

Amendment No.

CHAMBER ACTION

SenateHouse

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Representative Valdés offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

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

121.052 Membership class of elected officers.—

(2) MEMBERSHIP.—

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

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14 1.~~(a)~~ Any Governor, Lieutenant Governor, Cabinet officer,
15 legislator, Supreme Court justice, district court of appeal
16 judge, circuit judge, or state attorney assuming office on or
17 after July 1, 1972.

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

20 3.~~(c)~~ Any public defender assuming office on or after July
21 1, 1977.

22 4.~~(d)~~ Any constitutional county elected officer assuming
23 office on or after July 1, 1981, including any sheriff, tax
24 collector, property appraiser, supervisor of elections, clerk of
25 the circuit court, county commissioner, school board member, or
26 elected school board superintendent, or any elected officer of
27 any entity with countywide jurisdiction assuming office on or
28 after July 1, 1981, who, pursuant to general or special law,
29 exercises powers and duties that, but for such general or
30 special law, would be exercised by any of the constitutional
31 county elected officers set forth in this paragraph, including
32 the sheriff and clerk of the circuit court in a consolidated
33 government with countywide jurisdiction unless such sheriff or
34 clerk elected to continue to participate in a local retirement
35 system.

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

38 6.~~(f)~~ Any elected officer of a municipality or special

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39 district assuming office on July 1, 1997, through June 30, 2009,
40 as provided in paragraph (3)(e). On or after January 1, 2010, an
41 elected officer shall become a member only if the governing body
42 of the municipality or special district, at the time it joins
43 the Florida Retirement System for its elected officers, elects,
44 by majority vote, to include all its elected positions in the
45 Elected Officers' Class.

46 (b) Holders of elective office as provided in paragraph
47 (a) who have assumed elective office by appointment may not
48 participate in the Elected Officers' Class until the officer
49 assumes office by election or reelection. Participation in the
50 Senior Management Service Class is compulsory for a member who
51 has been appointed to an elected officer position unless such
52 member elects to withdraw from the system altogether.

53 (3) PARTICIPATION AND WITHDRAWAL, GENERALLY.—Effective
54 July 1, 1990, participation in the Elected Officers' Class shall
55 be compulsory for elected officers listed in subparagraphs
56 (2)(a)1.-4. and 6. paragraphs (2)(a)-(d) and (f) assuming office
57 on or after said date, unless the elected officer elects
58 membership in another class or withdraws from the Florida
59 Retirement System as provided in paragraphs (3)(a)-(d):

60 (a) Any elected officer who is or becomes dually employed
61 and a member of the Florida Retirement System or one of the
62 existing systems may elect membership in any system or class for
63 which he or she is eligible. Upon becoming dually employed, the

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64 | elected officer shall have a period of 6 months to notify the
65 | administrator of his or her decision, as provided in subsection
66 | (6).

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

71 | (c) Any elected officer may, within 6 months after
72 | assuming office, or within 6 months after this act becomes a law
73 | for serving elected officers, elect membership in the Senior
74 | Management Service Class as provided in s. 121.055 in lieu of
75 | membership in the Elected Officers' Class. Any such election
76 | made by a county elected officer shall have no effect upon the
77 | statutory limit on the number of nonelective full-time positions
78 | that may be designated by a local agency employer for inclusion
79 | in the Senior Management Service Class under s. 121.055(1)(b)1.

80 | (d)1. Any elected officer may elect to withdraw from
81 | participating in the Florida Retirement System in any manner
82 | whatsoever. Upon assuming office, the member shall have a period
83 | of 6 months to notify the administrator of his or her decision
84 | to withdraw from the Florida Retirement System altogether. Such
85 | election shall be made in writing and a copy shall be filed with
86 | the employer.

87 | 2. Upon receipt of a request from an elected officer to
88 | withdraw from the Florida Retirement System pursuant to

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89 subparagraph 1., the administrator shall refund all moneys
90 contributed by the elected officer to the system during the
91 period of participation in the system, unless the elected
92 officer has a vested right under the Florida Retirement System,
93 in which case he or she shall not receive a refund of
94 contributions.

95 3. Any elected officer who has withdrawn from the Florida
96 Retirement System pursuant to this paragraph shall be permitted
97 to rejoin the Elected Officers' Class upon written request to
98 the administrator.

99 a. Credit for prior service based on the period for which
100 refunds were received pursuant to subparagraph 2. shall be
101 received by an elected officer who rejoins the system upon
102 payment to the System Trust Fund of an amount equal to the
103 contributions refunded to the elected officer pursuant to
104 subparagraph 2., plus 4 percent interest compounded annually
105 from the date of refund until July 1, 1975, and 6.5 percent
106 interest, compounded annually thereafter until the date of
107 payment.

108 b. Credit for prior service based on the period during
109 which the elected officer had withdrawn from the system, and for
110 which no contributions were made, shall be received by the
111 elected officer upon payment to the System Trust Fund of an
112 amount equal to the contributions required, under the
113 contribution rate in effect during the period of withdrawal for

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114 which credit is being purchased, plus 6.5 percent interest,
115 compounded annually until the date of payment. The payment of
116 the total of such amount shall be made by the employer and the
117 elected officer in the relative proportions provided by law for
118 contributions during the period of withdrawal.

119
120 Failure to timely withdraw from the Elected Officers' Class
121 shall constitute an election to maintain membership in the
122 Elected Officers' Class.

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

127 1. Effective July 1, 1997, such election must be made
128 between July 1, 1997, and December 31, 1997, and is irrevocable.
129 The designation of such positions is effective the first day of
130 the month following receipt by the department of the ordinance
131 or resolution passed by the governing body.

132 2. Effective July 1, 2001, such election must be made
133 between July 1, 2001, and December 31, 2001, and is irrevocable.
134 The designation of such positions is effective the first day of
135 the month following receipt by the department of the ordinance
136 or resolution passed by the governing body.

137 3. Effective July 1, 2009, such election must be made
138 between July 1, 2009, and December 31, 2009, and is irrevocable.

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The designation of such positions is effective the first day of the month following receipt by the department of the ordinance or resolution passed by the governing body.

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

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

(1)

(f) Effective July 1, 1997:

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

2. Except as provided in subparagraph 3., an elected officer of a local agency employer eligible for membership in the Elected Officers' Class under s. 121.052(2)(a)4. ~~s. 121.052(2)(d)~~ who elects membership in the Senior Management

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164 Service Class under s. 121.052(3)(c) may, within 6 months after
165 assuming office, or within 6 months after this act becomes a law
166 for serving elected officers of a local agency employer, elect
167 to withdraw from the Florida Retirement System, as provided in
168 subparagraph (b)2., in lieu of membership in the Senior
169 Management Service Class.

170 3. A retiree of a state-administered retirement system who
171 is initially reemployed in a regularly established position on
172 or after July 1, 2010, through June 30, 2017, as an elected
173 official eligible for the Elected Officers' Class may not be
174 enrolled in renewed membership in the Senior Management Service
175 Class or in the Senior Management Service Optional Annuity
176 Program as provided in subsection (6), and may not withdraw from
177 the Florida Retirement System as a renewed member as provided in
178 subparagraph (b)2., as applicable, in lieu of membership in the
179 Senior Management Service Class. Effective July 1, 2017, a
180 retiree of the Senior Management Service Optional Annuity
181 Program who is reemployed in a regularly established position
182 with a covered employer shall be enrolled as a renewed member as
183 provided in s. 121.122.

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

186 121.71 Uniform rates; process; calculations; levy.—

187 (4) Required employer retirement contribution rates for
188 each membership class and subclass of the Florida Retirement

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System for both retirement plans are as follows:

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

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Elected Officers' Class—

Justices, Judges

15.62% ~~14.90%~~

Elected Officers' Class—

County Elected Officers

12.39%

Senior Management Service Class

8.73% ~~8.56%~~

DROP

9.37% ~~8.49%~~

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

Membership Class

Percentage of
Gross
Compensation,
Effective
July 1, 2025 ~~2024~~

Regular Class

4.87% ~~4.84%~~

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209	Special Risk Class	<u>13.03%</u> 12.07%
	Special Risk	
	Administrative	
210	Support Class	<u>26.54%</u> 26.22%
	Elected Officers' Class—	
	Legislators, Governor,	
	Lt. Governor,	
	Cabinet Officers,	
	State Attorneys,	
211	Public Defenders	<u>50.56%</u> 50.21%
	Elected Officers' Class—	
	Justices, Judges	28.49%
212	Elected Officers' Class—	
	County Elected Officers	44.23%
213	Senior Management Service Class	23.90%
214	DROP	<u>10.65%</u> 10.64%
215		
216	Section 4. <u>The Legislature finds that a proper and</u>	
217	<u>legitimate state purpose is served when employees and retirees</u>	

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of the state and its political subdivisions, and the dependents,
survivors, and beneficiaries of such employees and retirees, are
extended the basic protections afforded by governmental
retirement systems that provide fair and adequate benefits and
that are managed, administered, and funded in an actuarially
sound manner as required by s. 14, Art. 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 5. Except as otherwise expressly provided in this
act, this act shall take effect upon becoming a law.

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

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to state-administered retirement
systems; amending s. 121.052, F.S.; revising
participation in the Elected Officers' Class;
requiring certain holders of elective office to
participate in the Senior Management Service Class;
providing an exception; amending s. 121.055, F.S.;
conforming cross-references; amending s. 121.71, F.S.;
revising required employer retirement contribution
rates for each membership class and subclass of the

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243 Florida Retirement System; providing a declaration of
244 important state interest; providing effective dates.

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