

1 A bill to be entitled
2 An act relating to deferred compensation plans for
3 public employees; providing a short title; amending s.
4 112.215, F.S.; authorizing that certain employees'
5 payable compensation be deducted and contributed to a
6 deferred compensation plan through an automatic
7 enrollment arrangement unless the employee makes a
8 certain election; requiring that the automatic
9 enrollment arrangement be established with a default
10 contribution rate; authorizing the periodic
11 reenrollment of specified government employees;
12 authorizing the periodic resetting of contribution
13 rates for specified government employees; requiring
14 that the automatic enrollment arrangement provide
15 employees the ability to make certain elections
16 regarding contributions; requiring that the plan
17 provide for a default investment into which
18 contributions must be placed under a specified
19 circumstance; authorizing counties, municipalities,
20 political subdivisions, and constitutional county
21 officers to adopt automatic enrollment arrangements
22 for specified deferred compensation programs;
23 providing that the deferred compensation plan may only
24 include an automatic enrollment arrangement upon
25 approval of the Legislature; authorizing that certain

26 automatic deferrals be made by payroll deduction;
 27 amending ss. 110.114 and 112.171, F.S.; requiring that
 28 a certain deduction of the wages or salary of
 29 employees be treated in a specified manner; making
 30 technical changes; providing an effective date.

31

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

33

34 **Section 1.** This act may be cited as the "Deferred
 35 Compensation Automatic Enrollment Act."

36 **Section 2. Subsection (3) of section 112.215, Florida**
 37 **Statutes, is amended to read:**

38 112.215 Government employees; deferred compensation
 39 program.—

40 (3) (a) In accordance with a plan of deferred compensation
 41 which has been approved as herein provided, the state or any
 42 state agency, county, municipality, other political subdivision,
 43 or constitutional county officer may, by contract or a
 44 collective bargaining agreement, agree with any employee to
 45 defer all or any portion of that employee's otherwise payable
 46 compensation and, pursuant to the terms of such approved plan
 47 and in such proportions as may be designated or directed under
 48 that plan, place such deferred compensation in savings accounts
 49 or use the same to purchase fixed or variable life insurance or
 50 annuity contracts, securities, evidence of indebtedness, or such

51 other investment products as may have been approved for the
52 purposes of carrying out the objectives of such plan. Such
53 insurance, annuity, savings, or investment products must ~~shall~~
54 be underwritten and offered in compliance with the applicable
55 federal and state laws and regulations by persons ~~who are~~ duly
56 authorized by the applicable state and federal authorities.

57 (b) Such plan of deferred compensation may include an
58 automatic enrollment arrangement under which a government
59 employee's otherwise payable compensation is deducted and
60 contributed to the plan unless the government employee elects
61 not to contribute or elects to contribute a different rate or
62 amount. Such automatic enrollment arrangement must establish a
63 default contribution rate, may provide for the periodic
64 reenrollment of government employees eligible but not
65 participating in the plan, and may allow the periodic resetting
66 of contribution rates for government employees contributing at
67 rates lower than those established by the automatic enrollment
68 arrangement.

69 (c) An automatic enrollment arrangement must provide that
70 a government employee may, at any time, elect not to contribute
71 to the plan or may elect to contribute to the plan at a
72 different rate or amount than the default rate.

73 (d) If a deferred compensation plan includes an automatic
74 enrollment arrangement, the plan must provide for a default
75 investment into which contributions must be placed in the

76 absence of an election from the government employee.

77 (e) Any county, municipality, or other political
 78 subdivision of the state may by ordinance, and any
 79 constitutional county officer under s. 1(d), Art. VIII of the
 80 State Constitution may, by contract agreement or other
 81 documentation constituting approval, adopt an automatic
 82 enrollment arrangement for its own deferred compensation
 83 program. Notwithstanding subsection (4), the deferred
 84 compensation plan of this state may only adopt an automatic
 85 enrollment arrangement upon approval of the Legislature.

86 **Section 3. Subsection (1) of section 110.114, Florida**
 87 **Statutes, is amended to read:**

88 110.114 Employee wage deductions.—

89 (1) The state or any of its departments, bureaus,
 90 commissions, and officers are authorized and permitted, with the
 91 concurrence of the Department of Financial Services, to make
 92 deductions from the salary or wage of any employee or employees
 93 in such amount as ~~shall be~~ authorized and requested by such
 94 employee or employees and for such purpose as ~~shall be~~
 95 authorized and requested by such employee or employees and shall
 96 pay such sums so deducted as directed by such employee or
 97 employees. Deduction of the salary or wage of an employee as
 98 authorized by an automatic enrollment arrangement pursuant to s.
 99 112.215(3)(c) must be treated as authorized and requested by
 100 such employee for purposes of this subsection. The concurrence

101 of the Department of Financial Services may ~~shall~~ not be
102 required for the deduction of a certified bargaining agent's
103 membership dues deductions pursuant to s. 447.303 or any
104 deductions authorized by a collective bargaining agreement.

105 **Section 4. Subsection (1) of section 112.171, Florida**
106 **Statutes, is amended to read:**

107 112.171 Employee wage deductions.—

108 (1) The counties, municipalities, and special districts of
109 the state and the departments, agencies, bureaus, commissions,
110 and officers thereof are authorized and permitted in their sole
111 discretion to make deductions from the salary or wage of any
112 employee or employees in such amount as ~~shall be~~ authorized and
113 requested by such employee or employees and for such purpose as
114 ~~shall be~~ authorized and requested by such employee or employees
115 and shall pay such sums so deducted as directed by such employee
116 or employees. Deduction of the salary or wage of an employee as
117 authorized by an automatic enrollment arrangement pursuant to s.
118 112.215(3)(c) must be treated as authorized and requested by
119 such employee for purposes of this subsection.

120 **Section 5.** This act shall take effect July 1, 2025.