

By Senator Lawson

6-1478A-06

See HB

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

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

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

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

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

(15)

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

Section 2. 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

1 requirements of this paragraph. In addition, the member's
2 duties and responsibilities must include the pursuit,
3 apprehension, and arrest of law violators or suspected law
4 violators; or the member must be an active member of a bomb
5 disposal unit whose primary responsibility is the location,
6 handling, and disposal of explosive devices; or the member
7 must be the supervisor or command officer of a member or
8 members who have such responsibilities; provided, however,
9 administrative support personnel, including, but not limited
10 to, those whose primary duties and responsibilities are in
11 accounting, purchasing, legal, and personnel, shall not be
12 included;

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

1 | command officer of a member or members who have such
2 | responsibilities, and for which the employer paid the special
3 | risk contribution rate, shall be included;

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

19 | (d) The member must be employed by a licensed Advance
20 | Life Support (ALS) or Basic Life Support (BLS) employer as an
21 | emergency medical technician or a paramedic and be certified
22 | in compliance with s. 401.27. In addition, the member's
23 | primary duties and responsibilities must include on-the-scene
24 | emergency medical care or direct supervision of emergency
25 | medical technicians or paramedics, or the member must be the
26 | supervisor or command officer of one or more members who have
27 | such responsibility. However, administrative support
28 | personnel, including, but not limited to, those whose primary
29 | responsibilities are in accounting, purchasing, legal, and
30 | personnel, shall not be included;

31 |

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

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

- 20 1. Dietitian (class codes 5203 and 5204);
- 21 2. Public health nutrition consultant (class code
22 5224);
- 23 3. Psychological specialist (class codes 5230 and
24 5231);
- 25 4. Psychologist (class code 5234);
- 26 5. Senior psychologist (class codes 5237 and 5238);
- 27 6. Regional mental health consultant (class code
28 5240);
- 29 7. Psychological Services Director--DCF (class code
30 5242);
- 31 8. Pharmacist (class codes 5245 and 5246);

- 1 9. Senior pharmacist (class codes 5248 and 5249);
- 2 10. Dentist (class code 5266);
- 3 11. Senior dentist (class code 5269);
- 4 12. Registered nurse (class codes 5290 and 5291);
- 5 13. Senior registered nurse (class codes 5292 and
- 6 5293);
- 7 14. Registered nurse specialist (class codes 5294 and
- 8 5295);
- 9 15. Clinical associate (class codes 5298 and 5299);
- 10 16. Advanced registered nurse practitioner (class
- 11 codes 5297 and 5300);
- 12 17. Advanced registered nurse practitioner specialist
- 13 (class codes 5304 and 5305);
- 14 18. Registered nurse supervisor (class codes 5306 and
- 15 5307);
- 16 19. Senior registered nurse supervisor (class codes
- 17 5308 and 5309);
- 18 20. Registered nursing consultant (class codes 5312
- 19 and 5313);
- 20 21. Quality management program supervisor (class code
- 21 5314);
- 22 22. Executive nursing director (class codes 5320 and
- 23 5321);
- 24 23. Speech and hearing therapist (class code 5406); ~~or~~
- 25 24. Pharmacy manager (class code 5251);
- 26 25. Unit treatment and rehabilitation specialist-F/C
- 27 (class code 5791);
- 28 26. Licensed practical nurse F/C (class code 5599);
- 29 27. Behavioral program associate F/C (class code
- 30 5762);
- 31

1 28. Behavioral program specialist F/C (class code
2 5763);

3 29. Human service worker I-F/C (class code 5781);

4 30. Human service worker II-F/C (class code 5784); or

5 31. Rehabilitation therapist F/C (class code 5563);

6 (g) The member must be employed as a youth custody
7 officer and be certified, or required to be certified, in
8 compliance with s. 943.1395. In addition, the member's primary
9 duties and responsibilities must be the supervised custody,
10 surveillance, control, investigation, apprehension, arrest,
11 and counseling of assigned juveniles within the community; ~~or~~

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

26 (i) The member must be employed by the Department of
27 Children and Family Services in one of the following classes
28 and must spend at least 75 percent of his or her time
29 performing duties that involve contact with patients or
30 inmates in a forensic facility or institution:

- 1 1. Unit treatment and rehabilitation senior supervisor
2 I-F/C (class code 5793); or
3 2. Unit treatment and rehabilitation senior supervisor
4 II-F/C (class code 5796).

5 Section 3. The Legislature finds that a proper and
6 legitimate state purpose is served when employees and retirees
7 of the state and its political subdivisions and the
8 dependents, survivors, and beneficiaries of such employees and
9 retirees are extended the basic protections afforded by
10 governmental retirement systems. These persons must be
11 provided benefits that are fair and adequate and that are
12 managed, administered, and funded in a sound actuarial manner,
13 as required by s. 14, Art. X of the State Constitution and
14 part VII of chapter 112, Florida Statutes. Therefore, the
15 Legislature hereby determines and declares that this act
16 fulfills an important state interest.

17 Section 4. This act shall take effect July 1, 2006.
18
19
20
21
22
23
24
25
26
27
28
29
30
31