

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

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

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

15 121.021 Definitions.--The following words and phrases as
 16 used in this chapter have the respective meanings set forth
 17 unless a different meaning is plainly required by the context:

18 (15)

19 (f) Effective October 1, 2007, the term "special risk
 20 member" includes any member who is employed by the Department of
 21 Corrections, the Department of Children and Family Services, the
 22 Agency for Persons with Disabilities, or the Department of
 23 Agriculture and Consumer Services and meets the special criteria
 24 set forth in s. 121.0515(2)(i).

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

27 121.0515 Special risk membership.--

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

30 (a) The member must be employed as a law enforcement
31 officer and be certified, or required to be certified, in
32 compliance with s. 943.1395; however, sheriffs and elected
33 police chiefs shall be excluded from meeting the certification
34 requirements of this paragraph. In addition, the member's duties
35 and responsibilities must include the pursuit, apprehension, and
36 arrest of law violators or suspected law violators; or the
37 member must be an active member of a bomb disposal unit whose
38 primary responsibility is the location, handling, and disposal
39 of explosive devices; or the member must be the supervisor or
40 command officer of a member or members who have such
41 responsibilities; provided, however, administrative support
42 personnel, including, but not limited to, those whose primary
43 duties and responsibilities are in accounting, purchasing,
44 legal, and personnel, shall not be included;

45 (b) The member must be employed as a firefighter and be
46 certified, or required to be certified, in compliance with s.
47 633.35 and be employed solely within the fire department of a
48 local government employer or an agency of state government with
49 firefighting responsibilities. In addition, the member's duties
50 and responsibilities must include on-the-scene fighting of
51 fires, fire prevention, or firefighter training; direct
52 supervision of firefighting units, fire prevention, or
53 firefighter training; or aerial firefighting surveillance
54 performed by fixed-wing aircraft pilots employed by the Division
55 of Forestry of the Department of Agriculture and Consumer

56 Services; or the member must be the supervisor or command
57 officer of a member or members who have such responsibilities;
58 provided, however, administrative support personnel, including,
59 but not limited to, those whose primary duties and
60 responsibilities are in accounting, purchasing, legal, and
61 personnel, shall not be included and further provided that all
62 periods of creditable service in fire prevention or firefighter
63 training, or as the supervisor or command officer of a member or
64 members who have such responsibilities, and for which the
65 employer paid the special risk contribution rate, shall be
66 included;

67 (c) The member must be employed as a correctional officer
68 and be certified, or required to be certified, in compliance
69 with s. 943.1395. In addition, the member's primary duties and
70 responsibilities must be the custody, and physical restraint
71 when necessary, of prisoners or inmates within a prison, jail,
72 or other criminal detention facility, or while on work detail
73 outside the facility, or while being transported; or the member
74 must be the supervisor or command officer of a member or members
75 who have such responsibilities; provided, however,
76 administrative support personnel, including, but not limited to,
77 those whose primary duties and responsibilities are in
78 accounting, purchasing, legal, and personnel, shall not be
79 included; however, wardens and assistant wardens, as defined by
80 rule, shall participate in the Special Risk Class;

81 (d) The member must be employed by a licensed Advance Life
82 Support (ALS) or Basic Life Support (BLS) employer as an
83 emergency medical technician or a paramedic and be certified in

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84 compliance with s. 401.27. In addition, the member's primary
85 duties and responsibilities must include on-the-scene emergency
86 medical care or direct supervision of emergency medical
87 technicians or paramedics, or the member must be the supervisor
88 or command officer of one or more members who have such
89 responsibility. However, administrative support personnel,
90 including, but not limited to, those whose primary
91 responsibilities are in accounting, purchasing, legal, and
92 personnel, shall not be included;

93 (e) The member must be employed as a community-based
94 correctional probation officer and be certified, or required to
95 be certified, in compliance with s. 943.1395. In addition, the
96 member's primary duties and responsibilities must be the
97 supervised custody, surveillance, control, investigation, and
98 counseling of assigned inmates, probationers, parolees, or
99 community controllees within the community; or the member must
100 be the supervisor of a member or members who have such
101 responsibilities. Administrative support personnel, including,
102 but not limited to, those whose primary duties and
103 responsibilities are in accounting, purchasing, legal services,
104 and personnel management, shall not be included; however,
105 probation and parole circuit and deputy circuit administrators
106 shall participate in the Special Risk Class;

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

111 1. Dietitian (class codes 5203 and 5204);

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- 112 | 2. Public health nutrition consultant (class code 5224);
- 113 | 3. Psychological specialist (class codes 5230 and 5231);
- 114 | 4. Psychologist (class code 5234);
- 115 | 5. Senior psychologist (class codes 5237 and 5238);
- 116 | 6. Regional mental health consultant (class code 5240);
- 117 | 7. Psychological Services Director--DCF (class code 5242);
- 118 | 8. Pharmacist (class codes 5245 and 5246);
- 119 | 9. Senior pharmacist (class codes 5248 and 5249);
- 120 | 10. Dentist (class code 5266);
- 121 | 11. Senior dentist (class code 5269);
- 122 | 12. Registered nurse (class codes 5290 and 5291);
- 123 | 13. Senior registered nurse (class codes 5292 and 5293);
- 124 | 14. Registered nurse specialist (class codes 5294 and
- 125 | 5295);
- 126 | 15. Clinical associate (class codes 5298 and 5299);
- 127 | 16. Advanced registered nurse practitioner (class codes
- 128 | 5297 and 5300);
- 129 | 17. Advanced registered nurse practitioner specialist
- 130 | (class codes 5304 and 5305);
- 131 | 18. Registered nurse supervisor (class codes 5306 and
- 132 | 5307);
- 133 | 19. Senior registered nurse supervisor (class codes 5308
- 134 | and 5309);
- 135 | 20. Registered nursing consultant (class codes 5312 and
- 136 | 5313);
- 137 | 21. Quality management program supervisor (class code
- 138 | 5314);

139 22. Executive nursing director (class codes 5320 and
140 5321);

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

142 24. Pharmacy manager (class code 5251);

143 (g) The member must be employed as a youth custody officer
144 and be certified, or required to be certified, in compliance
145 with s. 943.1395. In addition, the member's primary duties and
146 responsibilities must be the supervised custody, surveillance,
147 control, investigation, apprehension, arrest, and counseling of
148 assigned juveniles within the community; ~~or~~

149 (h) The member must be employed by a law enforcement
150 agency or medical examiner's office in a forensic discipline
151 recognized by the International Association for Identification
152 and must qualify for active membership in the International
153 Association for Identification. The member's primary duties and
154 responsibilities must include the collection, examination,
155 preservation, documentation, preparation, or analysis of
156 physical evidence or testimony, or both, or the member must be
157 the direct supervisor, quality management supervisor, or command
158 officer of one or more individuals with such responsibility.
159 Administrative support personnel, including, but not limited to,
160 those whose primary responsibilities are clerical or in
161 accounting, purchasing, legal, and personnel, shall not be
162 included; or

163 (i) The member must be employed in one of the following
164 classes and must spend at least 75 percent of his or her time
165 performing duties that involve contact with patients or inmates
166 in a correctional or forensic facility or institution:

- 167 | 1. Automotive equipment superintendent-SES (class code
- 168 | 6542)
- 169 | 2. Behavioral program associate (class code 5750);
- 170 | 3. Behavioral program associate-F/C (class code 5762);
- 171 | 4. Behavioral program specialist (class code 5751);
- 172 | 5. Behavioral program specialist-F/C (class code 5763);
- 173 | 6. Carpenter F/C (class code 6433);
- 174 | 7. Certified radiologic technologist radiographer I-F/C
- 175 | (class code 5524);
- 176 | 8. Certified radiologic technologist radiographer II-F/C
- 177 | (class code 5528);
- 178 | 9. Classroom teacher II-F/C (class code 4147);
- 179 | 10. Construction projects consultant I (class code 4691);
- 180 | 11. Construction projects consultant II (class code 4692);
- 181 | 12. Correctional medical technician certified-ALS/BLS
- 182 | (class code 5589);
- 183 | 13. Dental Assistant-F/C (class code 5633);
- 184 | 14. Electrician-F/C (class code 6445);
- 185 | 15. Electronic technician II-F/C (class code 7236);
- 186 | 16. Health support aide-F/C (class code 5504);
- 187 | 17. Health support technician-F/C (class code 5519);
- 188 | 18. Human services counselor II-F/C (class code 5937);
- 189 | 19. Human services counselor III-F/C (class code 5941);
- 190 | 20. Human services worker I (class code 5706);
- 191 | 21. Human services worker I-forensic (class code 5781);
- 192 | 22. Human services worker II (class code 5709);
- 193 | 23. Human services worker II-F/C (class code 5784);
- 194 | 24. Inmate work crew leader (class code 6392);

- 195 25. Institutional counselor-F/C (class code 5932);
- 196 26. Licensed practical nurse (class code 5599);
- 197 27. Maintenance and construction superintendent-DC SES
 198 (class code 6386);
- 199 28. Maintenance and construction superintendent-SES (class
 200 code 6387);
- 201 29. Maintenance mechanic-F/C (class code 6469);
- 202 30. Maintenance support technician-F/C (class code 6377);
- 203 31. Medical technologist I-F/C (class code 5601);
- 204 32. Medical technologist II-F/C (class code 5604);
- 205 33. Pharmacy technician (class code 5501);
- 206 34. Refrigeration mechanic-F/C (class code 6452);
- 207 35. Rehabilitation therapist (class code 5562);
- 208 36. Rehabilitation therapist-F/C (class code 5563);
- 209 37. Respiratory care specialist II-F/C (class code 5582);
- 210 38. Senior licensed practical nurse-F/C (class code 5597);
- 211 39. Social services counselor-F/C (class code 5960);
- 212 40. Special education teacher (class code 9095);
- 213 41. Supervising construction project administrator (class
 214 code 4693);
- 215 42. Support service aide-F/C (class code 6202);
- 216 43. Teacher aide-F/C (class code 4133);
- 217 44. Unit treatment and rehab specialist (class code 5776);
- 218 45. Unit treatment and rehab specialist-F/C (class code
 219 5791);
- 220 46. Unit treatment and rehabilitation supervisor I-F/C
 221 SES;

222 47. Unit treatment and rehabilitation senior supervisor I-
 223 F/C SES;

224 48. Unit treatment and rehabilitation senior supervisor
 225 II-F/F SES;

226 49. Vocational instructor II-F/C (class code 1313);

227 50. Vocational instructor III-F/C (class code 1315);

228 51. Vocational teacher EJT-F/C (class code 8085);

229 52. Wellness education specialist I-F/C (class code 5567);

230 or

231 53. Wellness education specialist II-F/C (class code
 232 5568).

233 Section 3. The Legislature finds that a proper and
 234 legitimate state purpose is served when employees and retirees
 235 of the state and its political subdivisions and the dependents,
 236 survivors, and beneficiaries of such employees and retirees are
 237 extended the basic protections afforded by governmental
 238 retirement systems. These persons must be provided benefits that
 239 are fair and adequate and that are managed, administered, and
 240 funded in a sound actuarial manner, as required by Section 14,
 241 Article X of the State Constitution and part VII of chapter 112,
 242 Florida Statutes. Therefore, the Legislature hereby determines
 243 and declares that this act fulfills an important state interest.

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