

By the Committee on Ways and Means; and Senators Campbell and Fasano

576-2362-05

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

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

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

18 121.0515 Special risk membership.--

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

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

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

1 | members who have such responsibilities; provided, however,
2 | administrative support personnel, including, but not limited
3 | to, those whose primary duties and responsibilities are in
4 | accounting, purchasing, legal, and personnel, shall not be
5 | included;

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

28 | (c) The member must be employed as a correctional
29 | officer and be certified, or required to be certified, in
30 | compliance with s. 943.1395. In addition, the member's
31 | primary duties and responsibilities must be the custody, and

1 physical restraint when necessary, of prisoners or inmates
2 within a prison, jail, or other criminal detention facility,
3 or while on work detail outside the facility, or while being
4 transported; or the member must be the supervisor or command
5 officer of a member or members who have such responsibilities;
6 provided, however, administrative support personnel,
7 including, but not limited to, those whose primary duties and
8 responsibilities are in accounting, purchasing, legal, and
9 personnel, shall not be included; however, wardens and
10 assistant wardens, as defined by rule, shall participate in
11 the Special Risk Class;

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

24 (e) The member must be employed as a community-based
25 correctional probation officer and be certified, or required
26 to be certified, in compliance with s. 943.1395. In addition,
27 the member's primary duties and responsibilities must be the
28 supervised custody, surveillance, control, investigation, and
29 counseling of assigned inmates, probationers, parolees, or
30 community controllees within the community; or the member must
31 be the supervisor of a member or members who have such

1 | responsibilities. Administrative support personnel, including,
2 | but not limited to, those whose primary duties and
3 | responsibilities are in accounting, purchasing, legal
4 | services, and personnel management, shall not be included;
5 | however, probation and parole circuit and deputy circuit
6 | administrators shall participate in the Special Risk Class; ~~or~~

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

- 12 | 1. Dietitian (class codes 5203 and 5204);
- 13 | 2. Public health nutrition consultant (class code
14 | 5224);
- 15 | 3. Psychological specialist (class codes 5230 and
16 | 5231);
- 17 | 4. Psychologist (class code 5234);
- 18 | 5. Senior psychologist (class codes 5237 and 5238);
- 19 | 6. Regional mental health consultant (class code
20 | 5240);
- 21 | 7. Psychological Services Director--DCF (class code
22 | 5242);
- 23 | 8. Pharmacist (class codes 5245 and 5246);
- 24 | 9. Senior pharmacist (class codes 5248 and 5249);
- 25 | 10. Dentist (class code 5266);
- 26 | 11. Senior dentist (class code 5269);
- 27 | 12. Registered nurse (class codes 5290 and 5291);
- 28 | 13. Senior registered nurse (class codes 5292 and
29 | 5293);
- 30 | 14. Registered nurse specialist (class codes 5294 and
31 | 5295);

- 1 15. Clinical associate (class codes 5298 and 5299);~~---~~
2 16. Advanced registered nurse practitioner (class
3 codes 5297 and 5300);~~---~~
4 17. Advanced registered nurse practitioner specialist
5 (class codes 5304 and 5305);~~---~~
6 18. Registered nurse supervisor (class codes 5306 and
7 5307);~~---~~
8 19. Senior registered nurse supervisor (class codes
9 5308 and 5309);~~---~~
10 20. Registered nursing consultant (class codes 5312
11 and 5313);~~---~~
12 21. Quality management program supervisor (class code
13 5314);~~---~~
14 22. Executive nursing director (class codes 5320 and
15 5321);~~---~~
16 23. Speech and hearing therapist (class code 5406); or
17 24. Pharmacy manager (class code 5251);~~---~~
18 (g) The member must be employed as a youth custody
19 officer and be certified, or required to be certified, in
20 compliance with s. 943.1395. In addition, the member's primary
21 duties and responsibilities must be the supervised custody,
22 surveillance, control, investigation, apprehension, arrest,
23 and counseling of assigned juveniles within the community; ~~or---~~
24 (h) The member must be employed by a law enforcement
25 agency or medical examiner's office in a forensic discipline
26 recognized by the International Association for Identification
27 and must qualify for active membership in the International
28 Association for Identification. The member's primary duties
29 and responsibilities must include the collection, examination,
30 preservation, documentation, preparation, or analysis of
31 physical evidence or testimony, or both, or the member must be

1 the direct supervisor, quality management supervisor, or
2 command officer of one or more individuals with such
3 responsibility. Administrative support personnel, including,
4 but not limited to, those whose primary responsibilities are
5 clerical or in accounting, purchasing, legal, and personnel,
6 shall not be included.

7 Section 2. The Legislature finds that a proper and
8 legitimate state purpose is served when employees and retirees
9 of the state and its political subdivisions, and the
10 dependents, survivors, and beneficiaries of such employees and
11 retirees, are extended the basic protections afforded by
12 governmental retirement systems. These persons must be
13 provided benefits that are fair and adequate and that are
14 managed, administered, and funded in a sound actuarial manner,
15 as required by Section 14, Article X of the State Constitution
16 and part VII of chapter 112, Florida Statutes. Therefore, the
17 Legislature hereby determines and declares that this act
18 fulfills an important state interest.

19 Section 3. There is appropriated \$1,400,000 from the
20 General Revenue Fund on a recurring basis to the Department of
21 Law Enforcement to fund the department's costs associated with
22 the retirement benefits granted by this act, effective October
23 1, 2005.

24 Section 4. This act shall take effect October 1, 2005.

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26 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
27 COMMITTEE SUBSTITUTE FOR
28 Senate Bill 60

29 The committee substitute provides an appropriation to the
30 Department of Law Enforcement to fund the costs of the
31 Department imposed by the bill.