

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, 2001, 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. 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;

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 by a licensed Advance  
25 Life Support (ALS) or Basic Life Support (BLS) employer as an  
26 emergency medical technician or a paramedic and be certified  
27 in compliance with s. 401.27. In addition, the member's  
28 primary duties and responsibilities must include on-the-scene  
29 emergency medical care. However, administrative support  
30 personnel, including, but not limited to, those whose primary  
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1 responsibilities are in accounting, purchasing, legal, and  
2 personnel, shall not be included; ~~or-~~

3 (e) The member must be employed as a correctional  
4 probation officer and be certified, or required to be  
5 certified, in compliance with s. 943.1395. In addition, the  
6 member's primary duties and responsibilities must be the  
7 supervised custody, surveillance, control, investigation, and  
8 counseling of assigned inmates, probationers, parolees, or  
9 community controllees within institutions of the community; or  
10 the member must be the supervisor of a member or members who  
11 have such responsibilities. However, administrative support  
12 personnel, including, but not limited to, those whose primary  
13 duties and responsibilities are in accounting, purchasing,  
14 legal, and personnel, shall not be included; however,  
15 probation and parole circuit and deputy circuit administrators  
16 shall participate in the Special Risk Class.

17 Section 4. The Legislature finds that a proper and  
18 legitimate state purpose is served when employees and retirees  
19 of the state and of its political subdivisions, and the  
20 dependents, survivors, and beneficiaries of such employees and  
21 retirees, are extended the basic protections afforded by  
22 governmental retirement systems that provide fair and adequate  
23 benefits and that are managed, administered, and funded in an  
24 actuarially sound manner, as required by Section 14 of Article  
25 X of the State Constitution and part VII of chapter 112,  
26 Florida Statutes. Therefore, the Legislature determines and  
27 declares that the provisions of this act fulfill an important  
28 state interest.

29 Section 5. This act shall take effect January 1, 2001  
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HOUSE SUMMARY

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