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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.; providing membership in  
4 the Special Risk Class for public safety dispatchers and  
5 911 operators and their supervisors; providing an  
6 effective date.

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

9  
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 October 1, 2007, the term "special risk  
53 member" includes a person employed by an agency of state or  
54 local government as a public safety dispatcher or 911 operator  
55 whose duties and responsibilities include answering 911 calls;  
56 dispatching law enforcement, fire rescue services, emergency

57 management services, and other public safety services to the  
 58 scene of an emergency; and providing real-time information from  
 59 federal, state, and local crime databases or supervising or  
 60 serving as command officer of a member or members having such  
 61 duties and responsibilities. However, the term does not include  
 62 administrative support personnel, including, but not limited to,  
 63 those whose primary duties and responsibilities are in  
 64 accounting, purchasing, legal, and personnel.

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

67 121.0515 Special risk membership.--

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

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

85           (b) The member must be employed as a firefighter and be  
86 certified, or required to be certified, in compliance with s.  
87 633.35 and be employed solely within the fire department of a  
88 local government employer or an agency of state government with  
89 firefighting responsibilities. In addition, the member's duties  
90 and responsibilities must include on-the-scene fighting of  
91 fires, fire prevention, or firefighter training; direct  
92 supervision of firefighting units, fire prevention, or  
93 firefighter training; or aerial firefighting surveillance  
94 performed by fixed-wing aircraft pilots employed by the Division  
95 of Forestry of the Department of Agriculture and Consumer  
96 Services; or the member must be the supervisor or command  
97 officer of a member or members who have such responsibilities;  
98 provided, however, administrative support personnel, including,  
99 but not limited to, those whose primary duties and  
100 responsibilities are in accounting, purchasing, legal, and  
101 personnel, shall not be included and further provided that all  
102 periods of creditable service in fire prevention or firefighter  
103 training, or as the supervisor or command officer of a member or  
104 members who have such responsibilities, and for which the  
105 employer paid the special risk contribution rate, shall be  
106 included;

107           (c) The member must be employed as a correctional officer  
108 and be certified, or required to be certified, in compliance  
109 with s. 943.1395. In addition, the member's primary duties and  
110 responsibilities must be the custody, and physical restraint  
111 when necessary, of prisoners or inmates within a prison, jail,  
112 or other criminal detention facility, or while on work detail

113 outside the facility, or while being transported; or the member  
114 must be the supervisor or command officer of a member or members  
115 who have such responsibilities; provided, however,  
116 administrative support personnel, including, but not limited to,  
117 those whose primary duties and responsibilities are in  
118 accounting, purchasing, legal, and personnel, shall not be  
119 included; however, wardens and assistant wardens, as defined by  
120 rule, shall participate in the Special Risk Class;

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

133 (e) The member must be employed as a community-based  
134 correctional probation officer and be certified, or required to  
135 be certified, in compliance with s. 943.1395. In addition, the  
136 member's primary duties and responsibilities must be the  
137 supervised custody, surveillance, control, investigation, and  
138 counseling of assigned inmates, probationers, parolees, or  
139 community controllees within the community; or the member must  
140 be the supervisor of a member or members who have such

141 responsibilities. Administrative support personnel, including,  
 142 but not limited to, those whose primary duties and  
 143 responsibilities are in accounting, purchasing, legal services,  
 144 and personnel management, shall not be included; however,  
 145 probation and parole circuit and deputy circuit administrators  
 146 shall participate in the Special Risk Class;

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

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

- 169           17. Advanced registered nurse practitioner specialist  
 170 (class codes 5304 and 5305);
- 171           18. Registered nurse supervisor (class codes 5306 and  
 172 5307);
- 173           19. Senior registered nurse supervisor (class codes 5308  
 174 and 5309);
- 175           20. Registered nursing consultant (class codes 5312 and  
 176 5313);
- 177           21. Quality management program supervisor (class code  
 178 5314);
- 179           22. Executive nursing director (class codes 5320 and  
 180 5321);
- 181           23. Speech and hearing therapist (class code 5406); or  
 182           24. Pharmacy manager (class code 5251);
- 183           (g) The member must be employed as a youth custody officer  
 184 and be certified, or required to be certified, in compliance  
 185 with s. 943.1395. In addition, the member's primary duties and  
 186 responsibilities must be the supervised custody, surveillance,  
 187 control, investigation, apprehension, arrest, and counseling of  
 188 assigned juveniles within the community; ~~or~~
- 189           (h) The member must be employed by a law enforcement  
 190 agency or medical examiner's office in a forensic discipline  
 191 recognized by the International Association for Identification  
 192 and must qualify for active membership in the International  
 193 Association for Identification. The member's primary duties and  
 194 responsibilities must include the collection, examination,  
 195 preservation, documentation, preparation, or analysis of  
 196 physical evidence or testimony, or both, or the member must be

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197 the direct supervisor, quality management supervisor, or command  
198 officer of one or more individuals with such responsibility.  
199 Administrative support personnel, including, but not limited to,  
200 those whose primary responsibilities are clerical or in  
201 accounting, purchasing, legal, and personnel, shall not be  
202 included; ~~or-~~

203 (i) The member must be employed by an agency of state or  
204 local government as a public safety dispatcher or 911 operator.  
205 In addition, the member's duties and responsibilities must  
206 include answering 911 calls; dispatching law enforcement, fire  
207 rescue services, emergency management services, and other public  
208 safety services to the scene of an emergency; and providing  
209 real-time information from federal, state, and local crime  
210 databases or the member must be the supervisor or command  
211 officer of a member or members who have such duties and  
212 responsibilities. However, administrative support personnel,  
213 including, but not limited to, those whose primary duties and  
214 responsibilities are in accounting, purchasing, legal, and  
215 personnel, are not included.

216 Section 3. This act shall take effect October 1, 2007.