

1 A bill to be entitled
 2 An act relating to the Florida Retirement System; amending
 3 s. 121.0515, F.S.; providing membership in the Special
 4 Risk Class for certain employees of a law enforcement
 5 agency or medical examiner's office whose duties include
 6 collecting, examining, preserving, documenting, preparing,
 7 or analyzing physical evidence; providing a declaration of
 8 important state interest; providing an effective date.

9

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

11

12 Section 1. Subsection (2) of section 121.0515, Florida
 13 Statutes, is amended to read:

14 121.0515 Special risk membership.--

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

17 (a) The member must be employed as a law enforcement
 18 officer and be certified, or required to be certified, in
 19 compliance with s. 943.1395; however, sheriffs and elected
 20 police chiefs shall be excluded from meeting the certification
 21 requirements of this paragraph. In addition, the member's
 22 duties and responsibilities must include the pursuit,
 23 apprehension, and arrest of law violators or suspected law
 24 violators; or the member must be an active member of a bomb
 25 disposal unit whose primary responsibility is the location,
 26 handling, and disposal of explosive devices; or the member must
 27 be the supervisor or command officer of a member or members who
 28 have such responsibilities; provided, however, administrative

29 support personnel, including, but not limited to, those whose
30 primary duties and responsibilities are in accounting,
31 purchasing, legal, and personnel, shall not be included;

32 (b) The member must be employed as a firefighter and be
33 certified, or required to be certified, in compliance with s.
34 633.35 and be employed solely within the fire department of a
35 local government employer or an agency of state government with
36 firefighting responsibilities. In addition, the member's duties
37 and responsibilities must include on-the-scene fighting of
38 fires, fire prevention, or firefighter training; direct
39 supervision of firefighting units, fire prevention, or
40 firefighter training; or aerial firefighting surveillance
41 performed by fixed-wing aircraft pilots employed by the Division
42 of Forestry of the Department of Agriculture and Consumer
43 Services; or the member must be the supervisor or command
44 officer of a member or members who have such responsibilities;
45 provided, however, administrative support personnel, including,
46 but not limited to, those whose primary duties and
47 responsibilities are in accounting, purchasing, legal, and
48 personnel, shall not be included and further provided that all
49 periods of creditable service in fire prevention or firefighter
50 training, or as the supervisor or command officer of a member or
51 members who have such responsibilities, and for which the
52 employer paid the special risk contribution rate, shall be
53 included;

54 (c) The member must be employed as a correctional officer
55 and be certified, or required to be certified, in compliance
56 with s. 943.1395. In addition, the member's primary duties and

57 | responsibilities must be the custody, and physical restraint
58 | when necessary, of prisoners or inmates within a prison, jail,
59 | or other criminal detention facility, or while on work detail
60 | outside the facility, or while being transported; or the member
61 | must be the supervisor or command officer of a member or members
62 | who have such responsibilities; provided, however,
63 | administrative support personnel, including, but not limited to,
64 | those whose primary duties and responsibilities are in
65 | accounting, purchasing, legal, and personnel, shall not be
66 | included; however, wardens and assistant wardens, as defined by
67 | rule, shall participate in the Special Risk Class;

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

80 | (e) The member must be employed as a community-based
81 | correctional probation officer and be certified, or required to
82 | be certified, in compliance with s. 943.1395. In addition, the
83 | member's primary duties and responsibilities must be the
84 | supervised custody, surveillance, control, investigation, and

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

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

- 98 1. Dietitian (class codes 5203 and 5204)~~;~~;
- 99 2. Public health nutrition consultant (class code 5224)~~;~~;
- 100 3. Psychological specialist (class codes 5230 and 5231)~~;~~;
- 101 4. Psychologist (class code 5234)~~;~~;
- 102 5. Senior psychologist (class codes 5237 and 5238)~~;~~;
- 103 6. Regional mental health consultant (class code 5240)~~;~~;
- 104 7. Psychological Services Director--DCF (class code
- 105 5242)~~;~~;
- 106 8. Pharmacist (class codes 5245 and 5246)~~;~~;
- 107 9. Senior pharmacist (class codes 5248 and 5249)~~;~~;
- 108 10. Dentist (class code 5266)~~;~~;
- 109 11. Senior dentist (class code 5269)~~;~~;
- 110 12. Registered nurse (class codes 5290 and 5291)~~;~~;
- 111 13. Senior registered nurse (class codes 5292 and 5293)~~;~~;
- 112 14. Registered nurse specialist (class codes 5294 and

113 5295)~~;~~
 114 15. Clinical associate (class codes 5298 and 5299)~~;~~
 115 16. Advanced registered nurse practitioner (class codes
 116 5297 and 5300)~~;~~
 117 17. Advanced registered nurse practitioner specialist
 118 (class codes 5304 and 5305)~~;~~
 119 18. Registered nurse supervisor (class codes 5306 and
 120 5307)~~;~~
 121 19. Senior registered nurse supervisor (class codes 5308
 122 and 5309)~~;~~
 123 20. Registered nursing consultant (class codes 5312 and
 124 5313)~~;~~
 125 21. Quality management program supervisor (class code
 126 5314)~~;~~
 127 22. Executive nursing director (class codes 5320 and
 128 5321)~~;~~
 129 23. Speech and hearing therapist (class code 5406); or
 130 24. Pharmacy manager (class code 5251)~~;~~
 131 (g) The member must be employed as a youth custody officer
 132 and be certified, or required to be certified, in compliance
 133 with s. 943.1395. In addition, the member's primary duties and
 134 responsibilities must be the supervised custody, surveillance,
 135 control, investigation, apprehension, arrest, and counseling of
 136 assigned juveniles within the community; ~~or~~
 137 (h) The member must be employed by a law enforcement
 138 agency or medical examiner's office in a forensic discipline
 139 recognized by the International Association for Identification
 140 and must qualify for active membership in the International

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

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

162 Section 3. This act shall take effect October 1, 2005.