

1                   A bill to be entitled  
2           An act relating to judicial employees; amending  
3           s. 121.055, F.S.; adding assistant state  
4           attorneys, assistant statewide prosecutors, and  
5           assistant public defenders to the Senior  
6           Management Service Class of the Florida  
7           Retirement System; excluding such persons from  
8           participating in the Senior Management Service  
9           Optional Annuity Program; providing an  
10          effective date.

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

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14           Section 1. Paragraph (h) of subsection (1) of section  
15 121.055, Florida Statutes, is amended to read:

16           121.055 Senior Management Service Class.--There is  
17 hereby established a separate class of membership within the  
18 Florida Retirement System to be known as the "Senior  
19 Management Service Class," which shall become effective  
20 February 1, 1987.

21           (1)

22           (h)1. Except as provided in subparagraph 3., effective  
23 January 1, 1994, participation in the Senior Management  
24 Service Class shall be compulsory for the State Courts  
25 Administrator and the Deputy State Courts Administrators, the  
26 Clerk of the Supreme Court, the Marshal of the Supreme Court,  
27 the Executive Director of the Justice Administrative  
28 Commission, the Capital Collateral Representative, the clerks  
29 of the district courts of appeals, the marshals of the  
30 district courts of appeals, and the trial court administrator  
31 in each judicial circuit. Effective January 1, 1994,

1 additional positions in the offices of the state attorney and  
2 public defender in each judicial circuit may be designated for  
3 inclusion in the Senior Management Service Class of the  
4 Florida Retirement System, provided that:

5       a. Positions to be included in the class shall be  
6 designated by the state attorney or public defender, as  
7 appropriate. Notice of intent to designate positions for  
8 inclusion in the class shall be published once a week for 2  
9 consecutive weeks in a newspaper of general circulation  
10 published in the county or counties affected, as provided in  
11 chapter 50.

12       b. One nonelective full-time position may be  
13 designated for each state attorney and public defender  
14 reporting to the Department of Management Services; for  
15 agencies with 200 or more regularly established positions  
16 under the state attorney or public defender, additional  
17 nonelective full-time positions may be designated, not to  
18 exceed 0.5 percent of the regularly established positions  
19 within the agency.

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

24           (I) Heads an organizational unit; or

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

28       2. Participation in this class shall be compulsory,  
29 except as provided in subparagraph 3., for any judicial  
30 employee who holds a position designated for coverage in the  
31 Senior Management Service Class, and such participation shall

1 continue until the employee terminates employment in a covered  
2 position. Effective January 1, 2001, participation in this  
3 class shall be compulsory for assistant state attorneys,  
4 assistant statewide prosecutors, and assistant public  
5 defenders.

6           3. In lieu of participation in the Senior Management  
7 Service Class, such members, excluding assistant state  
8 attorneys, assistant statewide prosecutors, and assistant  
9 public defenders covered by subparagraph 2., may participate  
10 in the Senior Management Service Optional Annuity Program as  
11 established in subsection (6).

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