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LEGISLATIVE ACTION

Senate

.

House

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Floor: 1/AD/2R

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05/12/2026 11:08 AM

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Senator Mayfield moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (7) of section 121.053, Florida
Statutes, is amended to read:

121.053 Participation in the Elected Officers' Class for
retired members.—

(7) A member who is elected or appointed to an elective
office and who is participating in the Deferred Retirement
Option Program is not subject to termination as defined in s.



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12 121.021, or reemployment limitations as provided in s.
13 121.091(9), until the end of his or her current term of office
14 or, if the officer is consecutively elected or reelected to an
15 elective office eligible for coverage under the Florida
16 Retirement System, until he or she no longer holds an elective
17 office, as follows:

18 (a) At the end of the member's DROP period:

19 1. The officer's DROP account may not accrue additional
20 monthly benefits, but does continue to earn interest as provided
21 in s. 121.091(13). However, an officer whose DROP participation
22 begins on or after July 1, 2010, may not continue to earn such
23 interest.

24 2. Retirement contributions, except for unfunded actuarial
25 liability and health insurance subsidy contributions required in
26 ss. 121.71(5) and 121.76, are not required of the employer of
27 the elected officer, and additional retirement credit may not be
28 earned under the Florida Retirement System.

29 3. The officer, except while serving as a legislator, may
30 remain in elective office and receive his or her accumulated
31 DROP proceeds, including interest earned in accordance with
32 subparagraph 1., after attaining the age of 59 1/2 years.

33 (b) An elected officer may voluntarily terminate his or her
34 elective office at any time and receive his or her DROP
35 proceeds. However, until termination occurs, an elected officer
36 whose termination limitations are extended by this section is
37 ineligible for renewed membership in the system and may not
38 receive pension payments, ~~DROP lump sum payments,~~ or any other
39 state payment other than the statutorily determined salary,
40 travel, and per diem for the elective office.



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41 (c) Upon termination, the officer shall receive his or her
42 accumulated DROP account, including plus interest earned in
43 accordance with subparagraph (a)1., and shall accrue and
44 commence receiving monthly retirement benefits, which must be
45 paid on a prospective basis only.

46 Section 2. Subsection (5) of section 121.091, Florida
47 Statutes, is amended to read:

48 121.091 Benefits payable under the system.—Benefits may not
49 be paid under this section unless the member has terminated
50 employment as provided in s. 121.021(39) (a) or begun
51 participation in the Deferred Retirement Option Program as
52 provided in subsection (13), and a proper application has been
53 filed in the manner prescribed by the department. The department
54 may cancel an application for retirement benefits when the
55 member or beneficiary fails to timely provide the information
56 and documents required by this chapter and the department's
57 rules. The department shall adopt rules establishing procedures
58 for application for retirement benefits and for the cancellation
59 of such application when the required information or documents
60 are not received.

61 (5) TERMINATION BENEFITS.—A member whose employment is
62 terminated prior to retirement retains membership rights to
63 previously earned member-noncontributory service credit, and to
64 member-contributory service credit, if the member leaves the
65 member contributions on deposit in his or her retirement
66 account. If a terminated member receives a refund of member
67 contributions, such member may reinstate membership rights to
68 the previously earned service credit represented by the refund
69 by completing 1 year of creditable service and repaying the



70 refunded member contributions, plus interest.

71 (a) A member whose employment is terminated for any reason
72 other than death or retirement before becoming vested is
73 entitled to the return of his or her accumulated contributions
74 as of the date of termination. Effective July 1, 2011, upon
75 termination of employment from all participating employers for 3
76 calendar months as defined in s. 121.021(39)(c) for any reason
77 other than retirement, a member may receive a refund of all
78 contributions he or she has made to the pension plan, subject to
79 the restrictions otherwise provided in this chapter. The refund
80 may be received as a lump-sum payment, a rollover to a qualified
81 plan, or a combination of these methods. Partial refunds are not
82 permitted. The refund may not include any interest earnings on
83 the contributions for a member of the pension plan. Employer
84 contributions made on behalf of the member are not refundable. A
85 member may not receive a refund of employee contributions if a
86 pending or an approved qualified domestic relations order is
87 filed against his or her retirement account. By obtaining a
88 refund of contributions, a member waives all rights under the
89 Florida Retirement System and the health insurance subsidy to
90 the service credit represented by the refunded contributions,
91 except the right to purchase his or her prior service credit in
92 accordance with s. 121.081(2).

93 (b) A member whose employment is terminated for any reason
94 other than death or retirement after becoming vested may elect
95 to receive a deferred monthly benefit which shall begin to
96 accrue on the first day of the month of normal or early
97 retirement and shall be payable on the last day of that month
98 and each month thereafter during his or her lifetime. The amount



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99 of monthly benefit shall be computed in the same manner as for a
100 normal retirement benefit in accordance with subsection (1) or
101 early retirement benefit in accordance with s. 121.021(30), but
102 based on average monthly compensation and creditable service as
103 of the date of termination.

104 (c) In lieu of the deferred monthly benefit provided in
105 paragraph (b), the terminated member may elect to receive a
106 lump-sum amount equal to his or her accumulated contributions as
107 of the date of termination. Effective July 1, 2011, upon
108 termination of employment from all participating employers for 3
109 calendar months as defined in s. 121.021(39)(c) for any reason
110 other than retirement, a member may receive a refund of all
111 contributions he or she has made to the pension plan, subject to
112 the restrictions otherwise provided in this chapter. Partial
113 refunds are not permitted. The refund may not include any
114 interest earnings on the contributions for a member of the
115 pension plan. Employer contributions made on behalf of the
116 member are not refundable. A member may not receive a refund of
117 employee contributions if a pending or an approved qualified
118 domestic relations order is filed against his or her retirement
119 account. By obtaining a refund of contributions, a member waives
120 all rights under the Florida Retirement System and the health
121 insurance subsidy to the service credit represented by the
122 refunded contributions, except the right to purchase his or her
123 prior service credit in accordance with s. 121.081(2).

124 (d) If any retired member dies without having received in
125 benefit payments an amount equal to his or her accumulated
126 contributions, there shall be payable to his or her designated
127 beneficiary an amount equal to the excess, if any, of the



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128 member's accumulated contributions over the total monthly
129 payments made to the member prior to the date of death.

130 (e) A member shall be deemed a terminated member when
131 termination of employment has occurred as provided in s.
132 121.021(39).

133 (f) Any member who has been found guilty by a verdict of a
134 jury, or by the court trying the case without a jury, of
135 committing, aiding, or abetting any embezzlement or theft from
136 his or her employer, bribery in connection with the employment,
137 or other felony specified in chapter 838, except ss. 838.15 and
138 838.16, committed prior to retirement, or who has entered a plea
139 of guilty or of nolo contendere to such crime, or any member
140 whose employment is terminated by reason of the member's
141 admitted commitment, aiding, or abetting of an embezzlement or
142 theft from his or her employer, bribery, or other felony
143 specified in chapter 838, except ss. 838.15 and 838.16, shall
144 forfeit all rights and benefits under this chapter, except the
145 return of his or her accumulated contributions as of the date of
146 termination.

147 (g) Any elected official who is convicted by the Senate of
148 an impeachable offense shall forfeit all rights and benefits
149 under this chapter, except the return of his or her accumulated
150 contributions as of the date of the conviction.

151 (h) Any member who, prior to retirement, is adjudged by a
152 court of competent jurisdiction to have violated any state law
153 against strikes by public employees, or who has been found
154 guilty by such court of violating any state law prohibiting
155 strikes by public employees, shall forfeit all rights and
156 benefits under this chapter, except the return of his or her



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157 accumulated contributions as of the date of the conviction.

158 (i) The division or the state board may not pay benefits to
159 any member convicted of a felony committed on or after October
160 1, 2008, defined in s. 800.04 against a victim younger than 16
161 years of age, or defined in chapter 794 against a victim younger
162 than 18 years of age, through the use or attempted use of power,
163 rights, privileges, duties, or position of the member's public
164 office or employment position. However, the division or the
165 state board shall return the member's accumulated contributions,
166 if any, that the member accumulated as of the date of
167 conviction.

168 (j) Any beneficiary who by a verdict of a jury or by the
169 court trying the case without a jury is found guilty, or who has
170 entered a plea of guilty or nolo contendere, of unlawfully and
171 intentionally killing or procuring the death of the member
172 forfeits all rights to the deceased member's benefits under this
173 chapter, and the benefits will be paid as if such beneficiary
174 had predeceased the decedent.

175 (k) Benefits may not be paid by the division or the state
176 board pending final resolution of such charges against a member
177 or beneficiary if the resolution of such charges could require
178 the forfeiture of benefits as provided in paragraph (f),
179 paragraph (g), paragraph (h), paragraph (i), paragraph (j), or
180 chapter 112.

181 (l) The division and the state board, as appropriate, must
182 take steps to recoup from the elected officer any DROP proceeds
183 distributed pursuant to s. 121.053(7)(a)3. if:

184 1. Such DROP proceeds were distributed before the elected
185 officer's termination; and



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186 2. The division or state board would be prohibited pursuant
187 to paragraph (k) from making a distribution to the elected
188 officer, absent the distribution to the elected officer pursuant
189 to s. 121.053(7)(a)3.

190 Section 3. Present subsections (5) through (9) of section
191 121.101, Florida Statutes, are redesignated as subsections (6)
192 through (10), respectively, and a new subsection (5) is added to
193 that section, to read:

194 121.101 Cost-of-living adjustment of benefits.—

195 (5)(a) Commencing July 1, 2026, and in lieu of any annual
196 adjustment authorized in paragraph (4)(b) occurring after the
197 fifth anniversary of retirement of an eligible Special Risk
198 Class member whose effective retirement date is on or after July
199 1, 2011, the adjusted monthly benefit of each eligible Special
200 Risk Class retiree and annuitant shall be the amount of the
201 monthly benefit being received on June 30 immediately preceding
202 the adjustment date plus the greater of the amount determined by
203 multiplying the benefit by the factor calculated pursuant to
204 paragraph (4)(c) or the amount equal to 1.5 percent of this
205 benefit.

206 (b) For purposes of this subsection, the term "eligible
207 Special Risk Class retiree" means a retiree:

208 1. Initially enrolled in the Florida Retirement System
209 prior to July 1, 2011, who has completed at least 72 calendar
210 months of creditable service as a Special Risk Class member; or

211 2. Initially enrolled in the Florida Retirement System on
212 or after July 1, 2011, who has completed at least 96 calendar
213 months of creditable service as a Special Risk Class member.

214 Section 4. Subsections (4) and (5) of section 121.71,



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215 Florida Statutes, are amended to read:
216 121.71 Uniform rates; process; calculations; levy.—
217 (4) Required employer retirement contribution rates for
218 each membership class and subclass of the Florida Retirement
219 System for both retirement plans are as follows:
220

| Membership Class | Percentage of Gross Compensation, Effective July 1, <u>2026</u> 2025 |
|--|---|
| 221 | |
| 222 Regular Class | <u>7.11%</u> 7.10% |
| 223 Special Risk Class | <u>21.58%</u> 20.10% |
| 224 Special Risk Administrative Support Class | <u>11.45%</u> 10.88% |
| 225 Elected Officers' Class— Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders | <u>10.30%</u> 10.04% |
| 226 | |



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227 Elected Officers' Class-
Justices, Judges 15.54% ~~15.62%~~

228 Elected Officers' Class-
County Elected Officers 11.45% ~~11.79%~~

229 Senior Management Service
Class 8.68% ~~8.73%~~

230 DROP 9.86% ~~9.37%~~

231
232 (5) In order to address unfunded actuarial liabilities of
233 the system, the required employer retirement contribution rates
234 for each membership class and subclass of the Florida Retirement
235 System for both retirement plans are as follows:
236

237 Membership Class Percentage of
Gross
Compensation,
Effective
July 1, 2026 ~~2025~~

238 Regular Class 4.42% ~~4.87%~~

239 Special Risk Class 14.10% ~~13.03%~~

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| | | |
|-----|--|---------------------------------|
| 241 | Special Risk Administrative Support Class | <u>28.28%</u> 26.54% |
| 242 | Elected Officers' Class— Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders | <u>51.43%</u> 50.56% |
| 243 | Elected Officers' Class— Justices, Judges | <u>28.40%</u> 28.46% |
| 244 | Elected Officers' Class— County Elected Officers | <u>41.49%</u> 40.72% |
| 245 | Senior Management Service Class | <u>21.86%</u> 22.45% |
| 246 | DROP | <u>10.26%</u> 10.65% |

247

248 Section 5. Subsection (3) of section 121.73, Florida

249 Statutes, is amended to read:

250 121.73 Allocations for member disability coverage;

251 percentage amounts.—

252 (3) Effective July 1, 2026 ~~2002~~, allocations from the

253 Florida Retirement System Contributions Clearing Trust Fund to



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254 provide disability coverage for members in the investment plan,
255 and to offset the costs of administering said coverage, are as
256 follows:

257

| Membership Class | Percentage of Gross Compensation |
|------------------|-------------------------------------|
|------------------|-------------------------------------|

258

259

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|---------------|-------|
| Regular Class | 0.25% |
|---------------|-------|

260

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|--------------------|-------------------------------|
| Special Risk Class | <u>1.91%</u> 1.85% |
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261

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|--|-------------------------------|
| Special Risk Administrative Support Class | <u>0.46%</u> 0.45% |
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262

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|--|-------|
| Elected Officers' Class— Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders | 0.41% |
|--|-------|

263

| | |
|--|-------|
| Elected Officers' Class— Justices, Judges | 0.73% |
|--|-------|

264

| | |
|---|-------|
| Elected Officers' Class— County Elected Officers | 0.41% |
|---|-------|

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Senior Management Service
Class

0.26%

266

267

268 Section 6. Subsection (3) of section 121.735, Florida
269 Statutes, is amended to read:

270 121.735 Allocations for member line-of-duty death benefits;
271 percentage amounts.—

272 (3) Allocations from the Florida Retirement System
273 Contributions Clearing Trust Fund to provide line-of-duty death
274 benefits for members in the investment plan and to offset the
275 costs of administering said coverage, are as follows:

276

Membership Class

Percentage of Gross
Compensation

277

278

Regular Class

0.05%

279

Special Risk Class

1.28% ~~1.26%~~

280

Special Risk Administrative
Support Class

0.03%

281

Elected Officers' Class—
Legislators, Governor,
Lt. Governor, Cabinet
Officers,

0.15%



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State Attorneys, Public
Defenders

282

Elected Officers' Class-
Justices, Judges

0.09%

283

Elected Officers' Class-
County Elected Officers

0.20%

284

Senior Management Service
Class

0.05%

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Section 7. The Legislature finds that a proper and legitimate state purpose is served when employees, officers, and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees, officers, and retirees, are extended the basic protections afforded by governmental retirement systems. These persons must be provided benefits that are fair and adequate and that are managed, administered, and funded in an actuarially sound manner as required by s. 14, Article X of the State Constitution and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that this act fulfills an important state interest.

Section 8. This act shall take effect July 1, 2026.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:



303 Delete everything before the enacting clause
304 and insert:

305 A bill to be entitled
306 An act relating to retirement; amending s. 121.053,
307 F.S.; authorizing an elected officer, except while
308 serving as a legislator, to remain in elective office
309 and receive accumulated Deferred Retirement Option
310 Program (DROP) proceeds after the officer attains a
311 certain age; providing that, upon termination, the
312 officer receives accumulated DROP proceeds including
313 interest earned in accordance with a specified
314 provision; amending s. 121.091, F.S.; requiring the
315 Division of Retirement or the State Board of
316 Administration, as appropriate, to take steps to
317 recoup from the elected officer any DROP proceeds
318 distributed in accordance with a specified provision,
319 under specified circumstances; amending s. 121.101,
320 F.S.; revising the cost-of-living adjustment for
321 eligible Special Risk Class retirees; defining the
322 term "eligible Special Risk Class retiree"; amending
323 s. 121.71, F.S.; revising required employer retirement
324 contribution rates for each membership class and
325 subclass of the Florida Retirement System; amending s.
326 121.73, F.S.; revising required allocations from the
327 Contributions Clearing Trust Fund to provide
328 disability coverage to members of the investment plan
329 of the Florida Retirement System; amending s. 121.735,
330 F.S.; revising allocations from the Contributions
331 Clearing Trust Fund to provide line-of-duty death



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332 benefits to members of the investment plan of the
333 Florida Retirement System; providing a declaration of
334 important state interest; providing an effective date.