
6 responsibilities are in accounting, purchasing, legal, and
7 personnel, shall not be included; however, superintendents and
8 assistant superintendents shall participate in the Special
9 Risk Class; ~~or~~

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

19 (e) The member must be employed as a correctional
20 probation officer and be certified, or required to be
21 certified, in compliance with s. 943.1395. In addition, the
22 member's primary duties and responsibilities must be the
23 supervised custody, surveillance, control, investigation, and
24 counseling of assigned inmates, probationers, parolees, or
25 community controllees within institutions of the community; or
26 the member must be the supervisor of a member or members who
27 have such responsibilities; provided, however, administrative
28 support personnel, including, but not limited to, those whose
29 primary duties and responsibilities are in accounting,
30 purchasing, legal, and personnel, shall not be included;

31

1 however, probation and parole circuit and deputy circuit
2 administrators shall participate in the Special Risk Class.

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

15 Section 5. This act shall take effect January 1, 2001.

16
17 *****

18 SENATE SUMMARY

19 Creates the "Keith Ward Act" to include correctional
20 probation officers and other employees of the Department
21 of Corrections in the Special Risk Class of the Florida
22 Retirement System provided they meet prescribed criteria
23 and include probation and parole regional administrators
24 in the Special Risk Class. Provides a finding of
25 important state interest.
26
27
28
29
30
31