

Bill No. SB 2502

Amendment No. ____ Barcode 924524

1 the Executive Director of the Justice Administrative
 2 Commission, the Capital Collateral Regional Counsels, the
 3 clerks of the district courts of appeals, the marshals of the
 4 district courts of appeals, and the trial court administrator
 5 and the Chief Deputy Court Administrator in each judicial
 6 circuit. Effective January 1, 1994, additional positions in
 7 the offices of the state attorney and public defender in each
 8 judicial circuit may be designated for inclusion in the Senior
 9 Management Service Class of the Florida Retirement System,
 10 provided that:

11 a. Positions to be included in the class shall be
 12 designated by the state attorney or public defender, as
 13 appropriate. Notice of intent to designate positions for
 14 inclusion in the class shall be published once a week for 2
 15 consecutive weeks in a newspaper of general circulation
 16 published in the county or counties affected, as provided in
 17 chapter 50.

18 b. One nonelective full-time position may be
 19 designated for each state attorney and public defender
 20 reporting to the Department of Management Services; for
 21 agencies with 200 or more regularly established positions
 22 under the state attorney or public defender, additional
 23 nonelective full-time positions may be designated, not to
 24 exceed 0.5 percent of the regularly established positions
 25 within the agency.

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

- 30 (I) Heads an organizational unit; or
- 31 (II) Has responsibility to effect or recommend

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1 personnel, budget, expenditure, or policy decisions in his or
2 her areas of responsibility.

3 2. Participation in this class shall be compulsory,
4 except as provided in subparagraph 3., for any judicial
5 employee who holds a position designated for coverage in the
6 Senior Management Service Class, and such participation shall
7 continue until the employee terminates employment in a covered
8 position. Effective January 1, 2001, participation in this
9 class is compulsory for assistant state attorneys, assistant
10 statewide prosecutors, assistant public defenders, and
11 assistant capital collateral regional counsels. Effective
12 January 1, 2002, participation in this class is compulsory for
13 assistant attorneys general.

14 3. In lieu of participation in the Senior Management
15 Service Class, such members, excluding assistant state
16 attorneys, assistant public defenders, assistant statewide
17 prosecutors, assistant attorneys general, and assistant
18 capital collateral regional counsels, may participate in the
19 Senior Management Service Optional Annuity Program as
20 established in subsection (6).

21 Section 20. Effective July 1, 2003, paragraph (h) of
22 subsection (1) of section 121.055, Florida Statutes, as
23 amended by this act, is amended to read:

24 121.055 Senior Management Service Class.--There is
25 hereby established a separate class of membership within the
26 Florida Retirement System to be known as the "Senior
27 Management Service Class," which shall become effective
28 February 1, 1987.

29 (1)

30 (h)1. Except as provided in subparagraph 3., effective
31 January 1, 1994, participation in the Senior Management

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1 Service Class shall be compulsory for the State Courts
2 Administrator and the Deputy State Courts Administrators, the
3 Clerk of the Supreme Court, the Marshal of the Supreme Court,
4 the Executive Director of the Justice Administrative
5 Commission, the Capital Collateral Regional Counsels, the
6 clerks of the district courts of appeals, the marshals of the
7 district courts of appeals, and the trial court administrator
8 ~~and the Chief Deputy Court Administrator~~ in each judicial
9 circuit. Effective January 1, 1994, additional positions in
10 the offices of the state attorney and public defender in each
11 judicial circuit may be designated for inclusion in the Senior
12 Management Service Class of the Florida Retirement System,
13 provided that:

14 a. Positions to be included in the class shall be
15 designated by the state attorney or public defender, as
16 appropriate. Notice of intent to designate positions for
17 inclusion in the class shall be published once a week for 2
18 consecutive weeks in a newspaper of general circulation
19 published in the county or counties affected, as provided in
20 chapter 50.

21 b. One nonelective full-time position may be
22 designated for each state attorney and public defender
23 reporting to the Department of Management Services; for
24 agencies with 200 or more regularly established positions
25 under the state attorney or public defender, additional
26 nonelective full-time positions may be designated, not to
27 exceed 0.5 percent of the regularly established positions
28 within the agency.

29 c. Each position added to the class must be a
30 managerial or policymaking position filled by an employee who
31 serves at the pleasure of the state attorney or public

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1 defender without civil service protection, and who:

2 (I) Heads an organizational unit; or

3 (II) Has responsibility to effect or recommend
4 personnel, budget, expenditure, or policy decisions in his or
5 her areas of responsibility.

6 2. Participation in this class shall be compulsory,
7 except as provided in subparagraph 3., for any judicial
8 employee who holds a position designated for coverage in the
9 Senior Management Service Class, and such participation shall
10 continue until the employee terminates employment in a covered
11 position. Effective January 1, 2001, participation in this
12 class is compulsory for assistant state attorneys, assistant
13 statewide prosecutors, assistant public defenders, and
14 assistant capital collateral regional counsels. Effective
15 January 1, 2002, participation in this class is compulsory for
16 assistant attorneys general.

17 3. In lieu of participation in the Senior Management
18 Service Class, such members, excluding assistant state
19 attorneys, assistant public defenders, assistant statewide
20 prosecutors, assistant attorneys general, and assistant
21 capital collateral regional counsels, may participate in the
22 Senior Management Service Optional Annuity Program as
23 established in subsection (6).

24
25 (Redesignate subsequent sections.)

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27
28 ===== T I T L E A M E N D M E N T =====

29 And the title is amended as follows:

30 On page 2, line 18, following the semicolon

31

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1 insert:

2 amending s. 121.055, F.S.; providing
3 eligibility of certain officials for membership
4 in the Senior Management Service Class of the
5 Florida Retirement System;

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