

1                   A bill to be entitled  
 2           An act relating to state-administered retirement  
 3           systems; amending s. 121.052, F.S.; revising  
 4           participation in the Elected Officers' Class;  
 5           requiring certain holders of elective office to  
 6           participate in the Senior Management Service Class;  
 7           providing an exception; amending s. 121.055, F.S.;  
 8           conforming cross-references; amending s. 121.71, F.S.;  
 9           revising required employer retirement contribution  
 10          rates for each membership class and subclass of the  
 11          Florida Retirement System; providing a declaration of  
 12          important state interest; providing effective dates.

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

15  
 16           **Section 1. Subsections (2) and (3) of section 121.052,**  
 17 **Florida Statutes, are amended to read:**

18           121.052 Membership class of elected officers.—

19           (2) MEMBERSHIP.—

20           (a) The following holders of elective office, hereinafter  
 21 referred to as "elected officers," whether assuming elective  
 22 office by election or, reelection, ~~or appointment,~~ are members  
 23 of the Elected Officers' Class, except as provided in subsection  
 24 (3):

25           1.(a) Any Governor, Lieutenant Governor, Cabinet officer,

26 legislator, Supreme Court justice, district court of appeal  
27 judge, circuit judge, or state attorney assuming office on or  
28 after July 1, 1972.

29 2.~~(b)~~ Any county court judge assuming office on or after  
30 October 1, 1974.

31 3.~~(c)~~ Any public defender assuming office on or after July  
32 1, 1977.

33 4.~~(d)~~ Any constitutional county elected officer assuming  
34 office on or after July 1, 1981, including any sheriff, tax  
35 collector, property appraiser, supervisor of elections, clerk of  
36 the circuit court, county commissioner, school board member, or  
37 elected school board superintendent, or any elected officer of  
38 any entity with countywide jurisdiction assuming office on or  
39 after July 1, 1981, who, pursuant to general or special law,  
40 exercises powers and duties that, but for such general or  
41 special law, would be exercised by any of the constitutional  
42 county elected officers set forth in this paragraph, including  
43 the sheriff and clerk of the circuit court in a consolidated  
44 government with countywide jurisdiction unless such sheriff or  
45 clerk elected to continue to participate in a local retirement  
46 system.

47 5.~~(e)~~ Any public service commissioner assuming office on  
48 or after July 1, 1972, but prior to July 1, 1979.

49 6.~~(f)~~ Any elected officer of a municipality or special  
50 district assuming office on July 1, 1997, through June 30, 2009,

51 as provided in paragraph (3) (e). On or after January 1, 2010, an  
52 elected officer shall become a member only if the governing body  
53 of the municipality or special district, at the time it joins  
54 the Florida Retirement System for its elected officers, elects,  
55 by majority vote, to include all its elected positions in the  
56 Elected Officers' Class.

57 (b) Holders of elective office as provided in paragraph  
58 (a) who have assumed elective office by appointment may not  
59 participate in the Elected Officers' Class until the officer  
60 assumes office by election or reelection. Participation in the  
61 Senior Management Service Class is compulsory for a member who  
62 has been appointed to an elected officer position unless such  
63 member elects to withdraw from the system altogether.

64 (3) PARTICIPATION AND WITHDRAWAL, GENERALLY.—Effective  
65 July 1, 1990, participation in the Elected Officers' Class shall  
66 be compulsory for elected officers listed in subparagraphs  
67 (2) (a) 1.-4. and 6. ~~paragraphs (2) (a) (d) and (f)~~ assuming office  
68 on or after said date, unless the elected officer elects  
69 membership in another class or withdraws from the Florida  
70 Retirement System as provided in paragraphs (3) (a)-(d):

71 (a) Any elected officer who is or becomes dually employed  
72 and a member of the Florida Retirement System or one of the  
73 existing systems may elect membership in any system or class for  
74 which he or she is eligible. Upon becoming dually employed, the  
75 elected officer shall have a period of 6 months to notify the

76 administrator of his or her decision, as provided in subsection  
77 (6).

78 (b) Upon assuming office, any sheriff shall have a period  
79 of 6 months to notify the administrator of his or her decision  
80 to remain or elect membership in the Special Risk Class in lieu  
81 of membership in the Elected Officers' Class.

82 (c) Any elected officer may, within 6 months after  
83 assuming office, or within 6 months after this act becomes a law  
84 for serving elected officers, elect membership in the Senior  
85 Management Service Class as provided in s. 121.055 in lieu of  
86 membership in the Elected Officers' Class. Any such election  
87 made by a county elected officer shall have no effect upon the  
88 statutory limit on the number of nonelective full-time positions  
89 that may be designated by a local agency employer for inclusion  
90 in the Senior Management Service Class under s. 121.055(1)(b)1.

91 (d)1. Any elected officer may elect to withdraw from  
92 participating in the Florida Retirement System in any manner  
93 whatsoever. Upon assuming office, the member shall have a period  
94 of 6 months to notify the administrator of his or her decision  
95 to withdraw from the Florida Retirement System altogether. Such  
96 election shall be made in writing and a copy shall be filed with  
97 the employer.

98 2. Upon receipt of a request from an elected officer to  
99 withdraw from the Florida Retirement System pursuant to  
100 subparagraph 1., the administrator shall refund all moneys

101 contributed by the elected officer to the system during the  
102 period of participation in the system, unless the elected  
103 officer has a vested right under the Florida Retirement System,  
104 in which case he or she shall not receive a refund of  
105 contributions.

106 3. Any elected officer who has withdrawn from the Florida  
107 Retirement System pursuant to this paragraph shall be permitted  
108 to rejoin the Elected Officers' Class upon written request to  
109 the administrator.

110 a. Credit for prior service based on the period for which  
111 refunds were received pursuant to subparagraph 2. shall be  
112 received by an elected officer who rejoins the system upon  
113 payment to the System Trust Fund of an amount equal to the  
114 contributions refunded to the elected officer pursuant to  
115 subparagraph 2., plus 4 percent interest compounded annually  
116 from the date of refund until July 1, 1975, and 6.5 percent  
117 interest, compounded annually thereafter until the date of  
118 payment.

119 b. Credit for prior service based on the period during  
120 which the elected officer had withdrawn from the system, and for  
121 which no contributions were made, shall be received by the  
122 elected officer upon payment to the System Trust Fund of an  
123 amount equal to the contributions required, under the  
124 contribution rate in effect during the period of withdrawal for  
125 which credit is being purchased, plus 6.5 percent interest,

126 compounded annually until the date of payment. The payment of  
127 the total of such amount shall be made by the employer and the  
128 elected officer in the relative proportions provided by law for  
129 contributions during the period of withdrawal.

130  
131 Failure to timely withdraw from the Elected Officers' Class  
132 shall constitute an election to maintain membership in the  
133 Elected Officers' Class.

134 (e) The governing body of a municipality or special  
135 district may, by majority vote, elect to designate all its  
136 elected positions for inclusion in the Elected Officers' Class  
137 as follows.

138 1. Effective July 1, 1997, such election must be made  
139 between July 1, 1997, and December 31, 1997, and is irrevocable.  
140 The designation of such positions is effective the first day of  
141 the month following receipt by the department of the ordinance  
142 or resolution passed by the governing body.

143 2. Effective July 1, 2001, such election must be made  
144 between July 1, 2001, and December 31, 2001, and is irrevocable.  
145 The designation of such positions is effective the first day of  
146 the month following receipt by the department of the ordinance  
147 or resolution passed by the governing body.

148 3. Effective July 1, 2009, such election must be made  
149 between July 1, 2009, and December 31, 2009, and is irrevocable.  
150 The designation of such positions is effective the first day of

151 the month following receipt by the department of the ordinance  
 152 or resolution passed by the governing body.

153 **Section 2. Paragraph (f) of subsection (1) of section**  
 154 **121.055, Florida Statutes, is amended to read:**

155 121.055 Senior Management Service Class.—There is hereby  
 156 established a separate class of membership within the Florida  
 157 Retirement System to be known as the "Senior Management Service  
 158 Class," which shall become effective February 1, 1987.

159 (1)

160 (f) Effective July 1, 1997:

161 1. Except as provided in subparagraph 3., an elected state  
 162 officer eligible for membership in the Elected Officers' Class  
 163 under s. 121.052(2)(a)1., 2., or 3. ~~s. 121.052(2)(a), (b), or~~  
 164 ~~(e)~~ who elects membership in the Senior Management Service Class  
 165 under s. 121.052(3)(c) may, within 6 months after assuming  
 166 office or within 6 months after this act becomes a law for  
 167 serving elected state officers, elect to participate in the  
 168 Senior Management Service Optional Annuity Program, as provided  
 169 in subsection (6), in lieu of membership in the Senior  
 170 Management Service Class.

171 2. Except as provided in subparagraph 3., an elected  
 172 officer of a local agency employer eligible for membership in  
 173 the Elected Officers' Class under s. 121.052(2)(a)4. ~~s.~~  
 174 ~~121.052(2)(d)~~ who elects membership in the Senior Management  
 175 Service Class under s. 121.052(3)(c) may, within 6 months after

176 assuming office, or within 6 months after this act becomes a law  
177 for serving elected officers of a local agency employer, elect  
178 to withdraw from the Florida Retirement System, as provided in  
179 subparagraph (b)2., in lieu of membership in the Senior  
180 Management Service Class.

181 3. A retiree of a state-administered retirement system who  
182 is initially reemployed in a regularly established position on  
183 or after July 1, 2010, through June 30, 2017, as an elected  
184 official eligible for the Elected Officers' Class may not be  
185 enrolled in renewed membership in the Senior Management Service  
186 Class or in the Senior Management Service Optional Annuity  
187 Program as provided in subsection (6), and may not withdraw from  
188 the Florida Retirement System as a renewed member as provided in  
189 subparagraph (b)2., as applicable, in lieu of membership in the  
190 Senior Management Service Class. Effective July 1, 2017, a  
191 retiree of the Senior Management Service Optional Annuity  
192 Program who is reemployed in a regularly established position  
193 with a covered employer shall be enrolled as a renewed member as  
194 provided in s. 121.122.

195 **Section 3. Effective July 1, 2025, subsections (4) and (5)**  
196 **of section 121.71, Florida Statutes, are amended to read:**

197 121.71 Uniform rates; process; calculations; levy.—

198 (4) Required employer retirement contribution rates for  
199 each membership class and subclass of the Florida Retirement  
200 System for both retirement plans are as follows:



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	Percentage of Gross Compensation, Effective July 1, <u>2025</u> <del>2024</del>
201 Membership Class	
202	
203 Regular Class	<u>7.10%</u> <del>6.73%</del>
204 Special Risk Class	<u>20.10%</u> <del>18.66%</del>
205 Special Risk Administrative Support Class	11.54%
206 Elected Officers' Class— Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	10.70%
207 Elected Officers' Class—	<u>15.62%</u> <del>14.90%</del>

208	Justices, Judges	
	Elected Officers' Class—	
	County Elected Officers	12.39%
209		
	Senior Management Service Class	<u>8.73%</u> <del>8.56%</del>
210		
	DROP	<u>9.37%</u> <del>8.49%</del>
211		
212	(5) In order to address unfunded actuarial liabilities of	
213	the system, the required employer retirement contribution rates	
214	for each membership class and subclass of the Florida Retirement	
215	System for both retirement plans are as follows:	
216		
		Percentage of Gross Compensation, Effective
	Membership Class	July 1, <u>2025</u> <del>2024</del>
217		
218		
	Regular Class	<u>4.87%</u> <del>4.84%</del>
219		
	Special Risk Class	<u>13.03%</u> <del>12.07%</del>

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220	Special Risk	
	Administrative	
	Support Class	<u>26.54%</u> <del>26.22%</del>
221	Elected Officers' Class—	
	Legislators, Governor,	
	Lt. Governor,	
	Cabinet Officers,	
	State Attorneys,	
	Public Defenders	<u>50.56%</u> <del>50.21%</del>
222	Elected Officers' Class—	
	Justices, Judges	28.49%
223	Elected Officers' Class—	
	County Elected Officers	44.23%
224	Senior Management Service Class	23.90%
225	DROP	<u>10.65%</u> <del>10.64%</del>
226		
227	<b>Section 4.</b> <u>The Legislature finds that a proper and</u>	
228	<u>legitimate state purpose is served when employees and retirees</u>	
229	<u>of the state and its political subdivisions, and the dependents,</u>	

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230 survivors, and beneficiaries of such employees and retirees, are  
231 extended the basic protections afforded by governmental  
232 retirement systems that provide fair and adequate benefits and  
233 that are managed, administered, and funded in an actuarially  
234 sound manner as required by s. 14, Art. X of the State  
235 Constitution and part VII of chapter 112, Florida Statutes.  
236 Therefore, the Legislature determines and declares that this act  
237 fulfills an important state interest.

238 **Section 5.** Except as otherwise expressly provided in this  
239 act, this act shall take effect upon becoming a law.