

By Senator Aronberg

27-886-06

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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 emergency dispatchers employed by entities of local government and their supervisors; providing legislative findings; 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

1 | accounting, purchasing, legal, and personnel, shall not be  
2 | included;

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

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

1 transported; or the member must be the supervisor or command  
2 officer of a member or members who have such responsibilities;  
3 provided, however, administrative support personnel,  
4 including, but not limited to, those whose primary duties and  
5 responsibilities are in accounting, purchasing, legal, and  
6 personnel, shall not be included; however, wardens and  
7 assistant wardens, as defined by rule, shall participate in  
8 the Special Risk Class;

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

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

1 services, and personnel management, shall not be included;  
2 however, probation and parole circuit and deputy circuit  
3 administrators shall participate in the Special Risk Class;

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

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

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

1 but not limited to, those whose primary responsibilities are  
2 clerical or in accounting, purchasing, legal, and personnel,  
3 shall not be included; ~~or-~~

4 (i) The member must be employed by a county,  
5 municipality, or district law enforcement or fire services  
6 agency as an emergency dispatcher. The member's primary duties  
7 and responsibilities must include reception of emergency calls  
8 for service; coordination of the direction and placement of  
9 field units to strategic locations for critical incidents;  
10 prioritization of calls for service; selection of assignments  
11 and dispatch of emergency and nonemergency calls via radio  
12 communication technology to county, municipal, intercounty,  
13 and federal personnel using the assigned talk groups while  
14 monitoring the safety status of all field units; and  
15 coordination of the movements of multiple emergency units  
16 engaged in pursuit tactics or responding to life or death  
17 situations or the member must be the direct supervisor or  
18 command officer of one or more individuals with such  
19 responsibilities.

20 Section 2. The Legislature finds that a proper and  
21 legitimate state purpose is served when employees and retirees  
22 of the state and of its political subdivisions, and the  
23 dependents, survivors, and beneficiaries of such employees and  
24 retirees, are extended the basic protections afforded by  
25 governmental retirement systems that provide fair and adequate  
26 benefits and that are managed, administered, and funded in an  
27 actuarially sound manner as required by s. 14, Art. X of the  
28 State Constitution and part VII of chapter 112, Florida  
29 Statutes. Therefore, the Legislature determines and declares  
30 that this act fulfills an important state interest.

31 Section 3. This act shall take effect October 1, 2006.

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SENATE SUMMARY

Extends membership in the Special Risk Class of the Florida Retirement System to certain emergency dispatchers and their supervisors.