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1 A bill to be entitled
2 An act relating to the Florida Retirement System; amending
3 ss. 121.021 and 121.0515, F.S.; providing membership in
4 the Special Risk Class for persons employed as certain
5 treatment and rehabilitation personnel at correctional or
6 forensic facilities; providing a declaration of important
7 state interest; providing an effective date.

8

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

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11 Section 1. Paragraph (f) is added to subsection (15) of
12 section 121.021, Florida Statutes, to read:

13 121.021 Definitions.--The following words and phrases as
14 used in this chapter have the respective meanings set forth
15 unless a different meaning is plainly required by the context:

16 (15)

17 (f) Effective July 1, 2006, the term "special risk member"
18 includes any member who is employed by the Department of
19 Children and Family Services and meets the special criteria set
20 forth in s. 121.0515(2)(i).

21 Section 2. Subsection (2) of section 121.0515, Florida
22 Statutes, is amended to read:

23 121.0515 Special risk membership.--

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

26 (a) The member must be employed as a law enforcement
27 officer and be certified, or required to be certified, in
28 compliance with s. 943.1395; however, sheriffs and elected

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29 | police chiefs shall be excluded from meeting the certification
30 | requirements of this paragraph. In addition, the member's duties
31 | and responsibilities must include the pursuit, apprehension, and
32 | arrest of law violators or suspected law violators; or the
33 | member must be an active member of a bomb disposal unit whose
34 | primary responsibility is the location, handling, and disposal
35 | of explosive devices; or the member must be the supervisor or
36 | command officer of a member or members who have such
37 | responsibilities; provided, however, administrative support
38 | personnel, including, but not limited to, those whose primary
39 | duties and responsibilities are in accounting, purchasing,
40 | legal, and personnel, shall not be included;

41 | (b) The member must be employed as a firefighter and be
42 | certified, or required to be certified, in compliance with s.
43 | 633.35 and be employed solely within the fire department of a
44 | local government employer or an agency of state government with
45 | firefighting responsibilities. In addition, the member's duties
46 | and responsibilities must include on-the-scene fighting of
47 | fires, fire prevention, or firefighter training; direct
48 | supervision of firefighting units, fire prevention, or
49 | firefighter training; or aerial firefighting surveillance
50 | performed by fixed-wing aircraft pilots employed by the Division
51 | of Forestry of the Department of Agriculture and Consumer
52 | Services; or the member must be the supervisor or command
53 | officer of a member or members who have such responsibilities;
54 | provided, however, administrative support personnel, including,
55 | but not limited to, those whose primary duties and
56 | responsibilities are in accounting, purchasing, legal, and

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57 | personnel, shall not be included and further provided that all
58 | periods of creditable service in fire prevention or firefighter
59 | training, or as the supervisor or command officer of a member or
60 | members who have such responsibilities, and for which the
61 | employer paid the special risk contribution rate, shall be
62 | included;

63 | (c) The member must be employed as a correctional officer
64 | and be certified, or required to be certified, in compliance
65 | with s. 943.1395. In addition, the member's primary duties and
66 | responsibilities must be the custody, and physical restraint
67 | when necessary, of prisoners or inmates within a prison, jail,
68 | or other criminal detention facility, or while on work detail
69 | outside the facility, or while being transported; or the member
70 | must be the supervisor or command officer of a member or members
71 | who have such responsibilities; provided, however,
72 | administrative support personnel, including, but not limited to,
73 | those whose primary duties and responsibilities are in
74 | accounting, purchasing, legal, and personnel, shall not be
75 | included; however, wardens and assistant wardens, as defined by
76 | rule, shall participate in the Special Risk Class;

77 | (d) The member must be employed by a licensed Advance Life
78 | Support (ALS) or Basic Life Support (BLS) employer as an
79 | emergency medical technician or a paramedic and be certified in
80 | compliance with s. 401.27. In addition, the member's primary
81 | duties and responsibilities must include on-the-scene emergency
82 | medical care or direct supervision of emergency medical
83 | technicians or paramedics, or the member must be the supervisor
84 | or command officer of one or more members who have such

85 responsibility. However, administrative support personnel,
 86 including, but not limited to, those whose primary
 87 responsibilities are in accounting, purchasing, legal, and
 88 personnel, shall not be included;

89 (e) The member must be employed as a community-based
 90 correctional probation officer and be certified, or required to
 91 be certified, in compliance with s. 943.1395. In addition, the
 92 member's primary duties and responsibilities must be the
 93 supervised custody, surveillance, control, investigation, and
 94 counseling of assigned inmates, probationers, parolees, or
 95 community controllees within the community; or the member must
 96 be the supervisor of a member or members who have such
 97 responsibilities. Administrative support personnel, including,
 98 but not limited to, those whose primary duties and
 99 responsibilities are in accounting, purchasing, legal services,
 100 and personnel management, shall not be included; however,
 101 probation and parole circuit and deputy circuit administrators
 102 shall participate in the Special Risk Class;

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

- 107 1. Dietitian (class codes 5203 and 5204);
- 108 2. Public health nutrition consultant (class code 5224);
- 109 3. Psychological specialist (class codes 5230 and 5231);
- 110 4. Psychologist (class code 5234);
- 111 5. Senior psychologist (class codes 5237 and 5238);
- 112 6. Regional mental health consultant (class code 5240);

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- 113 | 7. Psychological Services Director--DCF (class code 5242);
- 114 | 8. Pharmacist (class codes 5245 and 5246);
- 115 | 9. Senior pharmacist (class codes 5248 and 5249);
- 116 | 10. Dentist (class code 5266);
- 117 | 11. Senior dentist (class code 5269);
- 118 | 12. Registered nurse (class codes 5290 and 5291);
- 119 | 13. Senior registered nurse (class codes 5292 and 5293);
- 120 | 14. Registered nurse specialist (class codes 5294 and
- 121 | 5295);
- 122 | 15. Clinical associate (class codes 5298 and 5299);
- 123 | 16. Advanced registered nurse practitioner (class codes
- 124 | 5297 and 5300);
- 125 | 17. Advanced registered nurse practitioner specialist
- 126 | (class codes 5304 and 5305);
- 127 | 18. Registered nurse supervisor (class codes 5306 and
- 128 | 5307);
- 129 | 19. Senior registered nurse supervisor (class codes 5308
- 130 | and 5309);
- 131 | 20. Registered nursing consultant (class codes 5312 and
- 132 | 5313);
- 133 | 21. Quality management program supervisor (class code
- 134 | 5314);
- 135 | 22. Executive nursing director (class codes 5320 and
- 136 | 5321);
- 137 | 23. Speech and hearing therapist (class code 5406); ~~or~~
- 138 | 24. Pharmacy manager (class code 5251);
- 139 | 25. Unit treatment and rehabilitation specialist-F/C
- 140 | (class code 5791);

- 141 26. Licensed practical nurse F/C (class code 5599);
142 27. Behavioral program associate F/C (class code 5762);
143 28. Behavioral program specialist F/C (class code 5763);
144 29. Human service worker I-F/C (class code 5781);
145 30. Human service worker II-F/C (class code 5784); or
146 31. Rehabilitation therapist F/C (class code 5563);

147 (g) The member must be employed as a youth custody officer
148 and be certified, or required to be certified, in compliance
149 with s. 943.1395. In addition, the member's primary duties and
150 responsibilities must be the supervised custody, surveillance,
151 control, investigation, apprehension, arrest, and counseling of
152 assigned juveniles within the community; ~~or~~

153 (h) The member must be employed by a law enforcement
154 agency or medical examiner's office in a forensic discipline
155 recognized by the International Association for Identification
156 and must qualify for active membership in the International
157 Association for Identification. The member's primary duties and
158 responsibilities must include the collection, examination,
159 preservation, documentation, preparation, or analysis of
160 physical evidence or testimony, or both, or the member must be
161 the direct supervisor, quality management supervisor, or command
162 officer of one or more individuals with such responsibility.
163 Administrative support personnel, including, but not limited to,
164 those whose primary responsibilities are clerical or in
165 accounting, purchasing, legal, and personnel, shall not be
166 included; or-

167 (i) The member must be employed by the Department of
168 Children and Family Services in one of the following classes and

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169 must spend at least 75 percent of his or her time performing
170 duties that involve contact with patients or inmates in a
171 forensic facility or institution:

172 1. Unit treatment and rehabilitation senior supervisor I-
173 F/C (class code 5793); or

174 2. Unit treatment and rehabilitation senior supervisor II-
175 F/C (class code 5796).

176 Section 3. The Legislature finds that a proper and
177 legitimate state purpose is served when employees and retirees
178 of the state and its political subdivisions and the dependents,
179 survivors, and beneficiaries of such employees and retirees are
180 extended the basic protections afforded by governmental
181 retirement systems. These persons must be provided benefits that
182 are fair and adequate and that are managed, administered, and
183 funded in a sound actuarial manner, as required by s. 14, Art. X
184 of the State Constitution and part VII of chapter 112, Florida
185 Statutes. Therefore, the Legislature hereby determines and
186 declares that this act fulfills an important state interest.

187 Section 4. This act shall take effect July 1, 2006.