

1 A bill to be entitled

2 An act relating to the City of Jacksonville, Duval County;  
3 amending chapter 92-341, Laws of Florida, as amended;  
4 amending the Charter of the City of Jacksonville;  
5 establishing a Correctional Officers Pension Fund within  
6 the City of Jacksonville's 1937 General Employee's Pension  
7 Fund and an additional funding source for pension benefits  
8 for correctional officers of the Office of the Sheriff;  
9 providing an effective date.

10  
11 WHEREAS, the City of Jacksonville, Office of the Sheriff,  
12 employs approximately 670 correctional officers whose primary  
13 responsibility is the lawful detainment, supervision,  
14 protection, custody and control, and investigation of all  
15 inmates within the precincts of the Duval County jails and  
16 prisons, and

17 WHEREAS, the correctional officers of the City of  
18 Jacksonville, Office of the Sheriff, provide valuable services  
19 to the city by administering drug treatment, work release, and  
20 other programs for persons sentenced through the criminal  
21 justice system, and

22 WHEREAS, the correctional officers of the City of  
23 Jacksonville, Office of the Sheriff, perform duties which  
24 present higher risk of injury and exposure to communicable  
25 diseases such as AIDS, tuberculosis, and hepatitis than do other  
26 employees covered under the 1937 Pension Fund for the Employees  
27 of the City of Jacksonville, and

28           WHEREAS, the correctional officers of the City of  
 29 Jacksonville, Office of the Sheriff, are the only correctional  
 30 officers in the counties or the State of Florida not allowed the  
 31 benefits extended through a special risk pension trust, and

32           WHEREAS, current pension benefits are inadequate to provide  
 33 pension benefits and protection for the correctional officers of  
 34 the City of Jacksonville, Office of the Sheriff, commensurate  
 35 with the pension benefits provided to other local law  
 36 enforcement or firesafety employees, as well as employees of  
 37 other like agencies throughout the state, and

38           WHEREAS, the proceeds of the additional funding from the  
 39 administrative surcharge provided for in this act shall be  
 40 applied to the costs of maintaining the pretrial and posttrial  
 41 detention facilities of the City of Jacksonville, which costs  
 42 include the expense of maintaining a pension for corrections  
 43 officers necessary to recruit and maintain an adequate  
 44 workforce, and

45           WHEREAS, the administrative surcharge provided for in this  
 46 act bears a direct and reasonable relationship to the cost of  
 47 the administration of the Duval County corrections system, which  
 48 includes the salaries and benefits of correctional officers who  
 49 are involved directly in the booking, supervision, protection,  
 50 custody and control, and investigation of detainees, NOW,  
 51 THEREFORE,

52  
 53 Be It Enacted by the Legislature of the State of Florida:  
 54

55 Section 1. Section 16.06 of chapter 92-341, Laws of  
56 Florida, as amended, is created to read:

57 ARTICLE 16. RETIREMENT AND PENSION BENEFITS

58 Section 16.06. Funding and enhanced pension benefits for  
59 correctional officers.--

60 (1) There is hereby created within the 1937 General  
61 Employees Pension Fund of the City of Jacksonville a separate  
62 Correctional Officers Pension Fund for all correctional officers  
63 employed by the City of Jacksonville on the effective date of  
64 this act and for those to be hired in the future. All assets and  
65 accrued benefits, employee contributions, and employer  
66 contributions, including interest, for all affected correctional  
67 officers in the 1937 Pension Fund for the Employees of the City  
68 of Jacksonville shall be transferred to the Correctional  
69 Officers Pension Fund, which shall be administered separately by  
70 the Board of Pension Trustees administering the 1937 General  
71 Employees Pension Fund, except that a separate three-member  
72 Correctional Officers Advisory Committee shall be established to  
73 perform the same functions for this fund as are performed by the  
74 General Employees Pension Advisory Committee. The chair of the  
75 Correctional Officers Advisory Committee shall serve on the  
76 Board of Pension Trustees for all matters directly related to  
77 the Correctional Officers Pension Fund in lieu of the chair of  
78 the General Employees Advisory Committee. The City Council of  
79 the City of Jacksonville shall be responsible for implementing  
80 this act and for establishing benefits for participants in the  
81 Correctional Officers Pension Fund. The benefits for current  
82 participants and future retirees of the Correctional Officers

83 Pension Fund shall be identical to those presently provided to  
 84 participants and retirees in the 1937 General Employees Pension  
 85 Fund, subject to those improvements deemed necessary by the city  
 86 council to address inadequacies in current benefits and funding.

87 (2) In support of remediating the cost of housing,  
 88 boarding, and caring for detainees held in the City of  
 89 Jacksonville's pretrial and posttrial detention facilities by  
 90 providing separate and additional funds for the enhancement of  
 91 pension benefits of the correctional officers of the City of  
 92 Jacksonville, Office of the Sheriff, each person who is arrested  
 93 and booked into a consolidated City of Jacksonville corrections  
 94 facility shall pay an administrative surcharge of \$20, which sum  
 95 shall be deposited into the City of Jacksonville's Correctional  
 96 Officers Pension Fund. Such surcharge funds shall be accounted  
 97 for separately and used only to supplement the pension benefits  
 98 for those members who are classified as correctional officers of  
 99 the City of Jacksonville, Office of the Sheriff, and are members  
 100 of said fund. The city shall provide procedures for refunds or  
 101 waivers of the administrative surcharge for those detainees:

- 102 (a) Against whom charges are dropped or not pursued;
- 103 (b) Who are acquitted of the charges;
- 104 (c) Who are unable to pay due to indigency; or
- 105 (d) Who demonstrate a legal basis for relief from such  
 106 payment.

107  
 108 No detainee shall be subject to continued detention, be denied  
 109 access to judicial process or legal counsel, or be subject to

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110 | penalty solely because of nonpayment of the administrative  
111 | surcharge.

112 |       Section 2.   This act shall take effect upon becoming a law.