

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

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

10
 11 Section 1. Paragraph (h) of subsection (1) of section
 12 121.055, Florida Statutes, is amended to read:

13 121.055 Senior Management Service Class.--There is hereby
 14 established a separate class of membership within the Florida
 15 Retirement System to be known as the "Senior Management Service
 16 Class," which shall become effective February 1, 1987.

17 (1)

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

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

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

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

49 | c. Each position added to the class must be a managerial
 50 | or 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

HB 147

2010

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
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.