

By Senator Lawson

6-1773A-07

See HB 655

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.; providing membership in the Special Risk
5 Class for persons employed by the Department of
6 Corrections, the Department of Children and
7 Family Services, the Agency for Persons with
8 Disabilities, or the Department of Agriculture
9 and Consumer Services and who meet certain
10 criteria; providing a declaration of important
11 state interest; providing an effective date.

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

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

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

20 (15)

21 (f) Effective October 1, 2007, the term "special risk
22 member" includes any member who is employed by the Department
23 of Corrections, the Department of Children and Family
24 Services, the Agency for Persons with Disabilities, or the
25 Department of Agriculture and Consumer Services and meets the
26 special criteria set forth in s. 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 in one of the
19 following classes and must spend at least 75 percent of his or
20 her time performing duties that involve contact with patients
21 or inmates in a correctional or forensic facility or
22 institution:

23 1. Automotive equipment superintendent-SES (class code
24 6542)

25 2. Behavioral program associate (class code 5750);

26 3. Behavioral program associate-F/C (class code 5762);

27 4. Behavioral program specialist (class code 5751);

28 5. Behavioral program specialist-F/C (class code
29 5763);

30 6. Behavioral program supervisor-F/C SES (class code
31 5764);

- 1 7. Carpenter F/C (class code 6433);
2 8. Certified radiologic technologist radiographer
3 I-F/C (class code 5524);
4 9. Certified radiologic technologist radiographer
5 II-F/C (class code 5528);
6 10. Classroom teacher II-F/C (class code 4147);
7 11. Construction projects consultant I (class code
8 4691);
9 12. Construction projects consultant II (class code
10 4692);
11 13. Correctional medical technician certified-ALS/BLS
12 (class code 5589);
13 14. Dental Assistant-F/C (class code 5633);
14 15. Electrician-F/C (class code 6445);
15 16. Electronic technician II-F/C (class code 7236);
16 17. Health support aide-F/C (class code 5504);
17 18. Health support technician-F/C (class code 5519);
18 19. Human services counselor II-F/C (class code 5937);
19 20. Human services counselor III-F/C (class code
20 5941);
21 21. Human services worker I (class code 5706);
22 22. Human services worker I-forensic (class code
23 5781);
24 23. Human services worker II (class code 5709);
25 24. Human services worker II-F/C (class code 5784);
26 25. Inmate work crew leader (class code 6392);
27 26. Institutional counselor-F/C (class code 5932);
28 27. Licensed practical nurse (class code 5599);
29 28. Maintenance and construction superintendent-DC SES
30 (class code 6386);
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1 29. Maintenance and construction superintendent-SES
2 (class code 6387);
3 30. Maintenance mechanic-F/C (class code 6469);
4 31. Maintenance support technician-F/C (class code
5 6377);
6 32. Medical technologist I-F/C (class code 5601);
7 33. Medical technologist II-F/C (class code 5604);
8 34. Pharmacy technician (class code 5501);
9 35. Refrigeration mechanic-F/C (class code 6452);
10 36. Rehabilitation therapist (class code 5562);
11 37. Rehabilitation therapist-F/C (class code 5563);
12 38. Rehabilitation therapist-F/C SES (class code
13 5565);
14 39. Respiratory care specialist II-F/C (class code
15 5582);
16 40. Senior licensed practical nurse-F/C (class code
17 5597);
18 41. Social services counselor-F/C (class code 5960);
19 42. Special education teacher (class code 9095);
20 43. Supervising construction project administrator
21 (class code 4693);
22 44. Support service aide-F/C (class code 6202);
23 45. Teacher aide-F/C (class code 4133);
24 46. Unit treatment and rehab specialist (class code
25 5776);
26 47. Unit treatment and rehab specialist-F/C (class
27 code 5791);
28 48. Unit treatment and rehabilitation supervisor I-F/C
29 SES;
30 49. Unit treatment and rehabilitation senior
31 supervisor I-F/C SES;

- 1 50. Unit treatment and rehabilitation senior
2 supervisor II-F/F SES;
3 51. Vocational instructor I (class code 1310);
4 52. Vocational instructor II (class code 1311);
5 53. Vocational instructor III (class code 1312);
6 54. Vocational instructor II-F/C (class code 1313);
7 55. Vocational instructor III-F/C (class code 1315);
8 56. Vocational teacher EJT-F/C (class code 8085);
9 57. Wellness education specialist I-F/C (class code
10 5567); or
11 58. Wellness education specialist II-F/C (class code
12 5568).

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

25 Section 4. This act shall take effect October 1, 2007.
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