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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.; including specified
4 detention officers and supervisory employees of the
5 Department of Juvenile Justice as special risk members of
6 the system; providing an effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. Subsection (15) of section 121.021, Florida
11 Statutes, is amended to read:

12 121.021 Definitions.--The following words and phrases as
13 used in this chapter have the respective meanings set forth
14 unless a different meaning is plainly required by the context:

15 (15) (a) Until October 1, 1978, "special risk member" means
16 any officer or employee whose application is approved by the
17 administrator and who receives salary payments for work
18 performed as a peace officer; law enforcement officer; police
19 officer; highway patrol officer; custodial employee at a
20 correctional or detention facility; correctional agency employee
21 whose duties and responsibilities involve direct contact with
22 inmates, but excluding secretarial and clerical employees;
23 firefighter; or an employee in any other job in the field of law
24 enforcement or fire protection if the duties of such person are
25 certified as hazardous by his or her employer.

26 (b) Effective October 1, 1978, "special risk member" means
27 a member of the Florida Retirement System who is designated as a
28 special risk member by the division in accordance with s.

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29 121.0515. Such member must be employed as a law enforcement
30 officer, a firefighter, or a correctional officer and must meet
31 certain other special criteria as set forth in s. 121.0515.

32 (c) Effective October 1, 1999, "special risk member" means
33 a member of the Florida Retirement System who is designated as a
34 special risk member by the division in accordance with s.

35 121.0515. Such member must be employed as a law enforcement
36 officer, a firefighter, a correctional officer, an emergency
37 medical technician, or a paramedic and must meet certain other
38 special criteria as set forth in s. 121.0515.

39 (d)1. Effective January 1, 2001, "special risk member"
40 includes any member who is employed as a community-based
41 correctional probation officer and meets the special criteria
42 set forth in s. 121.0515(2)(e).

43 2. Effective January 1, 2001, "special risk member"
44 includes any professional health care bargaining unit or non-
45 unit member who is employed by the Department of Corrections or
46 the Department of Children and Family Services and meets the
47 special criteria set forth in s. 121.0515(2)(f).

48 (e) Effective July 1, 2001, the term "special risk member"
49 includes any member who is employed as a youth custody officer
50 by the Department of Juvenile Justice and meets the special
51 criteria set forth in s. 121.0515(2)(g).

52 (f) Effective July 1, 2006, the term "special risk member"
53 includes a person employed by the Department of Juvenile Justice
54 as a juvenile detention officer, a senior juvenile detention
55 officer, or a juvenile detention officer supervisor or otherwise
56 in a supervisory position.

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

59 121.0515 Special risk membership.--

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

62 (a) The member must be employed as a law enforcement
63 officer and be certified, or required to be certified, in
64 compliance with s. 943.1395; however, sheriffs and elected
65 police chiefs shall be excluded from meeting the certification
66 requirements of this paragraph. In addition, the member's
67 duties and responsibilities must include the pursuit,
68 apprehension, and arrest of law violators or suspected law
69 violators; or the member must be an active member of a bomb
70 disposal unit whose primary responsibility is the location,
71 handling, and disposal of explosive devices; or the member must
72 be the supervisor or command officer of a member or members who
73 have such responsibilities; provided, however, administrative
74 support personnel, including, but not limited to, those whose
75 primary duties and responsibilities are in accounting,
76 purchasing, legal, and personnel, shall not be included;

77 (b) The member must be employed as a firefighter and be
78 certified, or required to be certified, in compliance with s.
79 633.35 and be employed solely within the fire department of a
80 local government employer or an agency of state government with
81 firefighting responsibilities. In addition, the member's duties
82 and responsibilities must include on-the-scene fighting of
83 fires, fire prevention, or firefighter training; direct
84 supervision of firefighting units, fire prevention, or

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85 firefighter training; or aerial firefighting surveillance
86 performed by fixed-wing aircraft pilots employed by the Division
87 of Forestry of the Department of Agriculture and Consumer
88 Services; or the member must be the supervisor or command
89 officer of a member or members who have such responsibilities;
90 provided, however, administrative support personnel, including,
91 but not limited to, those whose primary duties and
92 responsibilities are in accounting, purchasing, legal, and
93 personnel, shall not be included and further provided that all
94 periods of creditable service in fire prevention or firefighter
95 training, or as the supervisor or command officer of a member or
96 members who have such responsibilities, and for which the
97 employer paid the special risk contribution rate, shall be
98 included;

99 (c) The member must be employed as a correctional officer
100 and be certified, or required to be certified, in compliance
101 with s. 943.1395. In addition, the member's primary duties and
102 responsibilities must be the custody, and physical restraint
103 when necessary, of prisoners or inmates within a prison, jail,
104 or other criminal detention facility, or while on work detail
105 outside the facility, or while being transported; or the member
106 must be the supervisor or command officer of a member or members
107 who have such responsibilities; provided, however,
108 administrative support personnel, including, but not limited to,
109 those whose primary duties and responsibilities are in
110 accounting, purchasing, legal, and personnel, shall not be
111 included; however, wardens and assistant wardens, as defined by
112 rule, shall participate in the Special Risk Class;

113 (d) The member must be employed by a licensed Advance Life
114 Support (ALS) or Basic Life Support (BLS) employer as an
115 emergency medical technician or a paramedic and be certified in
116 compliance with s. 401.27. In addition, the member's primary
117 duties and responsibilities must include on-the-scene emergency
118 medical care or direct supervision of emergency medical
119 technicians or paramedics, or the member must be the supervisor
120 or command officer of one or more members who have such
121 responsibility. However, administrative support personnel,
122 including, but not limited to, those whose primary
123 responsibilities are in accounting, purchasing, legal, and
124 personnel, shall not be included;

125 (e) The member must be employed as a community-based
126 correctional probation officer and be certified, or required to
127 be certified, in compliance with s. 943.1395. In addition, the
128 member's primary duties and responsibilities must be the
129 supervised custody, surveillance, control, investigation, and
130 counseling of assigned inmates, probationers, parolees, or
131 community controllees within the community; or the member must
132 be the supervisor of a member or members who have such
133 responsibilities. Administrative support personnel, including,
134 but not limited to, those whose primary duties and
135 responsibilities are in accounting, purchasing, legal services,
136 and personnel management, shall not be included; however,
137 probation and parole circuit and deputy circuit administrators
138 shall participate in the Special Risk Class;

139 (f) The member must be employed in one of the following
140 classes and must spend at least 75 percent of his or her time

141 performing duties which involve contact with patients or inmates
 142 in a correctional or forensic facility or institution:

- 143 1. Dietitian (class codes 5203 and 5204);
- 144 2. Public health nutrition consultant (class code 5224);
- 145 3. Psychological specialist (class codes 5230 and 5231);
- 146 4. Psychologist (class code 5234);
- 147 5. Senior psychologist (class codes 5237 and 5238);
- 148 6. Regional mental health consultant (class code 5240);
- 149 7. Psychological Services Director--DCF (class code 5242);
- 150 8. Pharmacist (class codes 5245 and 5246);
- 151 9. Senior pharmacist (class codes 5248 and 5249);
- 152 10. Dentist (class code 5266);
- 153 11. Senior dentist (class code 5269);
- 154 12. Registered nurse (class codes 5290 and 5291);
- 155 13. Senior registered nurse (class codes 5292 and 5293);
- 156 14. Registered nurse specialist (class codes 5294 and
 157 5295);
- 158 15. Clinical associate (class codes 5298 and 5299);
- 159 16. Advanced registered nurse practitioner (class codes
 160 5297 and 5300);
- 161 17. Advanced registered nurse practitioner specialist
 162 (class codes 5304 and 5305);
- 163 18. Registered nurse supervisor (class codes 5306 and
 164 5307);
- 165 19. Senior registered nurse supervisor (class codes 5308
 166 and 5309);
- 167 20. Registered nursing consultant (class codes 5312 and
 168 5313);

169 21. Quality management program supervisor (class code
170 5314);

171 22. Executive nursing director (class codes 5320 and
172 5321);

173 23. Speech and hearing therapist (class code 5406); or

174 24. Pharmacy manager (class code 5251);

175 (g) The member must be employed as a youth custody officer
176 and be certified, or required to be certified, in compliance
177 with s. 943.1395. In addition, the member's primary duties and
178 responsibilities must be the supervised custody, surveillance,
179 control, investigation, apprehension, arrest, and counseling of
180 assigned juveniles within the community; ~~or~~

181 (h) The member must be employed by a law enforcement
182 agency or medical examiner's office in a forensic discipline
183 recognized by the International Association for Identification
184 and must qualify for active membership in the International
185 Association for Identification. The member's primary duties and
186 responsibilities must include the collection, examination,
187 preservation, documentation, preparation, or analysis of
188 physical evidence or testimony, or both, or the member must be
189 the direct supervisor, quality management supervisor, or command
190 officer of one or more individuals with such responsibility.
191 Administrative support personnel, including, but not limited to,
192 those whose primary responsibilities are clerical or in
193 accounting, purchasing, legal, and personnel, shall not be
194 included; or-

195 (i) The member must be employed by the Department of
196 Juvenile Justice as a juvenile detention officer, a senior

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197 | juvenile detention officer, or a juvenile detention officer
198 | supervisor or otherwise in a supervisory position.

199 | Section 3. This act shall take effect July 1, 2006.