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A bill to be entitled

An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; providing membership in the Special Risk Class for certain employees of a law enforcement agency or medical examiner's office whose duties include collecting, examining, preserving, documenting, preparing, or analyzing physical evidence or testimony, or both; providing membership in the Special Risk Class for certain supervisors and command officers of such employees; providing an exception for certain administrative support personnel; providing a declaration of important state interest; providing an effective date.

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

Section 1. 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 police chiefs shall be excluded from meeting the certification requirements of this paragraph. In addition, the member's duties and responsibilities must include the pursuit, apprehension, and arrest of law violators or suspected law violators; or the member must be an active member of a bomb disposal unit whose primary responsibility is the location, handling, and disposal

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30 of explosive devices; or the member must be the supervisor or
31 command officer of a member or members who have such
32 responsibilities; provided, however, administrative support
33 personnel, including, but not limited to, those whose primary
34 duties and responsibilities are in accounting, purchasing,
35 legal, and personnel, shall not be included;

36 (b) The member must be employed as a firefighter and be
37 certified, or required to be certified, in compliance with s.
38 633.35 and be employed solely within the fire department of a
39 local government employer or an agency of state government with
40 firefighting responsibilities. In addition, the member's duties
41 and responsibilities must include on-the-scene fighting of
42 fires, fire prevention, or firefighter training; direct
43 supervision of firefighting units, fire prevention, or
44 firefighter training; or aerial firefighting surveillance
45 performed by fixed-wing aircraft pilots employed by the Division
46 of Forestry of the Department of Agriculture and Consumer
47 Services; or the member must be the supervisor or command
48 officer of a member or members who have such responsibilities;
49 provided, however, administrative support personnel, including,
50 but not limited to, those whose primary duties and
51 responsibilities are in accounting, purchasing, legal, and
52 personnel, shall not be included and further provided that all
53 periods of creditable service in fire prevention or firefighter
54 training, or as the supervisor or command officer of a member or
55 members who have such responsibilities, and for which the
56 employer paid the special risk contribution rate, shall be
57 included;

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

72 (d) The member must be employed by a licensed Advance Life
73 Support (ALS) or Basic Life Support (BLS) employer as an
74 emergency medical technician or a paramedic and be certified in
75 compliance with s. 401.27. In addition, the member's primary
76 duties and responsibilities must include on-the-scene emergency
77 medical care or direct supervision of emergency medical
78 technicians or paramedics, or the member must be the supervisor
79 or command officer of one or more members who have such
80 responsibility. However, administrative support personnel,
81 including, but not limited to, those whose primary
82 responsibilities are in accounting, purchasing, legal, and
83 personnel, shall not be included;

84 (e) The member must be employed as a community-based
85 correctional probation officer and be certified, or required to
86 be certified, in compliance with s. 943.1395. In addition, the

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87 member's primary duties and responsibilities must be the
 88 supervised custody, surveillance, control, investigation, and
 89 counseling of assigned inmates, probationers, parolees, or
 90 community controllees within the community; or the member must
 91 be the supervisor of a member or members who have such
 92 responsibilities. Administrative support personnel, including,
 93 but not limited to, those whose primary duties and
 94 responsibilities are in accounting, purchasing, legal services,
 95 and personnel management, shall not be included; however,
 96 probation and parole circuit and deputy circuit administrators
 97 shall participate in the Special Risk Class; ~~or~~

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

- 102 1. Dietitian (class codes 5203 and 5204)i-
- 103 2. Public health nutrition consultant (class code 5224)i-
- 104 3. Psychological specialist (class codes 5230 and 5231)i-
- 105 4. Psychologist (class code 5234)i-
- 106 5. Senior psychologist (class codes 5237 and 5238)i-
- 107 6. Regional mental health consultant (class code 5240)i-
- 108 7. Psychological Services Director--DCF (class code
 109 5242)i-
- 110 8. Pharmacist (class codes 5245 and 5246)i-
- 111 9. Senior pharmacist (class codes 5248 and 5249)i-
- 112 10. Dentist (class code 5266)i-
- 113 11. Senior dentist (class code 5269)i-
- 114 12. Registered nurse (class codes 5290 and 5291)i-
- 115 13. Senior registered nurse (class codes 5292 and 5293)i-

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- 116 14. Registered nurse specialist (class codes 5294 and
 117 5295) ~~i-~~
- 118 15. Clinical associate (class codes 5298 and 5299) ~~i-~~
- 119 16. Advanced registered nurse practitioner (class codes
 120 5297 and 5300) ~~i-~~
- 121 17. Advanced registered nurse practitioner specialist
 122 (class codes 5304 and 5305) ~~i-~~
- 123 18. Registered nurse supervisor (class codes 5306 and
 124 5307) ~~i-~~
- 125 19. Senior registered nurse supervisor (class codes 5308
 126 and 5309) ~~i-~~
- 127 20. Registered nursing consultant (class codes 5312 and
 128 5313) ~~i-~~
- 129 21. Quality management program supervisor (class code
 130 5314) ~~i-~~
- 131 22. Executive nursing director (class codes 5320 and
 132 5321) ~~i-~~
- 133 23. Speech and hearing therapist (class code 5406); or
- 134 24. Pharmacy manager (class code 5251) ~~i-~~
- 135 (g) The member must be employed as a youth custody officer
 136 and be certified, or required to be certified, in compliance
 137 with s. 943.1395. In addition, the member's primary duties and
 138 responsibilities must be the supervised custody, surveillance,
 139 control, investigation, apprehension, arrest, and counseling of
 140 assigned juveniles within the community; ~~or-~~
- 141 (h) The member must be employed by a law enforcement
 142 agency or a medical examiner's office in a forensic discipline
 143 recognized by the International Association for Identification
 144 and must qualify for active membership in the International

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145 Association for Identification. The member's primary duties and
146 responsibilities must include the collection, examination,
147 preservation, documentation, preparation, or analysis of
148 physical evidence or testimony, or both, or the member must be
149 the direct supervisor, quality management supervisor, or command
150 officer of one or more individuals with such responsibilities.
151 Administrative support personnel, including, but not limited to,
152 those whose primary responsibilities are clerical or in
153 accounting, purchasing, legal, and personnel, shall not be
154 included.

155 Section 2. The Legislature finds that a proper and
156 legitimate state purpose is served when employees and retirees
157 of the state and its political subdivisions, and the dependents,
158 survivors, and beneficiaries of such employees and retirees, are
159 extended the basic protections afforded by governmental
160 retirement systems. These persons must be provided benefits that
161 are fair and adequate and that are managed, administered, and
162 funded in a sound actuarial manner, as required by s. 14, Art. X
163 of the State Constitution and part VII of chapter 112, Florida
164 Statutes. Therefore, the Legislature hereby determines and
165 declares that this act fulfills an important state interest.

166 Section 3. This act shall take effect October 1, 2004.