

Governor's Budget Recommendation Conforming Bill  
Division of Administrative Hearings Employee Benefits

1 A bill to be entitled

2 An act relating to the Division of Administrative  
3 Hearings; amending section 110.205, revising selected  
4 exempt service position exemptions; amending section  
5 121.055, revising participation in certain retirement  
6 classes; providing an effective date.

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

10 Section 1. Paragraph (r) of subsection (2) of section  
11 110.205, Florida Statutes, is amended to read:

12 (2) EXEMPT POSITIONS.—The exempt positions that are not  
13 covered by this part include the following:

14 (r) All positions not otherwise exempt under this subsection  
15 which require as a prerequisite to employment: licensure as a  
16 physician pursuant to chapter 458, licensure as an osteopathic  
17 physician pursuant to chapter 459, licensure as a chiropractic  
18 physician pursuant to chapter 460, including those positions  
19 which are occupied by employees who are exempted from licensure  
20 pursuant to s. 409.352; licensure as an engineer pursuant to  
21 chapter 471, which are supervisory positions; or for 12 calendar  
22 months, which require as a prerequisite to employment that the  
23 employee have received the degree of Bachelor of Laws or Juris  
24 Doctor from a law school accredited by the American Bar  
25 Association and thereafter membership in The Florida Bar, ~~except~~  
26 ~~for any attorney who serves as an administrative law judge~~  
27 ~~pursuant to s. 120.65 or for hearings conducted pursuant to s.~~  
28 ~~120.57(1)(a).~~ Unless otherwise fixed by law, the department  
29 shall set the salary and benefits for these positions in

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30 accordance with the rules established for the Selected Exempt  
31 Service.

32 Section 2. Paragraph (i) of subsection (1) of section  
33 121.055, Florida Statutes, is amended to read:

34 (1)(a) Participation in the Senior Management Service Class  
35 shall be limited to and compulsory for any member of the Florida  
36 Retirement System who holds a position in the Senior Management  
37 Service of the State of Florida, established by part III of  
38 chapter 110, unless such member elects, within the time  
39 specified herein, to participate in the Senior Management  
40 Service Optional Annuity Program as established in subsection  
41 (6).

42 (i)1. Except as provided in subparagraph 3. 2-, effective  
43 July 1, 1999, participation in the Senior Management Service  
44 Class is compulsory for any member of the Florida Retirement  
45 System who is employed as the Deputy Chief Judge Compensation  
46 Claims or as a judge of compensation claims with the Office of  
47 the Judges of Compensation Claims within the Division of  
48 Administrative Hearings.

49 2. Except as provided in subparagraph 3. 2-, effective July  
50 1, 2023, participation in the Senior Management Service Class is  
51 compulsory for any member of the Florida Retirement System who  
52 is employed as an administrative law judge, the Deputy Chief  
53 Judge Compensation Claims, or as a judge of compensation claims  
54 with the Office of the Judges of Compensation Claims within the  
55 Division of Administrative Hearings.

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58        3. ~~2.~~ In lieu of participating in the Senior Management  
59 Service Class, any administrative law judge, the Deputy Chief  
60 Judge of Compensation Claims, or a judge of compensation claims  
61 may participate in the Senior Management Service Optional  
62 Annuity Program established under subsection (6).

63        Section 3. This act shall take effect on July 1, 2023.