

By Senator Saunders

37-1358-06

See HB

1                                   A bill to be entitled  
2           An act relating to the Florida Retirement  
3           System; amending ss. 121.021 and 121.0515,  
4           F.S.; including in the Special Risk Class  
5           certain members employed as Federal Aviation  
6           Administration-licensed pilots authorized to  
7           provide mosquito control services; providing a  
8           definition; providing a declaration of  
9           important state interest; providing an  
10          effective date.

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

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

16           121.021 Definitions.--The following words and phrases  
17 as used in this chapter have the respective meanings set forth  
18 unless a different meaning is plainly required by the context:

19           (15)

20           (f) Effective October 1, 2006, the term "special risk  
21 member" includes any member employed as a Federal Aviation  
22 Administration-licensed pilot by a municipality, county,  
23 special district, or state agency authorized to provide  
24 mosquito control services whose duties include piloting for  
25 the purposes of mosquito control as set forth in s.  
26 121.0515(2)(i).

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

29           121.0515 Special risk membership.--

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

1           (a) The member must be employed as a law enforcement  
2 officer and be certified, or required to be certified, in  
3 compliance with s. 943.1395; however, sheriffs and elected  
4 police chiefs shall be excluded from meeting the certification  
5 requirements of this paragraph. In addition, the member's  
6 duties and responsibilities must include the pursuit,  
7 apprehension, and arrest of law violators or suspected law  
8 violators; or the member must be an active member of a bomb  
9 disposal unit whose primary responsibility is the location,  
10 handling, and disposal of explosive devices; or the member  
11 must be the supervisor or command officer of a member or  
12 members who have such responsibilities; provided, however,  
13 administrative support personnel, including, but not limited  
14 to, those whose primary duties and responsibilities are in  
15 accounting, purchasing, legal, and personnel, shall not be  
16 included;

17           (b) The member must be employed as a firefighter and  
18 be certified, or required to be certified, in compliance with  
19 s. 633.35 and be employed solely within the fire department of  
20 a local government employer or an agency of state government  
21 with firefighting responsibilities. In addition, the member's  
22 duties and responsibilities must include on-the-scene fighting  
23 of fires, fire prevention, or firefighter training; direct  
24 supervision of firefighting units, fire prevention, or  
25 firefighter training; or aerial firefighting surveillance  
26 performed by fixed-wing aircraft pilots employed by the  
27 Division of Forestry of the Department of Agriculture and  
28 Consumer Services; or the member must be the supervisor or  
29 command officer of a member or members who have such  
30 responsibilities; provided, however, administrative support  
31 personnel, including, but not limited to, those whose primary

1 | duties and responsibilities are in accounting, purchasing,  
2 | legal, and personnel, shall not be included and further  
3 | provided that all periods of creditable service in fire  
4 | prevention or firefighter training, or as the supervisor or  
5 | command officer of a member or members who have such  
6 | responsibilities, and for which the employer paid the special  
7 | risk contribution rate, shall be included;

8 |         (c) The member must be employed as a correctional  
9 | officer and be certified, or required to be certified, in  
10 | compliance with s. 943.1395. In addition, the member's primary  
11 | duties and responsibilities must be the custody, and physical  
12 | restraint when necessary, of prisoners or inmates within a  
13 | prison, jail, or other criminal detention facility, or while  
14 | on work detail outside the facility, or while being  
15 | transported; or the member must be the supervisor or command  
16 | officer of a member or members who have such responsibilities;  
17 | provided, however, administrative support personnel,  
18 | including, but not limited to, those whose primary duties and  
19 | responsibilities are in accounting, purchasing, legal, and  
20 | personnel, shall not be included; however, wardens and  
21 | assistant wardens, as defined by rule, shall participate in  
22 | the Special Risk Class;

23 |         (d) The member must be employed by a licensed Advance  
24 | Life Support (ALS) or Basic Life Support (BLS) employer as an  
25 | emergency medical technician or a paramedic and be certified  
26 | in compliance with s. 401.27. In addition, the member's  
27 | primary duties and responsibilities must include on-the-scene  
28 | emergency medical care or direct supervision of emergency  
29 | medical technicians or paramedics, or the member must be the  
30 | supervisor or command officer of one or more members who have  
31 | such responsibility. However, administrative support

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

4 (e) The member must be employed as a community-based  
5 correctional probation officer and be certified, or required  
6 to be certified, in compliance with s. 943.1395. In addition,  
7 the member's primary duties and responsibilities must be the  
8 supervised custody, surveillance, control, investigation, and  
9 counseling of assigned inmates, probationers, parolees, or  
10 community controllees within the community; or the member must  
11 be the supervisor of a member or members who have such  
12 responsibilities. Administrative support personnel, including,  
13 but not limited to, those whose primary duties and  
14 responsibilities are in accounting, purchasing, legal  
15 services, and personnel management, shall not be included;  
16 however, probation and parole circuit and deputy circuit  
17 administrators shall participate in the Special Risk Class;

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

- 23 1. Dietitian (class codes 5203 and 5204);
- 24 2. Public health nutrition consultant (class code  
25 5224);
- 26 3. Psychological specialist (class codes 5230 and  
27 5231);
- 28 4. Psychologist (class code 5234);
- 29 5. Senior psychologist (class codes 5237 and 5238);
- 30 6. Regional mental health consultant (class code  
31 5240);

1           7. Psychological Services Director--DCF (class code  
2 5242);  
3           8. Pharmacist (class codes 5245 and 5246);  
4           9. Senior pharmacist (class codes 5248 and 5249);  
5           10. Dentist (class code 5266);  
6           11. Senior dentist (class code 5269);  
7           12. Registered nurse (class codes 5290 and 5291);  
8           13. Senior registered nurse (class codes 5292 and  
9 5293);  
10          14. Registered nurse specialist (class codes 5294 and  
11 5295);  
12          15. Clinical associate (class codes 5298 and 5299);  
13          16. Advanced registered nurse practitioner (class  
14 codes 5297 and 5300);  
15          17. Advanced registered nurse practitioner specialist  
16 (class codes 5304 and 5305);  
17          18. Registered nurse supervisor (class codes 5306 and  
18 5307);  
19          19. Senior registered nurse supervisor (class codes  
20 5308 and 5309);  
21          20. Registered nursing consultant (class codes 5312  
22 and 5313);  
23          21. Quality management program supervisor (class code  
24 5314);  
25          22. Executive nursing director (class codes 5320 and  
26 5321);  
27          23. Speech and hearing therapist (class code 5406); or  
28          24. Pharmacy manager (class code 5251);  
29          (g) The member must be employed as a youth custody  
30 officer and be certified, or required to be certified, in  
31 compliance with s. 943.1395. In addition, the member's primary

1 duties and responsibilities must be the supervised custody,  
2 surveillance, control, investigation, apprehension, arrest,  
3 and counseling of assigned juveniles within the community; ~~or~~

4 (h) The member must be employed by a law enforcement  
5 agency or medical examiner's office in a forensic discipline  
6 recognized by the International Association for Identification  
7 and must qualify for active membership in the International  
8 Association for Identification. The member's primary duties  
9 and responsibilities must include the collection, examination,  
10 preservation, documentation, preparation, or analysis of  
11 physical evidence or testimony, or both, or the member must be  
12 the direct supervisor, quality management supervisor, or  
13 command officer of one or more individuals with such  
14 responsibility. Administrative support personnel, including,  
15 but not limited to, those whose primary responsibilities are  
16 clerical or in accounting, purchasing, legal, and personnel,  
17 shall not be included; ~~or-~~

18 (i) The member must be employed as a Federal Aviation  
19 Administration-licensed pilot by a municipality, county,  
20 special district, or state agency authorized to provide  
21 mosquito control services. The member's duties must include  
22 piloting aircraft for the purpose of mosquito control  
23 treatment. However, administrative support personnel,  
24 including, but not limited to, those whose primary  
25 responsibilities are in accounting, purchasing, legal, and  
26 personnel, shall not be included.

27 Section 3. The Legislature finds that a proper and  
28 legitimate state purpose is served when employees and retirees  
29 of the state and its political subdivisions, and the  
30 dependents, survivors, and beneficiaries of such employees and  
31 retirees, are extended the basic protections afforded by

1 governmental retirement systems. These persons must be  
2 provided benefits that are fair and adequate and that are  
3 managed, administered, and funded in a sound actuarial manner,  
4 as required by Section 14, Article X of the State Constitution  
5 and part VII of chapter 112, Florida Statutes. Therefore, the  
6 Legislature hereby determines and declares that this act  
7 fulfills an important state interest.

8           Section 4. This act shall take effect October 1, 2006.

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