

By Senator Crist

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A bill to be entitled

An act relating to the Florida Retirement System; amending s. 121.055, F.S.; authorizing designation of positions within the offices of the capital collateral regional counsels as Senior Management Service Class; providing an effective date.

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

Section 1. Paragraph (h) of subsection (1) of section 121.055, Florida Statutes, is amended to read:

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

(1)

(h)1. Except as provided in subparagraph 3., effective January 1, 1994, participation in the Senior Management Service Class shall be compulsory for the State Courts Administrator and the Deputy State Courts Administrators, the Clerk of the Supreme Court, the Marshal of the Supreme Court, the Executive Director of the Justice Administrative Commission, the Capital Collateral Regional Counsels, the clerks of the district courts of appeals, the marshals of the district courts of appeals, and the trial court administrator and the Chief Deputy Court Administrator in each judicial circuit. Effective January 1, 1994, additional positions in the offices of the state attorney and public defender in each judicial circuit and in the offices of the capital collateral

1 regional counsel in each region may be designated for
2 inclusion in the Senior Management Service Class of the
3 Florida Retirement System, provided that:

4 a. Positions to be included in the class shall be
5 designated by the state attorney, ~~or~~ public defender, or
6 capital collateral regional counsel, as appropriate. Notice
7 of intent to designate positions for inclusion in the class
8 shall be published once a week for 2 consecutive weeks in a
9 newspaper of general circulation published in the county or
10 counties affected, as provided in chapter 50.

11 b. One nonelective full-time position may be
12 designated for each state attorney, ~~and~~ public defender, and
13 capital collateral regional counsel reporting to the
14 Department of Management Services; for agencies with 200 or
15 more regularly established positions under the state attorney, ~~or~~
16 public defender, or capital collateral regional counsel,
17 additional nonelective full-time positions may be designated,
18 not to exceed 0.5 percent of the regularly established
19 positions within the agency.

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

24 (I) Heads an organizational unit; or

25 (II) Has responsibility to effect or recommend
26 personnel, budget, expenditure, or policy decisions in his or
27 her areas of responsibility.

28 2. Participation in this class shall be compulsory,
29 except as provided in subparagraph 3., for any judicial
30 employee who holds a position designated for coverage in the
31 Senior Management Service Class, and such participation shall

1 continue until the employee terminates employment in a covered
2 position. Effective January 1, 2001, participation in this
3 class is compulsory for assistant state attorneys, assistant
4 statewide prosecutors, assistant public defenders, and
5 assistant capital collateral regional counsels. Effective
6 January 1, 2002, participation in this class is compulsory for
7 assistant attorneys general.

8 3. In lieu of participation in the Senior Management
9 Service Class, such members, excluding assistant state
10 attorneys, assistant public defenders, assistant statewide
11 prosecutors, assistant attorneys general, and assistant
12 capital collateral regional counsels, may participate in the
13 Senior Management Service Optional Annuity Program as
14 established in subsection (6).

15 Section 2. This act shall take effect July 1, 2005.

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18 SENATE SUMMARY

19 Authorizes the capital collateral regional counsels to
20 designate positions within their respective offices for
21 inclusion in the Senior Management Service Class of the
22 Florida Retirement System.
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