

1 A bill to be entitled
 2 An act relating to the Florida Retirement System; amending
 3 s. 121.055, F.S.; authorizing certain positions in the
 4 offices of the capital collateral regional counsels to be
 5 designated for inclusion in the Senior Management Service
 6 Class; providing requirements for such inclusion;
 7 providing an effective date.

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

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 11 Section 1. Paragraph (h) of subsection (1) of section
 12 121.055, Florida Statutes, is amended to read:

13 121.055 Senior Management Service Class.--There is hereby
 14 established a separate class of membership within the Florida
 15 Retirement System to be known as the "Senior Management Service
 16 Class," which shall become effective February 1, 1987.

17 (1)

18 (h)1. Except as provided in subparagraph 3., effective
 19 January 1, 1994, participation in the Senior Management Service
 20 Class shall be compulsory for the State Courts Administrator and
 21 the Deputy State Courts Administrators, the Clerk of the Supreme
 22 Court, the Marshal of the Supreme Court, the Executive Director
 23 of the Justice Administrative Commission, the capital collateral
 24 regional counsels ~~Capital Collateral Regional Counsels~~, the
 25 clerks of the district courts of appeals, the marshals of the
 26 district courts of appeals, and the trial court administrator
 27 and the Chief Deputy Court Administrator in each judicial
 28 circuit. Effective January 1, 1994, additional positions in the

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

29 offices of the state attorney and public defender in each
 30 judicial circuit and in the offices of the capital collateral
 31 regional counsels in each region may be designated for inclusion
 32 in the Senior Management Service Class of the Florida Retirement
 33 System, provided that:

34 a. Positions to be included in the class shall be
 35 designated by the state attorney, ~~or~~ public defender, or capital
 36 collateral regional counsel, as appropriate. Notice of intent to
 37 designate positions for inclusion in the class shall be
 38 published once a week for 2 consecutive weeks in a newspaper of
 39 general circulation published in the county or counties
 40 affected, as provided in chapter 50.

41 b. One nonelective full-time position may be designated
 42 for each state attorney, ~~and~~ public defender, and capital
 43 collateral regional counsel reporting to the Department of
 44 Management Services; for agencies with 200 or more regularly
 45 established positions under the state attorney, ~~or~~ public
 46 defender, or capital collateral regional counsel, additional
 47 nonelective full-time positions may be designated, not to exceed
 48 0.5 percent of the regularly established positions within the
 49 agency.

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

54 (I) Heads an organizational unit; or

55 (II) Has responsibility to effect or recommend personnel,
56 budget, expenditure, or policy decisions in his or her areas of
57 responsibility.

58 2. Participation in this class shall be compulsory, except
59 as provided in subparagraph 3., for any judicial employee who
60 holds a position designated for coverage in the Senior
61 Management Service Class, and such participation shall continue
62 until the employee terminates employment in a covered position.
63 Effective January 1, 2001, participation in this class is
64 compulsory for assistant state attorneys, assistant statewide
65 prosecutors, assistant public defenders, and assistant capital
66 collateral regional counsels. Effective January 1, 2002,
67 participation in this class is compulsory for assistant
68 attorneys general.

69 3. In lieu of participation in the Senior Management
70 Service Class, such members, excluding assistant state
71 attorneys, assistant public defenders, assistant statewide
72 prosecutors, assistant attorneys general, and assistant capital
73 collateral regional counsels, may participate in the Senior
74 Management Service Optional Annuity Program as established in
75 subsection (6).

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