



132226

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
4/9/2008	.	
	.	
	.	

1 The Committee on Governmental Operations (King) recommended the
 2 following **amendment**:

3
 4 **Senate Amendment (with title amendment)**

5 Delete everything after the enacting clause
 6 and insert:

7 Section 1. Paragraph (h) of subsection (2) and subsection
 8 (4) of section 121.0515, Florida Statutes, are amended,
 9 paragraphs (i) and (j) are added to subsection (2) of that
 10 section, and paragraph (c) is added to subsection (9) of that
 11 section, to read:

12 121.0515 Special risk membership.--

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

15 (h) Effective October 1, 2005, through June 30, 2008, the
 16 member must be employed by a law enforcement agency or medical
 17 examiner's office in a forensic discipline recognized by the

Bill No. SB 800



132226

18 International Association for Identification and must qualify for
19 active membership in the International Association for
20 Identification. The member's primary duties and responsibilities
21 must include the collection, examination, preservation,
22 documentation, preparation, or analysis of physical evidence or
23 testimony, or both, or the member must be the direct supervisor,
24 quality management supervisor, or command officer of one or more
25 individuals with such responsibility. Administrative support
26 personnel, including, but not limited to, those whose primary
27 responsibilities are clerical or in accounting, purchasing,
28 legal, and personnel, shall not be included.

29 (i) Effective July 1, 2008, the member must be employed by
30 the Department of Law Enforcement in the crime laboratory or by
31 the Division of State Fire Marshal in the forensic laboratory in
32 one of the following classes:

- 33 1. Forensic technologist (class code 8459);
- 34 2. Crime laboratory technician (class code 8461);
- 35 3. Crime laboratory analyst (class code 8463);
- 36 4. Senior crime laboratory analyst (class code 8464);
- 37 5. Crime laboratory analyst supervisor (class code 8466);
- 38 6. Forensic chief (class code 9602); or
- 39 7. Forensic services quality manager (class code 9603).

40 (j) Effective July 1, 2008, the member must be employed by
41 a local government law enforcement agency or medical examiner's
42 office and must spend at least 65 percent of his or her time
43 performing duties that involve the collection, examination,
44 preservation, documentation, preparation, or analysis of human
45 tissues or fluids or physical evidence having potential
46 biological, chemical, or radiological hazard or contamination, or
47 use chemicals, processes, or materials that may have carcinogenic

Bill No. SB 800



132226

48 or health damaging properties in the analysis of said evidence,
49 or the member must be the direct supervisor of one or more
50 individuals having such responsibility. If a special risk member
51 changes to another position within the same agency, he or she
52 must submit a complete application as provided paragraph (3) (a).

53 (4) REMOVAL OF SPECIAL RISK MEMBERSHIP.--

54 (a) Any member who is a special risk member on October 1,
55 1978, and who fails to meet the criteria for special risk
56 membership established by this section shall have his or her
57 special risk designation removed and thereafter shall be a
58 regular member and shall earn only regular membership credit. The
59 department shall have the authority to review the special risk
60 designation of members to determine whether or not those members
61 continue to meet the criteria for special risk membership.

62 (b) Any member who is a special risk member on July 1,
63 2008, and who became eligible to participate under paragraph
64 (2) (h) but fails to meet the criteria for special risk membership
65 established by paragraph (2) (i) or paragraph (2) (j) shall have
66 his or her special risk designation removed and thereafter shall
67 be a regular member and earn only regular membership credit. The
68 department may review the special risk designation of members to
69 determine whether or not those members continue to meet the
70 criteria for special risk membership.

71 (9) CREDIT FOR UPGRADED SERVICE.--

72 (c) Any member of the Special Risk Class who has earned
73 creditable service in another membership class of the Florida
74 Retirement System in a position with the Department of Law
75 Enforcement or the Division of State Fire Marshal and became
76 covered by the Special Risk Class as described in paragraph
77 (2) (i), or with a local government law enforcement agency or

Bill No. SB 800



132226

78 medical examiner's office and became covered by the Special Risk
79 Class as described in paragraph (2)(j), which service is within
80 the purview of the Special Risk Class, and is employed in such
81 position on or after July 1, 2008, may purchase additional
82 retirement credit to upgrade such service to Special Risk Class
83 service, to the extent of the percentages of the member's average
84 final compensation provided in s. 121.091(1)(a)2. The cost for
85 such credit shall be an amount representing the actuarial accrued
86 liability for the difference in accrual value during the affected
87 period of service. The cost shall be calculated using the
88 discount rate and other relevant actuarial assumptions that were
89 used to value the Florida Retirement System defined benefit plan
90 liabilities in the most recent actuarial valuation. The division
91 shall ensure that the transfer sum is prepared using a formula
92 and methodology certified by an enrolled actuary. The cost must
93 be paid immediately upon notification by the division. The local
94 government employer may purchase the upgraded service credit on
95 behalf of the member if the member has been employed by that
96 employer for at least 3 years.

97 Section 2. The Legislature finds that a proper and
98 legitimate state purpose is served when employees and retirees of
99 the state and its political subdivisions, and the dependents,
100 survivors, and beneficiaries of such employees and retirees, are
101 extended additional protections afforded by governmental
102 retirement systems. These persons must be provided benefits that
103 are fair and adequate and that are managed, administered, and
104 funded in a sound actuarial manner, as required by Section 14,
105 Article X of the State Constitution and part VII of chapter 112,
106 Florida Statutes. Therefore, the Legislature determines and
107 declares that this act fulfills an important state interest.



132226

108 Section 3. This act shall take effect July 1, 2008.

109

110 ===== T I T L E A M E N D M E N T =====

111 And the title is amended as follows:

112 Delete everything before the enacting clause

113 and insert:

114 A bill to be entitled

115 An act relating to the Florida Retirement System; amending

116 s. 121.0515, F.S.; revising the criteria under which

117 certain employees of the Department of Law Enforcement,

118 the Division of State Fire Marshal, or a local government

119 law enforcement agency or medical examiner's office are

120 eligible for membership in the Special Risk Class;

121 authorizing the Department of Management Services to

122 review the special risk designation of certain members;

123 authorizing certain members to purchase additional

124 retirement credit to upgrade prior service to Special Risk

125 Class service; providing for the calculation of

126 contributions for such service upgrade; authorizing the

127 employer to purchase such additional credit for certain

128 members; providing a declaration of important state

129 interest; providing an effective date.