

1 A bill to be entitled
2 An act relating to the Senior Management Service
3 Class; amending s. 121.055, F.S.; authorizing the
4 Chief Justice of the Supreme Court to select a
5 specified number of non-managerial or policymaking
6 positions within the judicial branch for inclusion in
7 the Senior Management Service Class of the Florida
8 Retirement System; requiring the Executive Director
9 and the General Counsel of the Florida Judicial
10 Qualifications Commission to participate in the Senior
11 Management Service Class; providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

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15 **Section 1. Paragraph (h) of subsection (1) of section**
16 **121.055, Florida Statutes, is amended to read:**

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

21 (1)

22 (h)1.a. Except as provided in subparagraph 3., effective
23 January 1, 1994, participation in the Senior Management Service
24 Class shall be compulsory for the State Courts Administrator and
25 the Deputy State Courts Administrators, the Clerk of the Supreme

26 Court, the Marshal of the Supreme Court, the Executive Director
27 of the Justice Administrative Commission, the capital collateral
28 regional counsel, the clerks of the district courts of appeals,
29 the marshals of the district courts of appeals, and the trial
30 court administrator and the Chief Deputy Court Administrator in
31 each judicial circuit. Effective July 1, 2026, participation in
32 the Senior Management Service Class shall be compulsory for up
33 to an additional 235 non-judicial managerial or policymaking
34 positions within the judicial branch, as selected by the Chief
35 Justice of the Supreme Court.

36 b. Effective July 1, 2026, participation in the Senior
37 Management Service Class shall be compulsory for the Executive
38 Director and the General Counsel of the Florida Judicial
39 Qualifications Commission.

40 c. Effective January 1, 1994, additional positions in the
41 offices of the state attorney and public defender in each
42 judicial circuit may be designated for inclusion in the Senior
43 Management Service Class of the Florida Retirement System,
44 provided that:

45 (I)~~a.~~ Positions to be included in the class shall be
46 designated by the state attorney or public defender, as
47 appropriate. Notice of intent to designate positions for
48 inclusion in the class shall be published for at least 2
49 consecutive weeks on a publicly accessible website as provided
50 in s. 50.0311 or, if published in print, once a week for 2

51 consecutive weeks in a newspaper qualified under chapter 50 in
52 the county or counties affected.

53 (II)~~b.~~ One nonelective full-time position may be
54 designated for each state attorney and public defender reporting
55 to the Department of Management Services; for agencies with 200
56 or more regularly established positions under the state attorney
57 or public defender, additional nonelective full-time positions
58 may be designated, not to exceed 0.5 percent of the regularly
59 established positions within the agency.

60 (III)~~c.~~ Each position added to the class must be a
61 managerial or policymaking position filled by an employee who
62 serves at the pleasure of the state attorney or public defender
63 without civil service protection, and who:

64 (A)~~(I)~~ Heads an organizational unit; or

65 (B)~~(II)~~ Has responsibility to effect or recommend
66 personnel, budget, expenditure, or policy decisions in his or
67 her areas of responsibility.

68 2. Participation in this class shall be compulsory, except
69 as provided in subparagraph 3., for any judicial employee who
70 holds a position designated for coverage in the Senior
71 Management Service Class, and such participation shall continue
72 until the employee terminates employment in a covered position.
73 Effective January 1, 2001, participation in this class is
74 compulsory for assistant state attorneys, assistant statewide
75 prosecutors, assistant public defenders, and assistant capital

76 collateral regional counsel. Effective January 1, 2002,
77 participation in this class is compulsory for assistant
78 attorneys general.

79 3. In lieu of participation in the Senior Management
80 Service Class, such members, excluding assistant state
81 attorneys, assistant public defenders, assistant statewide
82 prosecutors, assistant attorneys general, and assistant capital
83 collateral regional counsel, may participate in the Senior
84 Management Service Optional Annuity Program as established in
85 subsection (6).

86 **Section 2.** This act shall take effect July 1, 2026.