

By Senator Hooper

21-00467-24

2024242\_\_

1                   A bill to be entitled  
2           An act relating to the cost-of-living adjustment of  
3           retirement benefits; amending s. 121.101, F.S.;  
4           revising how the cost-of-living adjustment of benefits  
5           for certain retirees and beneficiaries is calculated;  
6           providing a declaration of important state interest;  
7           providing an effective date.

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

10  
11           Section 1. Subsection (5) of section 121.101, Florida  
12           Statutes, is amended, and subsection (3) of that section is  
13           republished, to read:

14           121.101 Cost-of-living adjustment of benefits.—

15           (3) Commencing July 1, 1987, the benefit of each retiree  
16           and annuitant whose effective retirement date is before July 1,  
17           2011, shall be adjusted annually on July 1 as follows:

18           (a) For those retirees and annuitants who have never  
19           received a cost-of-living adjustment under this section, the  
20           amount of the monthly benefit payable for the 12-month period  
21           commencing on the adjustment date shall be the amount of the  
22           member's initial benefit plus an amount equal to a percentage of  
23           the member's initial benefit; this percentage is derived by  
24           dividing the number of months the member has received an initial  
25           benefit by 12, and multiplying the result by 3.

26           (b) For those retirees and annuitants who have received a  
27           cost-of-living adjustment under this subsection, the adjusted  
28           monthly benefit shall be the amount of the monthly benefit being  
29           received on June 30 immediately preceding the adjustment date

21-00467-24

2024242\_\_

30 plus an amount equal to 3 percent of this benefit.

31 (5) Notwithstanding subsection (4), beginning July 1, 2024,  
32 and each July 1 thereafter, the cost-of-living adjustment of  
33 each retiree and annuitant shall be adjusted ~~subject to the~~  
34 ~~availability of funding and the Legislature enacting sufficient~~  
35 ~~employer contributions specifically for the purpose of funding~~  
36 ~~the expiration of the cost-of-living adjustment specified in~~  
37 ~~subsection (4), in accordance with s. 14, Art. X of the State~~  
38 ~~Constitution, the cost-of-living adjustment formula provided for~~  
39 ~~in subsection (4) shall expire effective June 30, 2016, and the~~  
40 ~~benefit of each retiree and annuitant shall be adjusted on each~~  
41 ~~July 1 thereafter,~~ as provided in subsection (3).

42 Section 2. The Legislature finds that a proper and  
43 legitimate state purpose is served when employees and retirees  
44 of the state and its political subdivisions, and the dependents,  
45 survivors, and beneficiaries of such employees and retirees, are  
46 extended the basic protections afforded by governmental  
47 retirement systems that provide fair and adequate benefits and  
48 that are managed, administered, and funded in an actuarially  
49 sound manner as required by s. 14, Article X of the State  
50 Constitution and part VII of chapter 112, Florida Statutes.  
51 Therefore, the Legislature determines and declares that this act  
52 fulfills an important state interest.

53 Section 3. This act shall take effect July 1, 2024.