

By Senator Fasano

11-374-05

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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 persons employed as nurses in county correctional facilities; 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 of explosive devices; or the member must be the supervisor or command officer of a member or members who have such responsibilities; provided, however, administrative support personnel, including, but not limited to, those whose primary duties and responsibilities are in accounting, purchasing, legal, and personnel, shall not be included;

1           (b) The member must be employed as a firefighter and  
2 be certified, or required to be certified, in compliance with  
3 s. 633.35 and be employed solely within the fire department of  
4 a local government employer or an agency of state government  
5 with firefighting responsibilities. In addition, the member's  
6 duties and responsibilities must include on-the-scene fighting  
7 of fires, fire prevention, or firefighter training; direct  
8 supervision of firefighting units, fire prevention, or  
9 firefighter training; or aerial firefighting surveillance  
10 performed by fixed-wing aircraft pilots employed by the  
11 Division of Forestry of the Department of Agriculture and  
12 Consumer Services; or the member must be the supervisor or  
13 command officer of a member or members who have such  
14 responsibilities; provided, however, administrative support  
15 personnel, including, but not limited to, those whose primary  
16 duties and responsibilities are in accounting, purchasing,  
17 legal, and personnel, shall not be included and further  
18 provided that all periods of creditable service in fire  
19 prevention or firefighter training, or as the supervisor or  
20 command officer of a member or members who have such  
21 responsibilities, and for which the employer paid the special  
22 risk contribution rate, shall be included;

23           (c) The member must be employed as a correctional  
24 officer and be certified, or required to be certified, in  
25 compliance with s. 943.1395. In addition, the member's  
26 primary duties and responsibilities must be the custody, and  
27 physical restraint when necessary, of prisoners or inmates  
28 within a prison, jail, or other criminal detention facility,  
29 or while on work detail outside the facility, or while being  
30 transported; or the member must be the supervisor or command  
31 officer of a member or members who have such responsibilities;

1 provided, however, administrative support personnel,  
2 including, but not limited to, those whose primary duties and  
3 responsibilities are in accounting, purchasing, legal, and  
4 personnel, shall not be included; however, wardens and  
5 assistant wardens, as defined by rule, shall participate in  
6 the Special Risk Class;

7 (d) The member must be employed by a licensed Advance  
8 Life Support (ALS) or Basic Life Support (BLS) employer as an  
9 emergency medical technician or a paramedic and be certified  
10 in compliance with s. 401.27. In addition, the member's  
11 primary duties and responsibilities must include on-the-scene  
12 emergency medical care or direct supervision of emergency  
13 medical technicians or paramedics, or the member must be the  
14 supervisor or command officer of one or more members who have  
15 such responsibility. However, administrative support  
16 personnel, including, but not limited to, those whose primary  
17 responsibilities are in accounting, purchasing, legal, and  
18 personnel, shall not be included;

19 (e) The member must be employed as a community-based  
20 correctional probation officer and be certified, or required  
21 to be certified, in compliance with s. 943.1395. In addition,  
22 the member's primary duties and responsibilities must be the  
23 supervised custody, surveillance, control, investigation, and  
24 counseling of assigned inmates, probationers, parolees, or  
25 community controllees within the community; or the member must  
26 be the supervisor of a member or members who have such  
27 responsibilities. Administrative support personnel, including,  
28 but not limited to, those whose primary duties and  
29 responsibilities are in accounting, purchasing, legal  
30 services, and personnel management, shall not be included;

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1 | however, probation and parole circuit and deputy circuit  
2 | administrators shall participate in the Special Risk Class; ~~or~~

3 |         (f) The member must be employed in one of the  
4 | following classes and must spend at least 75 percent of his or  
5 | her time performing duties which involve contact with patients  
6 | or inmates in a correctional or forensic facility or  
7 | institution:

- 8 |         1. Dietitian (class codes 5203 and 5204).
- 9 |         2. Public health nutrition consultant (class code  
10 | 5224).
- 11 |         3. Psychological specialist (class codes 5230 and  
12 | 5231).
- 13 |         4. Psychologist (class code 5234).
- 14 |         5. Senior psychologist (class codes 5237 and 5238).
- 15 |         6. Regional mental health consultant (class code  
16 | 5240).
- 17 |         7. Psychological Services Director--DCF (class code  
18 | 5242).
- 19 |         8. Pharmacist (class codes 5245 and 5246).
- 20 |         9. Senior pharmacist (class codes 5248 and 5249).
- 21 |         10. Dentist (class code 5266).
- 22 |         11. Senior dentist (class code 5269).
- 23 |         12. Registered nurse (class codes 5290 and 5291).
- 24 |         13. Senior registered nurse (class codes 5292 and  
25 | 5293).
- 26 |         14. Registered nurse specialist (class codes 5294 and  
27 | 5295).
- 28 |         15. Clinical associate (class codes 5298 and 5299).
- 29 |         16. Advanced registered nurse practitioner (class  
30 | codes 5297 and 5300).

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