

By Senators Bennett and Argenziano

21-1562-03

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

A bill to be entitled  
An act relating to the Florida Retirement System; amending ss. 121.021, 121.0515, F.S.; including state and local government pilots who provide mosquito control services in the special risk class; providing exceptions; 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 July 1, 2003, the term "special risk member" includes any member employed as a Federal Aviation Administration-licensed pilot by a municipal, county, special-district, or state agency authorized to provide mosquito control services whose duties include piloting for the purpose of mosquito control treatment as set forth in s. 121.0515(2)(h).

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

121.0515 Special risk membership.--

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

(a) The member must be employed as a law enforcement officer and be certified, or required to be certified, in 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 | a local government employer or an agency of state government  
18 | with firefighting responsibilities. In addition, the member's  
19 | duties and responsibilities must include on-the-scene fighting  
20 | of fires, fire prevention, or firefighter training; direct  
21 | supervision of firefighting units, fire prevention, or  
22 | firefighter training; or aerial firefighting surveillance  
23 | performed by fixed-wing aircraft pilots employed by the  
24 | Division of Forestry of the Department of Agriculture and  
25 | Consumer Services; or the member must be the supervisor or  
26 | command officer of a member or members who have such  
27 | responsibilities; provided, however, administrative support  
28 | personnel, including, but not limited to, those whose primary  
29 | duties and responsibilities are in accounting, purchasing,  
30 | legal, and personnel, shall not be included and further  
31 | provided that all periods of creditable service in fire

1 prevention or firefighter training, or as the supervisor or  
2 command officer of a member or members who have such  
3 responsibilities, and for which the employer paid the special  
4 risk contribution rate, shall be included;

5 (c) The member must be employed as a correctional  
6 officer and be certified, or required to be certified, in  
7 compliance with s. 943.1395. In addition, the member's  
8 primary duties and responsibilities must be the custody, and  
9 physical restraint when necessary, of prisoners or inmates  
10 within a prison, jail, or other criminal detention facility,  
11 or while on work detail outside the facility, or while being  
12 transported; or the member must be the supervisor or command  
13 officer of a member or members who have such responsibilities;  
14 provided, however, administrative support personnel,  
15 including, but not limited to, those whose primary duties and  
16 responsibilities are in accounting, purchasing, legal, and  
17 personnel, shall not be included; however, wardens and  
18 assistant wardens, as defined by rule, shall participate in  
19 the Special Risk Class;

20 (d) The member must be employed by a licensed Advance  
21 Life Support (ALS) or Basic Life Support (BLS) employer as an  
22 emergency medical technician or a paramedic and be certified  
23 in compliance with s. 401.27. In addition, the member's  
24 primary duties and responsibilities must include on-the-scene  
25 emergency medical care or direct supervision of emergency  
26 medical technicians or paramedics, or the member must be the  
27 supervisor or command officer of one or more members who have  
28 such responsibility. However, administrative support  
29 personnel, including, but not limited to, those whose primary  
30 responsibilities are in accounting, purchasing, legal, and  
31 personnel, shall not be included;

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

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

- 20           1. Dietitian (class codes 5203 and 5204).
- 21           2. Public health nutrition consultant (class code  
22 5224).
- 23           3. Psychological specialist (class codes 5230 and  
24 5231).
- 25           4. Psychologist (class code 5234).
- 26           5. Senior psychologist (class codes 5237 and 5238).
- 27           6. Regional mental health consultant (class code  
28 5240).
- 29           7. Psychological Services Director--DCF (class code  
30 5242).
- 31           8. Pharmacist (class codes 5245 and 5246).

- 1           9. Senior pharmacist (class codes 5248 and 5249).
- 2           10. Dentist (class code 5266).
- 3           11. Senior dentist (class code 5269).
- 4           12. Registered nurse (class codes 5290 and 5291).
- 5           13. Senior registered nurse (class codes 5292 and
- 6 5293).
- 7           14. Registered nurse specialist (class codes 5294 and
- 8 5295).
- 9           15. Clinical associate (class codes 5298 and 5299).
- 10          16. Advanced registered nurse practitioner (class
- 11 codes 5297 and 5300).
- 12          17. Advanced registered nurse practitioner specialist
- 13 (class codes 5304 and 5305).
- 14          18. Registered nurse supervisor (class codes 5306 and
- 15 5307).
- 16          19. Senior registered nurse supervisor (class codes
- 17 5308 and 5309).
- 18          20. Registered nursing consultant (class codes 5312
- 19 and 5313).
- 20          21. Quality management program supervisor (class code
- 21 5314).
- 22          22. Executive nursing director (class codes 5320 and
- 23 5321).
- 24          23. Speech and hearing therapist (class code 5406); or
- 25          24. Pharmacy manager (class code 5251);or
- 26          (g) The member must be employed as a youth custody
- 27 officer and be certified, or required to be certified, in
- 28 compliance with s. 943.1395. In addition, the member's primary
- 29 duties and responsibilities must be the supervised custody,
- 30 surveillance, control, investigation, apprehension, arrest,
- 31 and counseling of assigned juveniles within the community; or.

