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A bill to be entitled
 An act relating to the Florida Retirement System; amending
 ss. 121.021 and 121.0515, F.S.; including certain members
 employed as Federal Aviation Administration-licensed
 pilots authorized to provide mosquito control services in
 the special risk class; including licensed practical
 nurses in the special risk class under certain
 circumstances; providing exceptions; restoring special
 risk credit for certain members; providing legislative
 intent with respect to funding; providing an effective
 date.

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

Section 1. Paragraph (f) is added to subsection (15) of
 section 121.021, Florida Statutes, to read:

121.021 Definitions.--The following words and phrases as
 used in this chapter have the respective meanings set forth
 unless a different meaning is plainly required by the context:

(15)

(f) Effective October 1, 2003, the term "special risk
 member" includes any member employed as a Federal Aviation
 Administration-licensed pilot by a municipality, county, special
 district, or state agency authorized to provide mosquito control
 services whose duties include piloting for the purposes of
 mosquito control as set forth in s. 121.0515(2)(h).

Section 2. Subsections (2) and (8) of section 121.0515,
 Florida Statutes, are amended to read:

121.0515 Special risk membership.--



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

32 (a) The member must be employed as a law enforcement
33 officer and be certified, or required to be certified, in
34 compliance with s. 943.1395; however, sheriffs and elected
35 police chiefs shall be excluded from meeting the certification
36 requirements of this paragraph. In addition, the member's duties
37 and responsibilities must include the pursuit, apprehension, and
38 arrest of law violators or suspected law violators; or the
39 member must be an active member of a bomb disposal unit whose
40 primary responsibility is the location, handling, and disposal
41 of explosive devices; or the member must be the supervisor or
42 command officer of a member or members who have such
43 responsibilities; provided, however, administrative support
44 personnel, including, but not limited to, those whose primary
45 duties and responsibilities are in accounting, purchasing,
46 legal, and personnel, shall not be included;

47 (b) The member must be employed as a firefighter and be
48 certified, or required to be certified, in compliance with s.
49 633.35 and be employed solely within the fire department of a
50 local government employer or an agency of state government with
51 firefighting responsibilities. In addition, the member's duties
52 and responsibilities must include on-the-scene fighting of
53 fires, fire prevention, or firefighter training; direct
54 supervision of firefighting units, fire prevention, or
55 firefighter training; or aerial firefighting surveillance
56 performed by fixed-wing aircraft pilots employed by the Division
57 of Forestry of the Department of Agriculture and Consumer
58 Services; or the member must be the supervisor or command
59 officer of a member or members who have such responsibilities;



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60 provided, however, administrative support personnel, including,
61 but not limited to, those whose primary duties and
62 responsibilities are in accounting, purchasing, legal, and
63 personnel, shall not be included and further provided that all
64 periods of creditable service in fire prevention or firefighter
65 training, or as the supervisor or command officer of a member or
66 members who have such responsibilities, and for which the
67 employer paid the special risk contribution rate, shall be
68 included;

69 (c) The member must be employed as a correctional officer
70 and be certified, or required to be certified, in compliance
71 with s. 943.1395. In addition, the member's primary duties and
72 responsibilities must be the custody, and physical restraint
73 when necessary, of prisoners or inmates within a prison, jail,
74 or other criminal detention facility, or while on work detail
75 outside the facility, or while being transported; or the member
76 must be the supervisor or command officer of a member or members
77 who have such responsibilities; provided, however,
78 administrative support personnel, including, but not limited to,
79 those whose primary duties and responsibilities are in
80 accounting, purchasing, legal, and personnel, shall not be
81 included; however, wardens and assistant wardens, as defined by
82 rule, shall participate in the Special Risk Class;

83 (d) The member must be employed by a licensed Advance Life
84 Support (ALS) or Basic Life Support (BLS) employer as an
85 emergency medical technician or a paramedic and be certified in
86 compliance with s. 401.27. In addition, the member's primary
87 duties and responsibilities must include on-the-scene emergency
88 medical care or direct supervision of emergency medical
89 technicians or paramedics, or the member must be the supervisor



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90 or command officer of one or more members who have such
91 responsibility. However, administrative support personnel,
92 including, but not limited to, those whose primary
93 responsibilities are in accounting, purchasing, legal, and
94 personnel, shall not be included;

95 (e) The member must be employed as a community-based
96 correctional probation officer and be certified, or required to
97 be certified, in compliance with s. 943.1395. In addition, the
98 member's primary duties and responsibilities must be the
99 supervised custody, surveillance, control, investigation, and
100 counseling of assigned inmates, probationers, parolees, or
101 community controllees within the community; or the member must
102 be the supervisor of a member or members who have such
103 responsibilities. Administrative support personnel, including,
104 but not limited to, those whose primary duties and
105 responsibilities are in accounting, purchasing, legal services,
106 and personnel management, shall not be included; however,
107 probation and parole circuit and deputy circuit administrators
108 shall participate in the Special Risk Class; or

109 (f) The member must be employed in one of the following
110 classes and must spend at least 75 percent of his or her time
111 performing duties which involve contact with patients or inmates
112 in a correctional or forensic facility or institution:

- 113 1. Dietitian (class codes 5203 and 5204).
- 114 2. Public health nutrition consultant (class code 5224).
- 115 3. Psychological specialist (class codes 5230 and 5231).
- 116 4. Psychologist (class code 5234).
- 117 5. Senior psychologist (class codes 5237 and 5238).
- 118 6. Regional mental health consultant (class code 5240).
- 119 7. Psychological Services Director--DCF (class code 5242).



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- 120 8. Pharmacist (class codes 5245 and 5246).
- 121 9. Senior pharmacist (class codes 5248 and 5249).
- 122 10. Dentist (class code 5266).
- 123 11. Senior dentist (class code 5269).
- 124 12. Registered nurse (class codes 5290 and 5291).
- 125 13. Senior registered nurse (class codes 5292 and 5293).
- 126 14. Registered nurse specialist (class codes 5294 and
- 127 5295).
- 128 15. Clinical associate (class codes 5298 and 5299).
- 129 16. Advanced registered nurse practitioner (class codes
- 130 5297 and 5300).
- 131 17. Advanced registered nurse practitioner specialist
- 132 (class codes 5304 and 5305).
- 133 18. Registered nurse supervisor (class codes 5306 and
- 134 5307).
- 135 19. Senior registered nurse supervisor (class codes 5308
- 136 and 5309).
- 137 20. Registered nursing consultant (class codes 5312 and
- 138 5313).
- 139 21. Quality management program supervisor (class code
- 140 5314).
- 141 22. Executive nursing director (class codes 5320 and
- 142 5321).
- 143 23. Speech and hearing therapist (class code 5406); ~~or~~
- 144 24. Pharmacy manager (class code 5251); or
- 145 25. Licensed practical nurse (class code _____).
- 146 (g) The member must be employed as a youth custody officer
- 147 and be certified, or required to be certified, in compliance
- 148 with s. 943.1395. In addition, the member's primary duties and
- 149 responsibilities must be the supervised custody, surveillance,



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150 control, investigation, apprehension, arrest, and counseling of
 151 assigned juveniles within the community.

152 (h) The member must be employed as a Federal Aviation
 153 Administration-licensed pilot by a municipality, county, special
 154 district, or state agency authorized to provide mosquito control
 155 services. The member's duties must include piloting aircraft for
 156 the purpose of mosquito control treatment. However,
 157 administrative support personnel, including, but not limited to,
 158 those whose primary responsibilities are in accounting, legal,
 159 and personnel, shall not be included.

160 (8) RESTORATION OF SPECIAL RISK CREDIT FOR SPECIFIED
 161 PERIOD OF EMPLOYMENT.--

162 (a) A special risk member who was removed from the Special
 163 Risk Class effective October 1978, for the sole reason that he
 164 or she did not possess the required certificate or temporary
 165 waiver of certificate, and who obtained certification and was
 166 approved for special risk membership on or before June 30, 1982,
 167 shall be permitted to have special risk credit restored for that
 168 period upon:

169 1.(a) Certification by his or her employer that all
 170 requirements for special risk membership except the requirement
 171 for certification or temporary waiver of certification were met;
 172 and

173 2.(b) Payment of contributions equal to the difference in
 174 the contributions that were paid during the period and the
 175 contributions required for special risk members during that
 176 period, plus 6.5 percent interest thereon, compounded each June
 177 30 from date of service until date of payment.

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179 This credit may be purchased by the member or by the employer on
180 behalf of the member.

181 (b) A special risk member who is or was a law enforcement
182 officer of the Department of Environmental Protection's Division
183 of Recreation and Parks or of the Department of Insurance's
184 Division of Insurance Fraud or who served in such capacity in a
185 predecessor agency shall have special risk credit restored for
186 an heretofore unrecognized time provided that during that time
187 the member participated in the Florida Retirement System and
188 served as a law enforcement officer with arrest powers. In the
189 event the special risk member has retired or entered the
190 Deferred Retirement Option Program of the Florida Retirement
191 System prior to the effective date of this act, the restored
192 special risk credit shall be applicable to future benefits. In
193 the event such special risk member is deceased, the restored
194 special risk credit shall be applicable to all future benefits
195 received by the member's beneficiaries.

196 Section 3. It is the intent of the Legislature that any
197 additional costs attributable to the upgrade in retirement
198 benefits paid in accordance with the provisions of s. 121.0515,
199 Florida Statutes, as amended by this act shall be funded by the
200 necessary amount from the excess actuarial assets of the Florida
201 Retirement Trust Fund.

202 Section 4. This act shall take effect upon becoming a law.