

By Senator Crist

12-00864-10

20101230__

1 A bill to be entitled
2 An act relating to the Florida Retirement System;
3 amending s. 121.055, F.S.; authorizing certain
4 positions in the offices of the capital collateral
5 regional counsels to be designated for inclusion in
6 the Senior Management Service Class; providing
7 requirements for such inclusion; providing an
8 effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Paragraph (h) of subsection (1) of section
13 121.055, Florida Statutes, is amended to read:

14 121.055 Senior Management Service Class.—There is hereby
15 established a separate class of membership within the Florida
16 Retirement System to be known as the "Senior Management Service
17 Class," which shall become effective February 1, 1987.

18 (1)

19 (h)1. Except as provided in subparagraph 3., effective
20 January 1, 1994, participation in the Senior Management Service
21 Class shall be compulsory for the State Courts Administrator and
22 the Deputy State Courts Administrators, the Clerk of the Supreme
23 Court, the Marshal of the Supreme Court, the Executive Director
24 of the Justice Administrative Commission, the capital collateral
25 regional counsel, the clerks of the district courts of appeals,
26 the marshals of the district courts of appeals, and the trial
27 court administrator and the Chief Deputy Court Administrator in
28 each judicial circuit. Effective January 1, 1994, additional
29 positions in the offices of the state attorney and public

12-00864-10

20101230__

30 defender in each judicial circuit and in the offices of the
31 capital collateral regional counsel in each region may be
32 designated for inclusion in the Senior Management Service Class
33 of the Florida Retirement System, provided that:

34 a. Positions to be included in the class shall be
35 designated by the state attorney, ~~or~~ public defender, or capital
36 collateral regional counsel, as appropriate. Notice of intent to
37 designate positions for inclusion in the class shall be
38 published once a week for 2 consecutive weeks in a newspaper of
39 general circulation published in the county or counties
40 affected, as provided in chapter 50.

41 b. One nonelective full-time position may be designated for
42 each state attorney, ~~and~~ public defender, and capital collateral
43 regional counsel reporting to the Department of Management
44 Services; for agencies with 200 or more regularly established
45 positions under the state attorney, ~~or~~ public defender, or
46 capital collateral regional counsel, additional nonelective
47 full-time positions may be designated, not to exceed 0.5 percent
48 of the regularly established positions within the agency.

49 c. Each position added to the class must be a managerial or
50 policymaking position filled by an employee who serves at the
51 pleasure of the state attorney, ~~or~~ public defender, or capital
52 collateral regional counsel without civil service protection,
53 and who:

54 (I) Heads an organizational unit; or

55 (II) Has responsibility to effect or recommend personnel,
56 budget, expenditure, or policy decisions in his or her areas of
57 responsibility.

58 2. Participation in this class shall be compulsory, except

12-00864-10

20101230__

59 as provided in subparagraph 3., for any judicial employee who
60 holds a position designated for coverage in the Senior
61 Management Service Class, and such participation shall continue
62 until the employee terminates employment in a covered position.
63 Effective January 1, 2001, participation in this class is
64 compulsory for assistant state attorneys, assistant statewide
65 prosecutors, assistant public defenders, and assistant capital
66 collateral regional counsel. Effective January 1, 2002,
67 participation in this class is compulsory for assistant
68 attorneys general.

69 3. In lieu of participation in the Senior Management
70 Service Class, such members, excluding assistant state
71 attorneys, assistant public defenders, assistant statewide
72 prosecutors, assistant attorneys general, and assistant capital
73 collateral regional counsel, may participate in the Senior
74 Management Service Optional Annuity Program as established in
75 subsection (6).

76 Section 2. This act shall take effect July 1, 2010.