

1 designate positions for inclusion in the class shall be
2 published once a week for 2 consecutive weeks in a newspaper
3 of general circulation published in the county or counties
4 affected, as provided in chapter 50.

5 b. Up to 10 nonelective full-time positions may be
6 designated for each local agency employer reporting to the
7 Department of Management Services; for local agencies with 100
8 or more regularly established positions, additional
9 nonelective full-time positions may be designated, not to
10 exceed 1 percent of the regularly established positions within
11 the agency.

12 c. Each position added to the class must be a
13 managerial or policymaking position filled by an employee who
14 is not subject to continuing contract and serves at the
15 pleasure of the local agency employer without civil service
16 protection, and who:

17 (I) Heads an organizational unit; or

18 (II) Has responsibility to effect or recommend
19 personnel, budget, expenditure, or policy decisions in his or
20 her areas of responsibility.

21 2. In lieu of participation in the Senior Management
22 Service Class, members of the Senior Management Service Class
23 pursuant to the provisions of subparagraph 1. may withdraw
24 from the Florida Retirement System altogether. The decision to
25 withdraw from the Florida Retirement System shall be
26 irrevocable for as long as the employee holds such a position.
27 Any service creditable under the Senior Management Service
28 Class shall be retained after the member withdraws from the
29 Florida Retirement System; however, additional service credit
30 in the Senior Management Service Class shall not be earned
31 after such withdrawal. Such members shall not be eligible to

1 participate in the Senior Management Service Optional Annuity
2 Program.

3 3. Effective July 1, 2005, any active community
4 college employee in a regularly established senior management
5 position who has not participated in the Florida Retirement
6 System or has withdrawn from the Florida Retirement System
7 under subparagraph 2. has one opportunity to choose to move to
8 the Florida Retirement System defined benefit plan. This
9 election is irrevocable.

10 a. The election must be made in writing and must be
11 filed with the department and with the personnel officer of
12 the community college.

13 b. The employee shall receive service credit in the
14 Florida Retirement System defined benefit program equal to his
15 or her years of service in the community college system. The
16 cost of such credit shall be an amount representing the
17 present value of that employee's accumulated benefit
18 obligation under the Florida Retirement System defined benefit
19 program for the affected period of service.

20 c. The employee must transfer the total accumulated
21 employer contributions and earnings on deposit in the
22 employee's alternative retirement plan established as allowed
23 under subparagraph 2. If the transferred amount is not
24 sufficient to pay the amount due, the remainder must be paid
25 by the employee unless it is paid by the employer on behalf of
26 the employee.

27 Section 2. This act shall take effect July 1, 2005.
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SENATE SUMMARY

Allows a community college employee who occupies a senior management position but who does not participate in, or has withdrawn from, the Florida Retirement System to join the system's defined benefit plan. Such a person has one opportunity to make the election, which is irrevocable. If the accumulated employer contributions, plus earnings on deposit, for the employee are insufficient to pay the cost of crediting the employee's defined benefit plan based on his or her years of service, the employee must make up the difference unless that amount is paid by his or her employer.