FRS
FLORIDA RETIREMENT SYSTEM

Pension Plan
Member Handbook



2026 Edition

DISCLAIMER

As much as possible, this guide is written in nontechnical terms, avoiding the formal language of retirement laws and rules. If questions of interpretation arise as a result of the attempt to make the retirement provisions easy to understand, Chapter 121 of the Florida Statutes and Chapter 60S of the Florida Administrative Code must remain the final authority.

The information provided in this guide is based on the Florida Retirement System (FRS)[1] Pension Plan laws and rules in existence as of July 2026 and is subject to modification based on changes in the law or the Florida Administrative Code.

Representatives from FRS employers are not agents of the Department of Management Services' (DMS) Division of Retirement (division) or the State Board of Administration (SBA). The division and the SBA are not responsible for incorrect information provided by employer representatives.

SURVEY

We would love to hear from you! You may take a short survey by clicking this link or by scanning the below QR code.

[1] Defined terms are underlined the first time they appear in this publication. All underlined terms (and others) are defined in the glossary on Page 61.

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INTRODUCTION

Dear Florida Retirement System Pension Plan Member:

The 2026 edition of the Member Handbook for the Florida Retirement System Pension Plan has been prepared to inform you about the benefits and policies of your retirement system and your rights as a member. Membership in the Florida Retirement System (FRS) is an important benefit.

This guide is a basic employee handbook about the FRS Pension Plan. As a useful reference tool for you, the handbook complements information found on the FRS websites, **FRS.MyFlorida.com,** which is administered by the division, and **MyFRS.com,** which is administered by the Florida State Board of Administration. A list of informational publications you may request or access from either website is on Page 5. If you are an FRS Investment Plan member, call the MyFRS Financial Guidance line toll-free at 866-446-9377 for answers to any questions about your benefits.

If you have specific questions or need additional information, you can find the division's contact information on Page 7.

Sincerely,



Kathy Gould

State Retirement Director

PLAN INFORMATION

Name of Plan	The FRS Pension Plan
Type of Plan	The FRS Pension Plan is a defined benefit plan, qualified under section 401(a) of the Internal Revenue Code.
Administration and Service of Legal Process	The Division of Retirement administers the FRS Pension Plan. Legal process for the agency should be addressed to the following: **SECRETARY** **DEPARTMENT OF MANAGEMENT SERVICES** **DIVISION OF RETIREMENT** **4050 ESPLANADE WAY** **TALLAHASSEE, FL 32399-7016** The Office of General Counsel, which will accept service on behalf of the Secretary, is located in Suite 160, 4050 Esplanade Way. Legal process for an individual should be addressed to that person and served on him or her at the above address.
Provisions of Law	The FRS was created in 1970 and established by the Florida Legislature in Chapter 121, Florida Statutes. Only the Florida Legislature can make changes to the law. Rules governing the operations and administration of the system may be found in Chapter 60S of the Florida Administrative Code.
Funding	The FRS is a contributory system; contributions are paid by both members and FRS employers, and then the contributions are transferred to the FRS Trust Fund for investment by the State Board of Administration to pay future benefits to members and beneficiaries.
Plan Year	The FRS plan year is July 1 through June 30.
Employment Rights Not Implied	Membership in the FRS does not give you the right to be retained or employed by a participating employer, nor does it give you a right or claim to any benefit that you have not accrued under the system.

PUBLICATIONS

The following publications are available to you, upon request, from your human resource office or from the Division of Retirement (division). Contact information can be found on Page 7. You can view and/or download these materials from the division's website at **FRS.MyFlorida.com**.

Plan Guides

FRS Disability Benefits – This guide provides explanations of regular and in-line-of-duty disability benefits available to members of the FRS Pension Plan and FRS Investment Plan.

FRS Survivor Benefits – This guide provides explanations of benefits available to eligible joint annuitants and beneficiaries of deceased members of the FRS Pension Plan and FRS Investment Plan.

Ready. Set. Retire. – This guide provides information useful to you when you are preparing for retirement from the FRS Pension Plan. It describes the procedures and requirements to follow when you apply for retirement benefits. As you retire and begin receiving monthly benefits, this guide also provides information about federal withholding taxes, direct deposit of monthly benefits, the health insurance subsidy, and reemployment after retirement.

The Deferred Retirement Option Program (DROP) – This guide describes the DROP, discusses potential advantages and disadvantages of participation, explains eligibility and participation requirements, answers commonly asked questions, and provides examples.

Newsletters

FRS Bulletin – This newsletter contains articles intended to keep active members of the FRS Pension Plan informed of retirement legislation, benefit provisions, and other retirement related news of interest. It is produced annually and is provided to all active FRS members from the division's website.

FRS Retiree Newsletter – This newsletter contains articles of interest to retirees of the FRS Pension Plan regarding recent retirement legislation, current events affecting retirees, and selected subjects of interest. It is produced biannually and is available on the division's website.

Informational Material

Annual Comprehensive Financial Report (ACFR) – The ACFR is intended to fulfill the legal requirements for compliance with the Florida Constitution, Chapters 112 and 121, Florida Statutes (F.S.) and sections 216.136(10) and 216.102, F.S. It includes the operations and financial status of the state retirement systems administered by the division, a summary description of the retirement plans, investment objectives and policy, actuarial reports, and historical and statistical information on active members, annuitants, and benefit payments.

Beneficiary Brochure – Learn about beneficiary options, rights, and processes within the FRS.

FAQ Brochure – This document provides answers to common questions regarding the Pension Plan and the DROP. It is available on the division's website.

Leaving FRS Employment – Review important information and next steps for members leaving FRS-covered employment.

Member Annual Statement – This document allows members to view your years of service, current estimated monthly pension, and future monthly pension projections. It can be accessed through your FRS Online account under the Member Services tab.

Member Flyer – A quick guide highlighting key FRS Online features, tools, and resources available to FRS members.

ORP FAQs Brochure – Answers to frequently asked questions about the Optional Retirement Programs.

Participating Employers – This document lists employers participating in the FRS.

Preparing to Terminate the DROP – This document explains what DROP participants should expect when they terminate employment and DROP participation ends, the forms to complete and return, and when monthly benefit payments begin. It includes special tax information on DROP payouts to help participants decide how to receive their accrued DROP benefits. The division automatically provides this document to DROP participants 90 days before their scheduled termination date.

Summary Plan Description – This document is a description of the Pension Plan, and it explains membership requirements and eligibility. Benefit calculation and creditable service are explained in detail in the document, which is available on the division's website.

What Option Should You Choose? – This guide explains the different monthly benefit options, beneficiary and joint annuitant requirements and gives examples of why a member would choose a certain option.

CONTACTING THE DIVISION

If you have questions not answered in this guide, you may call or write the Division of Retirement. When writing the division, include your full name your Member ID, your mailing address, and daytime telephone number. To retrieve your Member ID, log into FRS Online at **FRS.FL.gov**, and view the Member ID under your name on the top of the navigation menu. Your Member ID will also appear on any correspondence provided by the division.

A copy of the power of attorney or guardianship papers authorizing someone to act on your behalf must be submitted if someone else is managing your affairs.

If you are writing to the division, address your correspondence to the following:

DIVISION OF RETIREMENT
P.O. Box 9000
TALLAHASSEE, FL 32315-9000

The following telephone numbers and fax number will help you reach the Division of Retirement.

Member Services 850-907-6500
Toll-Free 844-377-1888
Fax 850-410-2010

If you have a hearing or speech impairment, you may call the division via T.D.D. at the Florida Relay System by dialing 711 or 800-955-8771.

You may visit the division at the address below without an appointment, but you must bring a photo ID. Our hours are Monday through Friday from 8 a.m. until 5 p.m. EST, except on designated state holidays.

The Division of Retirement is located at:

3189 S BLAIR STONE RD
TALLAHASSEE, FL 32301-6812

ONLINE RESOURCES

The division's website provides access to FRS Online at **FRS.FL.gov**, a secure, interactive services area that makes retirement information available to members of the FRS Pension Plan. Within FRS Online, members can access their personal retirement account information such as service history and service credit information and perform informal benefit estimates before retirement, including DROP participation. You may also view and update your beneficiary designation and view your current Member Annual Statement before retirement and receive important information about your account and announcements about the FRS through your message center. Members eligible to apply for Service Retirement or participation in the DROP can apply through their FRS Online accounts and can upload all relevant documents required for the application process. The Upload Document module allows members to submit other documents to the division for review, including requested forms and birth verification.

DROP participants may also view their initial monthly benefit, their projected monthly benefit, and DROP accumulation through their DROP termination date.

Retirees can access their benefit payment history and other recent benefit payment information, including federal tax withholding and other benefit deductions, and their IRS Forms 1099-R for the previous seven calendar years. Retirees can also submit an online request to change their mailing address, change their federal income tax withholding, and authorize or change direct deposit of their benefit payments.

In addition to this interactive service, all of the division's informational publications, most retirement forms, and answers to frequently asked questions are available to you online through the division's website at **FRS.MyFlorida.com**.

Online Information and Estimates

Log in to FRS Online at **FRS.FL.gov**. Links are also available from other pages on the website. To view information about your account or perform estimates, you must log in to your FRS Online account and follow the instructions provided. Follow the Help screens or contact the division if you need assistance (see contact information on Page 7).

Estimate Requests

You can also request a formal retirement estimate from the division that will include:

1. A statement of your total years of creditable service and the cost to purchase optional service credit, if any.
2. An estimate of benefits with your proposed retirement date. If you are actively employed and receive an estimate of benefits projected to your normal retirement date, you will also receive a statement showing how much you could accumulate if you choose to participate in the DROP and continue employment for up to eight more years (see Page 40 for more information).

The division encourages you to request an estimate of your account if you are within five years of your anticipated retirement date. You can request the estimate by any of the following methods, and the information will be sent to you based on your communication preference:

- Submit a written request to the division (see contact information on Page 7).
- Call the division (see contact information on Page 7), and a counselor will assist you.

Automatically Generated Statements

Member Annual Statements (MAS) with member benefit estimates are provided to all vested active members of the FRS Pension Plan during their birth month. The MAS is based on service credit through the previous month. If you are not vested, your MAS will provide a statement of your total years of service and accumulated employee contributions. Your MAS will be available to view, download, or print from your FRS Online account. Contact the division with any questions you have about your MAS (see contact information on Page 7).

MEMBERSHIP

Membership in the FRS is required if you work in a full-time or part-time regularly established position[2] with a state agency, county government, district school board, state university[3], state college, or a participating municipality, independent special district, metropolitan planning organization, public charter school, or public charter technical career center. You are not eligible for FRS membership if you work in a temporary or independent contractor position, or if you work in a position with a co-employer relationship, that is you have both a private employer and a public employer for the same position.

The FRS has five classes of membership, with members participating in two primary plans, in addition to several optional programs available to members in certain positions with specified employers.

Regular Class

The Regular Class is for all members who do not qualify for membership in any other class of membership (Senior Management Service Class, Special Risk Class, Special Risk Administrative Support Class or Elected Officers' Class).

Special Risk Class

The Special Risk Class is available for members employed as law enforcement officers, firefighters, correctional officers, emergency medical technicians, paramedics, and other positions that meet the statutory criteria for membership (see Page 15 for details).

The Special Risk Class provides eligible members a retirement credit accrual rate greater than that of Regular Class members. The physical and mental demands of their jobs may prevent Special Risk Class members from performing their required duties without posing a risk to the health and safety of themselves, the public, or their co-workers, if they were required to meet the normal retirement requirement for non-Special Risk Class members. The requirement for normal retirement for vested Special Risk Class members is age 55 or completion of 25 years of Special Risk Class service. The Legislature recognized the risk for members in the Special Risk Class by creating and designing a benefit formula that allows Special Risk Class members to retire at an earlier age than members of all other classes.

Reference: Section 121.0515, Florida Statutes
Rule 60S-1.005, Florida Administrative Code

[2] Retirees of the following defined contribution plans are eligible to be enrolled as a renewed member if employed in a regularly established position on or after July 1, 2017: Senior Management Service Optional Annuity Program (SMSOAP), State University System Optional Retirement Program (SUSORP), the State Community College System Optional Retirement Program (SCCSORP), and the FRS Investment Plan. FRS Pension Plan retirees who are initially reemployed on or after July 1, 2010, are not eligible for renewed membership.

[3] Certain university employees are initially enrolled in the SUSORP unless they elect FRS membership or fail to complete the necessary enrollment documents, including establishing a contract with a service provider during the first 90 days of employment.

Eligibility

You must meet the following criteria to be a member of the Special Risk Class:

I. Employment in one of the following positions:

a. **Law Enforcement Officer** –

- A sheriff or elected police chief.
- A law enforcement officer whose duties require the pursuit, apprehension and arrest of law violators or suspected law violators.
- An active member of a bomb disposal unit whose primary responsibility is the location, handling, and disposal of explosive devices.
- A command officer or supervisor of Special Risk Class members whose duties require the pursuit, apprehension, and arrest of law violators or suspected law violators, or the location, handling, and disposal of explosive devices.

b. **Firefighter** –

- A firefighter whose duties and responsibilities include on-the-scene fighting of fires, fire prevention or firefighter training responsibilities, or aerial firefighting surveillance as a fixed-wing pilot employed by the Division of Forestry of the Department of Agriculture and Consumer Services.
- A firefighter whose duties and responsibilities include direct supervision of firefighting units, fire prevention, or firefighter training.
- A command officer or supervisor of Special Risk Class members whose duties include on-the-scene fighting of fires, fire prevention, or firefighter training.

c. **Correctional Officer and Community-Based Correctional Probation Officer** –

- A correctional officer whose primary duty and responsibility is the custody and physical restraint, when necessary, of prisoners or inmates within a prison, jail, or other criminal correction or detention facility, or while on work detail or while being transported outside the facility.
- A superintendent or assistant superintendent of a correction or detention facility that maintains custody of prisoners or inmates and employs correctional officers. The superintendent is the person directly in charge of the day-to-day operations of a specific correction or detention facility. The assistant superintendent is the person whose responsibilities include direct line authority from the superintendent over all subordinate employees for the day-to-day operations of the facility. If no one employee in a corrections facility has such responsibility, then for retirement purposes there is no assistant superintendent of that facility.
- A community-based correctional probation officer whose primary duties and responsibilities are the supervised custody, surveillance, control, investigation, and counseling of assigned inmates, probationers, parolees, or community controlees within the community.
- A command officer or supervisor of Special Risk Class members whose primary duty and responsibility is the custody and physical restraint, when necessary, of prisoners or inmates within a prison, jail, or other criminal correction or detention facility (or while on work detail or while being transported outside the facility); or the supervised custody, surveillance, control, investigation, and counseling of assigned inmates, probationers, parolees, or community controlees within the community.

d. **Emergency Medical Technician or Paramedic** –

- An emergency medical technician or paramedic whose primary duty and responsibility includes on-the-scene emergency medical care and who is employed with a licensed Advance Life Support (ALS) or Basic Life Support (BLS) employer.
- The direct supervisor of emergency medical technicians or paramedics, or the supervisor or command officer of one or more members who have such supervisory responsibility.

e. **Certain Professional Health Care Positions in State Correctional or Forensic Facilities or Institutions** –

Certain state health care professionals within the Department of Corrections or the Department of Children and Families who spend at least 75% of their time performing duties which involve contact with patients or inmates in a correctional or forensic facility or institution and who are employed in certain specific employment classifications listed in section 121.0515(3)(f), Florida Statutes. These position classifications are provided below.

Dietician (class codes 5203 and 5204)	**Registered nurse** (class codes 5290 and 5291)
Public health nutrition consultant (class code 5224)	**Senior registered nurse** (class codes 5292 and 5293)
Psychological specialist (class codes 5230 and 5231)	**Registered nurse specialist** (class codes 5294 and 5295)
Psychologist (class code 5234)	**Advanced practice registered nurse** (class codes 5297 and 5300)
Senior psychologist (class codes 5237 and 5238)	**Clinical associate** (class codes 5298 and 5299)
Regional mental health consultant (class code 5240)	**Advanced practice registered nurse specialist** (class codes 5304 and 5305)
Psychological Services Director, Department of Children & Families (class code 5242)	**Registered nurse supervisor** (class codes 5306 and 5307)
Pharmacist (class codes 5245 and 5246)	**Senior registered nurse supervisor** (class codes 5308 and 5309)
Senior pharmacist (class codes 5248 and 5249)	**Registered nursing consultant** (class codes 5312 and 5313)
Pharmacy manager (class code 5251)	**Quality management program supervisor** (class code 5314)
Dentist (class code 5266)	**Executive nursing director** (class codes 5320 and 5321)
Senior dentist (class code 5269)	**Speech and hearing therapist** (class code 5406)

f. **Forensic Professionals** –

A member employed in specified forensic positions with the Department of Law Enforcement in the crime laboratory, or with the Department of Financial Services in the forensic laboratory, or local government law enforcement agencies or medical examiner's offices who meet the criteria in the retirement laws and rules to qualify for this class.

A member employed in a forensic position with a local government law enforcement agency or medical examiner's office must spend 65% of the time performing duties that involve the collection, examination, preservation, documentation, preparation, or analysis of human tissues, fluids, or physical evidence having potential biological, chemical, or radiological hazard or contamination, or use chemicals, processes, or materials that may have carcinogenic or health damaging properties in the analysis of said evidence, in order to meet the criteria for Special Risk Class membership, or the member must be employed in a position that is the direct supervisor of one or more individuals having such responsibility.

II. Certification or a requirement to be certified as described below:

a. **Law Enforcement Officers, Correctional Officers and Community-Based Correctional Probation Officers** – Certified by the Criminal Justice Standards and Training Commission in compliance with section 943.1395, Florida Statutes (except a sheriff or elected police chief).

b. **Firefighters** – Certified by the Firefighters Standards and Training Council in compliance with section 633.35, Florida Statutes.

c. **Emergency Medical Technicians and Paramedics** – Certified by the Department of Health, in compliance with section 401.27, Florida Statutes.

You may also be eligible for continued membership in the Special Risk Class if you suffer a qualifying injury. You must have already qualified for and be actively participating in the Special Risk Class as a law enforcement officer, firefighter, or correctional officer at the time of injury, not be receiving disability retirement benefits, and satisfy the following requirements:

1. Two licensed medical physicians, one of whom is your primary treating physician, must certify that you have a physical injury and medical condition that constitutes a qualifying injury and that you reached maximum medical improvement after Aug. 1, 2008. The certifications from the licensed medical physicians must include, at a minimum, that the injury to you has resulted in a physical loss, or loss of use, of at least two of the following: left arm, right arm, left leg, or right leg. The physicians must also certify the following:
    a. The physical loss or loss of use is total and permanent, except in the event that the loss of use is due to a physical injury to your brain, in which event, the loss of use is permanent with at least 75% loss of motor function with respect to each arm or leg affected.
    b. The physical loss or loss of use renders you physically unable to perform the essential job functions of your special risk position.
    c. Notwithstanding the physical loss or loss of use of your limbs, you are able to perform the essential job functions required by your new non-special risk position.
    d. Use of artificial limbs is either not possible or does not alter your ability to perform the essential job functions of your non-special risk position.

e. The physical loss or loss of use is a direct result of a physical injury and not a result of any mental, psychological, or emotional injury.

2. Qualifying injury means an in-line-of-duty injury sustained, as certified by your employer, as a special risk member, that does not result in total and permanent disability as defined in section 121.091(4)(b), Florida Statutes. An injury is a qualifying injury when the injury is a physical injury to your physical body resulting in a physical loss, or loss of use, of at least two of the following: left arm, right arm, left leg, or right leg. Eligibility for continued Special Risk Class membership due to a qualifying injury ends when you stop working for the same employer for whom you were providing special risk services on the date the injury occurred.
3. The employer may, but is not required to, offer employment in a non-special risk position after recovery from a qualifying injury.
4. This provision does not grant or create additional rights for you, to continued employment or to be hired or rehired by your employer, that are not already provided within the Florida Statutes, the State Constitution, the Americans with Disabilities Act, if applicable, or any other applicable state or federal law.

Reference: Sections 121.021, and 121.0515, Florida Statutes
Rule 60S-1.0053, Florida Administrative Code

Application

Immediately upon your employment in a Special Risk Class position, for state and local agencies, your employer must submit to the division your appropriate position class code on the monthly retirement report.

For Employees of State Agencies –

By law, your position must be among those designated by the Department of Management Services, Division of Human Resource Management, as qualified for Special Risk Class membership. Call Human Resource Management at 850-488-2445, if you have a question about whether your position is designated for the Special Risk Class.

For Employees of Local Agencies –

If the position you are filling is not on the division's list of approved Special Risk Class positions, and you believe it qualifies for membership, your employer must submit a completed application for Special Risk Class membership on your behalf. This application must include

- a current job description; and
- an Application for Special Risk Membership Law Enforcement/Correctional Officers (Form FRS-400), an Application for Special Risk Membership Firefighters/Paramedics/EMTs (Form FRS-405), or an Application for Special Risk Membership for Forensic Discipline (Form FRS-415).

Denial of Special Risk Class Membership –

In the event your application for Special Risk Class membership is denied, you may appeal the decision to the State Retirement Commission as described on Page 61.

Reference: Section 121.0515, Florida Statutes
Rule 60S-1.005(3), Florida Administrative Code

Membership and Withdrawal Options

Special Risk Class membership is optional in the following cases:

1. **Elected Officers' Class** – You are a compulsory member of the Elected Officers' Class (EOC) if you are an elected county sheriff. However, you may choose within six months of your election or reelection to become a member of the Special Risk Class, rather than the EOC. You must choose to enroll in the Special Risk Class within six months of each election or reelection to continue membership in the Special Risk Class as an elected county sheriff. If you remain in the EOC, you will be subject to all the provisions of that class.
2. **Senior Management Service Class** – A Special Risk Class member who is appointed to a Senior Management Service Class (SMSC) position that meets the qualifications for the Special Risk Class may, within 90 days of the appointment, choose to remain in the Special Risk Class or participate in the SMSC.
3. **Local Senior Management** – Local senior managers can withdraw from the FRS altogether instead of participating in the SMSC.

Reference: Sections 121.0515, 121.052, and 121.055, Florida Statutes
Rule 60S-1.0057, Florida Administrative Code

Special Risk Administrative Support Class

The Special Risk Administrative Support Class members earn service at the same percentage rate as earned by Regular Class member which applies towards the special risk normal retirement date. This class is for a former Special Risk Class member who is reassigned or moved to a position that is not classified as a Special Risk Class position or who is subsequently employed in such a position within any law enforcement, firefighting, correctional, or emergency medical care agency under the Florida Retirement System that provides administrative support for employers with specified Special Risk Class employees. Membership in this class will allow you to retire under the earlier age or service requirements applicable to Special Risk Class members (see Page 30).

Eligibility

To be eligible for this class, you must comply with all of the following:

1. You must be employed by an agency whose primary purpose is law enforcement, firefighting, corrections, or on-the-scene emergency medical care. If your employer has multiple responsibilities, you must be employed by a unit of the agency whose primary purpose is law enforcement, firefighting, corrections, or on-the-scene emergency medical care.
2. You must fill an administrative support position that provides training and/or career development opportunities to the members or must fill a critical agency need.
3. You must have previously been a member of the Special Risk Class of the FRS.
4. You must remain certified by the appropriate authority while filling the administrative support position.
5. You must remain subject to reassignment to a Special Risk Class position at any time.
6. You must have creditable Special Risk Class or special risk-related service equal to or exceeding the number of years required for you to vest, to have your Special Risk Administrative Support Class service included in the Special Risk Class normal retirement date.

Special Risk-related service may include:

- Past service with a city or special district that has been purchased as, or been upgraded to, Special Risk Class service;
- Service as a correctional counselor between Dec. 1, 1970, and Sept. 30, 1979; or
- Service earned as a member of the Highway Patrol Pension System or service in the State and County Officers and Employees' Retirement System's High Hazard Class or other service that satisfies the criteria of a Special Risk Class position.

If you have not satisfied the vesting requirement with Special Risk Class service or special -risk related service at retirement, your Special Risk Administrative Support Class service will not count toward a Special Risk Class normal retirement date (see Normal Retirement on Page 45).

Application

If you are employed in a Special Risk Administrative Support Class position, your employer must submit a complete application to the division, which includes:

- An Application for Special Risk Administrative Support Class (Form FRS-404);
- A current job description; and
- A copy of your certification by the appropriate council, commission, or department (see Page 13).

Reference: Section 121.0515(8), Florida Statutes
Rule 60S-1.0054, Florida Administrative Code

Elected Officers' Class (EOC)

- The EOC is available to members who are elected state and county officers and the elected officers of municipalities and special districts that choose to place their elected officials in this class.

Elective Office	Date Included in Class
Governor, Lieutenant Governor, Cabinet Officer, Legislator, Supreme Court Justice, District Court of Appeals Judge, Circuit Judge, State Attorney	July 1, 1972
County Court Judge	Oct. 1, 1974
Public Defender	July 1, 1977
Public Service Commissioner	July 1, 1972 - June 30, 1979
Elected County Officer (any constitutional county elected officer or any elected officer with countywide jurisdiction who exercises the powers and duties of a constitutional county elected officer)	July 1, 1981
Elected officers of municipalities or special districts that participate in the FRS for their elected officials;	Jan. 1, 2010[4]

[4] Three six-month windows to elect EOC coverage were provided for municipalities and special districts in 1997, 2001, and 2009.

EOC Membership and Withdrawal Options

Membership in the EOC is compulsory if you are elected or appointed to any of the positions listed beginning on Page 16, unless you choose one of the optional membership categories listed below. If you are a reemployed retiree who initially established renewed membership between July 1, 1990, through June 30, 2010, you are a compulsory EOC member when you are elected or appointed to an EOC-covered position. If you are a reemployed retiree, you must have renewed membership in the FRS for these options. EOC members who participate in the Deferred Retirement Option Program (DROP) cannot withdraw from the FRS or choose to participate in the SMSC.

EOC membership is optional in the following cases:

1. **Option to Withdraw from the FRS** – As an elected officer, you can choose to withdraw from the FRS altogether by providing written notice to the division, with a copy to your employer, within six months from the date you assume office after your election, appointment, or reelection. When you elect to withdraw from the FRS, any contributions you may have made will be refunded to you, unless you are vested, in which case you will not receive a refund. You will receive no credit under the FRS while you are out of the system.

   Elected officers with renewed membership initially established before July 1, 2010, are compulsory EOC members under section 121.053(2), Florida Statutes, and cannot withdraw from the FRS. However, an exception exists for county, city, or special district elected officers who elect SMSC membership instead of EOC may then choose to withdraw from the FRS under section 121.055(1)(b)2, Florida Statutes.

   If you choose to withdraw from the FRS altogether, you may later rejoin the EOC by submitting a written request to the division, provided you are in an eligible EOC position when you submit the request. You may obtain retirement credit for your period of withdrawal upon the payment of any EOC contributions that would have been paid by the employer and/or employee, during that period, plus interest. Similarly, if you receive a refund of your contributions upon withdrawal, you will lose all credit for the period for which your contributions were refunded. Upon returning to covered employment, you may buy credit for the affected period by repaying the refunded amount, plus interest.
2. **Options for Elected Sheriffs** – As an elected sheriff, unless you participate in the DROP, you may remain in the EOC, choose SMSC membership (see item 3 following), or choose membership in the Special Risk Class. You have six months from the date you assume office after your election, appointment, or reelection to notify the division of your decision. If you fail to notify the division within the six-month period, you will be considered to have chosen EOC membership.
3. **Senior Management Transfer Options** – Within six months of assuming office as an elected officer, you may choose membership in the SMSC rather than the EOC by notifying the division in writing.[5] If you are a county, city, or special district elected officer, you may choose to withdraw from the FRS altogether.
4. **Dual Employment Option** – If you are an elected officer who is simultaneously employed in another covered position, you may elect membership in any one class for which you are eligible (see Page 20 for more on dual employment).

[5] The SMSOAP has been closed to new membership effective July 1, 2017. However, an elected state officer whose SMSOAP membership began before July 1, 2017, and who has not yet retired, may elect SMSOAP membership after previously choosing SMSC membership in lieu of the EOC.

Senior Management Service Class (SMSC)

The SMSC is open only to FRS members in the following positions:

SMSC with the State of Florida – These Executive Branch positions within the state personnel system are generally division director level and above. These positions were initially included in the SMSC on Feb. 1, 1987.

Local Senior Managers – These positions include state college presidents, appointed school superintendents, and the county or municipality manager of each participating local government. They were initially included in the SMSC on Jan. 1, 1990. Since Jan. 1, 1994, local government employers, including state college boards of trustees, have been authorized to designate additional senior management positions to be included in the SMSC (see Designation of Senior Management Positions on Page 20 for more information). Since July 1, 1999, local senior managers have been allowed to withdraw altogether from participating in the FRS.

Legislative Managers – These positions include selected managerial staff of the Legislature, the Auditor General and the managerial staff of the Auditor General, and the Executive Director of the Ethics Commission. These positions were initially included in the SMSC on Jan. 1, 1990.

State University System Managers – These positions include the Executive Service of the State University System and state university presidents. They were initially included in the SMSC on Jan. 1, 1991.

State Board of Administration Managers – These positions are senior-level managerial staff of the State Board of Administration. They were initially included in the SMSC on Jan. 1, 1991.

Judicial Branch Employees – Since Jan. 1, 1994, the following judicial branch employees have been included in the SMSC: State Court Administrator, Deputy State Courts Administrators; Clerk of the Supreme Court; Marshal of the Supreme Court; Executive Director of the Justice Administration Commission; Clerks of the District Courts of Appeals; and the Trial Court Administrator in each judicial circuit.

Since Jan. 1, 1994, the public defender and state attorney in each of the 20 judicial circuits have been permitted to designate additional positions in their offices to be included in the SMSC (see Page 20 for more information).

Since Jan. 1, 2001, participation in this class has been compulsory for assistant state attorneys, assistant statewide prosecutors, assistant public defenders, and assistant capital collateral regional counsels[6].

Since Jan. 1, 2002, participation in this class is compulsory for assistant attorneys general above[6].

Since June 1, 2002, the chief deputy court administrator in each judicial circuit and all county health department administrators and county health department directors for the Department of Health are compulsory members of the class.

Since July 1, 2020, the appointed criminal conflict and civil regional counsel, assistant regional counsel chiefs, administrative directors, and chief investigators in each district.

[6] These positions were excluded from SMSOAP membership prior to the closure of SMSOAP to new members effective July 1, 2017.

Judges of Compensation Claims – Since July 1, 1999, judges of compensation claims (now within the Division of Administrative Hearings) have been included as compulsory members of the SMSC. On Oct. 1, 2001, the deputy chief judge of compensation claims was specifically included within this group.

Metropolitan Planning Organizations – Since July 1, 2007, the executive directors or staff directors of a metropolitan planning organization that has opted to participate in the FRS have been included as compulsory members of the SMSC.

Membership and Withdrawal Options for SMSC

In most cases, membership in the SMSC is initially compulsory for you if your position is designated as eligible for the SMSC. FRS membership and withdrawal options are described as follows:

1. **SMSC** – Members in the Senior Management Service with the State of Florida, senior level management positions with the Florida Legislature, the State Board of Administration, the judicial branch, county health department administrators and directors within the Department of Health and judges and deputy chief judges of compensation claims in the Division of Administrative Hearings:
   - If these members have SMSOAP membership established prior to July 1, 2017, and have not retired, they may withdraw from the SMSC to participate in the SMSOAP. SMSOAP is closed to new membership effective July 1, 2017.
   - If you are a member of a closed retirement system or the Special Risk or Special Risk Administrative Support Classes of the FRS, you may, within 90 days of your appointment to an eligible position, elect to remain in your current retirement plan or transfer to the SMSC.
2. **Local Senior Management** – Since July 1, 1999, local senior managers have been allowed to withdraw from the FRS altogether. Those local senior managers who have already elected to participate in a local optional annuity plan are no longer subject to the restrictions established in Chapter 121, Florida Statutes.
3. **Senior Management with the State University System** – If you are appointed to the Executive Service of the State University System or to the Presidency of a state university, you will be automatically enrolled in the SUSORP at the beginning of your employment. If you fail to elect membership in the SUSORP and select a provider company within 90 days of your eligible employment you will be automatically enrolled in the FRS. If you choose to participate in the SUSORP, your election is irrevocable for as long as you remain employed in an eligible position.
4. **Elected Officers' Class** – Since July 1, 1997, members of the EOC may, within six months of assuming office, choose membership in the SMSC rather than the EOC. Local elected officers who have elected SMSC membership may, at any time, withdraw from the FRS altogether.

Reference: Sections 121.055 and 121.35, Florida Statutes
Rule 60S-1.0057, Florida Administrative Code

Designation of Senior Management Positions

Since Jan. 1, 1994, local government, state college, and judicial branch employers participating in the FRS have been allowed to designate a limited number of additional positions to be included in the SMSC. Each position added to the class must be:

- A nonelective managerial or policy making position;
- Filled by an employee who is not subject to a continuing contract and serves at the pleasure of the employer without civil service protection; and
- Head of an organizational unit or have responsibility to make or recommend personnel, budget, expenditure, or policy decisions.

Employers are required to publish a notice of intent as provided in Chapter 50, Florida Statutes, before designating a position to be included in the SMSC.

Local Government Positions – As of July 1, 2000, each local government employer may designate up to 10 nonelective full-time positions (in addition to the city or county manager or appointed school superintendent) to be included in the SMSC. If the agency has 100 or more regularly established positions, it can designate one additional senior management position for every 100 regularly established positions, as long as the additional number does not exceed 1% of the regularly established positions in the agency.

State College Positions – As of July 1, 2000, each state college may designate up to 10 additional qualified positions (in addition to state college presidents) for the SMSC. If it has 100 or more regularly established positions, the state college can designate one additional senior management position for every 100 regularly established positions, as long as the additional number does not exceed 1% of the regularly established positions in the agency.

Judicial Branch Positions – The office of each public defender and state attorney may include at least one additional qualified position to be designated for membership in the SMSC. If the office of the public defender or state attorney has 200 or more regularly established positions, it can designate one additional senior management position for every 200 regularly established positions, as long as the additional number does not exceed 0.5% of the regularly established positions in the agency.

Since July 1, 2020, the office of each criminal conflict and civil regional counsel may designate additional full-time positions for inclusion in the SMSC not to exceed 5% of the regularly established positions.

Reference: Sections 121.055 and 121.35, Florida Statutes
Rule 60S-1.0057, Florida Administrative Code

Dual Membership Not Allowed

If you work at the same time in two or more jobs that are covered by different FRS membership classes, you must be a member of only one class. Your membership class will be determined as follows:

- If your jobs are covered by different membership classes, neither of which is the EOC, you will be a member of the class in which you are employed more than half of the time. When your employment is split equally, you may choose the class of membership you prefer.
- If your jobs are covered by different membership classes, one of which is the EOC, you may choose to participate in any one class for which you are eligible. You have six months from the date you become dually employed to notify the division of your decision. If you do not notify the division within the six-month period, your membership class will be the EOC.

If you are required or choose to be a member of the Regular Class, your employers will report your total salaries from all positions and they will be used to calculate your service credit and, if applicable, your average final compensation (AFC) at retirement. The percentage value for the retirement credit you will earn for each year of service will be the Regular Class value.

When you are required or choose to be a member of the Special Risk Class, the Special Risk Administrative Support Class, the SMSC, or the EOC, only the compensation you receive from that position will be reported and used to calculate your service credit and AFC at retirement. The percentage value you will earn for each year of service will be the value for your membership class.

Optional Retirement Programs

The FRS Investment Plan is the defined contribution plan alternative to the FRS Pension Plan available to all FRS members, except as noted below. For online updates about the FRS Investment Plan, go to **MyFRS.com** (the cooperative website of the division and the State Board of Administration), or call the toll-free help line at 866-446-9377.

The following nonintegrated optional retirement programs (defined contribution plans) are available to certain groups of covered employees:

State University System Optional Retirement Program (SUSORP) – The SUSORP is available to faculty, administrative and professional employees, and executive service employees of the State University System and university presidents. These university employees are members of the SUSORP unless they elect membership in the FRS or do not select a provider company within 90 days of eligibility.

Any person appointed to a faculty position, including clinical faculty, in a college at a state university that has a faculty practice plan authorized by the Board of Governors may not participate in the FRS. These employees must participate in the SUSORP.

Senior Management Service Optional Annuity Program (SMSOAP) – The SMSOAP became effective in 1987 as a defined contribution plan alternative to the Pension Plan for specified state senior managers and is closed to new members effective July 1, 2017.

State Community College System Optional Retirement Program (SCCSORP) – The SCCSORP is available to faculty and certain administrators of the State College System. Eligible employees may, within 90 days of the date the state college activates the program or the employee's date of hire or qualifying employment status change, whichever is later, elect SCCSORP membership offered by the state college rather than membership in the FRS Regular Class. If the election is not made within 90 days, the state college employee will remain in the FRS.

Social Security Coverage

As a member of the FRS, you are automatically covered for Social Security and Medicare, and your FRS benefits will not be offset (reduced) by Social Security benefits you receive. Social Security contributions are automatically deducted from your salary and matched by your employer. Although Social Security coverage is a part of your overall benefit package, the division has no control over your Social Security or Medicare benefit payments. If you need information on Social Security or Medicare benefits and possible limitations on those benefits, you must call or visit your local Social Security office, call their toll-free information number at 800-772-1213, or visit their website at **ssa.gov**.

Portability

One of the special features of membership in the FRS is statewide portability, meaning you have the ability to keep your retirement credit when you change FRS employers before you retire. If you terminate employment with one FRS employer without retiring and at any later time go to work in a covered position with any of the other approximately 1,000 public employers participating in the FRS, the service credit you earn at your new job will be combined with the service credit you earned in your previous job. All service credit you earn under the FRS while working for any FRS employer is automatically combined in a single account under your name and Social Security number.

The FRS Pension Plan also offers pension portability in other ways. For example, if you take a refund of your employee contributions and lose the associated service credit, you may be able to purchase your refunded service. You must return to covered employment and repay those contributions, plus interest, to reestablish service credit for your refunded service. Or, if you have service credit under a pension plan with a public employer in another state, with the federal government (including military service), or with an eligible employer in Florida, you may be eligible to buy credit under the FRS Pension Plan for that service (see Page 32 for information on types of creditable service for which you may obtain credit). You cannot add additional service credit after you cash or deposit any benefit payment or begin your DROP participation.

Reference: Section 121.051, Florida Statutes
Rule 60S-1.004, Florida Administrative Code

CONTRIBUTIONS

Effective July 1, 2011, both you and your employer pay the retirement contributions necessary for you to earn service credit toward a future FRS retirement benefit. Your contributions will remain on deposit in your name until you retire or take a refund of your contributions. Employee contributions are required for all FRS members except for DROP participants, all reemployed retirees who are initially reemployed on or after July 1, 2010, through June 30, 2017, and all FRS Pension Plan retirees who are initially reemployed on or after July 1, 2010.

Both you and your employer pay retirement contributions equal to a certain percentage of your salary each month. Contribution rates are set by the Florida Legislature and are subject to change. As of July 1, 2011, the required employee contribution rate is 3%. Employee contributions made on or after July 1, 2011, are paid on a pre-tax basis. Required employee contributions before this date were paid on an after-tax basis.

Employee contributions were not required beginning Jan. 1, 1975, for employees of state agencies, district school boards, and state colleges, and beginning Oct. 1, 1975, for employees of county governments, municipalities, and special districts, through June 30, 2011. If you worked in a covered position before these dates in 1975, you made retirement contributions, which are on deposit in your name unless you retired or received a refund of your contributions.

Reference: Sections 121.071, 121.71, and 121.74, Florida Statutes

Refund of Contributions

You paid employee contributions to the FRS if

1. you are a member of the FRS on or after July 1, 2011, or before 1975; or
2. you purchased additional service credit.

To be eligible to receive a refund of your employee contributions you must terminate all employment and remain off all payrolls with FRS covered employers for three consecutive calendar months. Your termination date must be reported by your employer to the division. Your refund will not include contributions made by your employer, nor will it include interest earnings.

To request a refund of your employee contributions, you may complete the refund application through your FRS Online account or complete and return a Request For Refund of Employee Contributions Form (FRS-M81) to the division. You can obtain a Form FRS-M81 by going to the Forms page of division's website at **FRS.MyFlorida.com** or by contacting the division (see contact information on Page 7). You will lose retirement service credit in the FRS Pension Plan for the period represented by the refund. If you return to covered employment and earn one year of creditable service, you may purchase credit for your refunded service.

Employer-paid contributions are not refundable. You will retain all service credit funded solely by employer-paid contributions unless you forfeit your benefits (see Page 61 on forfeiture).

Reference: Sections 121.071(2)(b) and 121.091(5), Florida Statutes
Rules 60S-3.002(6) and (7) and 60S-4.009(1), Florida Administrative Code

BENEFICIARY DESIGNATION

As a member of the FRS, it is important for you to designate a beneficiary or beneficiaries and keep your designation up to date.

Before You Retire

As an FRS Pension Plan member, your surviving spouse is automatically your beneficiary unless you designated someone else after your most recent marriage.

You may designate your beneficiary or beneficiaries either jointly or sequentially or specify that any benefits due be paid through a trust. If you do not name a beneficiary and are not survived by a spouse, or if none of your named beneficiaries are living upon your death, your beneficiary would be determined under section 121.091(8)(a), Florida Statutes, as follows:

> ... if no beneficiary designated by the member survives the member, the beneficiary shall be the spouse of the deceased, if living. If the member's spouse is not alive at his or her death, the beneficiary shall be the living children of the member. If no children survive, the beneficiary shall be the member's father or mother, if living; otherwise, the beneficiary shall be the member's estate.

You may designate a beneficiary or beneficiaries from your FRS Online account. Go to **FRS.FL.gov**, log into FRS Online, select Beneficiary under Member Services and fill in the required information (see Page 8 for information on how to log in to FRS Online). Alternatively, you may designate your beneficiary by completing and submitting the Active Member Beneficiary Designation Form (BEN-001), which can be found on the Forms page of the division's website, or from the division (see contact information on Page 7).

As an active member, you may change your beneficiary at any time. This is important to remember if your beneficiary dies, your marital status changes, or you have children. Your will, trust agreement, or divorce decree has no bearing on how your FRS survivor benefits are paid. Only a beneficiary who qualifies as a joint annuitant will be eligible to receive a monthly benefit upon your death (see Page 25 for the definition of joint annuitant).

You can check your current beneficiary designation from your FRS Online account at **FRS.FL.gov**. If your current beneficiary information is not listed, contact the division (see contact information on Page 7).

When You Retire

On your application for retirement, you will be asked to name your beneficiary, which will replace all previous designations, and choose a benefit payment option (see Page 49):

- If you choose Option 1 or Option 2, you may name as beneficiary any person, organization, trust, or your estate. You may name one or more beneficiaries to receive benefits jointly or sequentially. You may also name one or more contingent beneficiaries to receive any benefits remaining after your death and the death of your primary beneficiary or beneficiaries.
- If you choose either Option 3 or Option 4, your beneficiary must qualify as your joint annuitant. If you choose Option 3, you may name more than one joint annuitant and specify the proportion of the benefit to be paid to each. A joint annuitant is defined as
  - ♦ the member's spouse; or
  - ♦ the member's natural or legally adopted child who is either under age 25 or who is physically or mentally disabled and incapable of self-support (regardless of age); or
  - ♦ the member's parent or grandparent who was dependent upon the member for at least half of the financial support at the time of death; or
  - ♦ a person for whom the member is the legal guardian, and who was dependent upon the member for at least half of the financial support at the time of death.

After You Retire

If you choose Option 1 or Option 2, you may change your beneficiary designation at any time; these beneficiary changes do not change the amount of your retirement benefit.

If you choose Option 3 or Option 4:

- The joint annuitant named at retirement remains your joint annuitant unless you nullify or change the designation. A marriage or divorce after retirement does not change your designated joint annuitant unless you change your designation through the division.
- You may change your joint annuitant only twice after you retire. Whenever you change your joint annuitant, your monthly benefit will be adjusted based on your current age, the age of your new joint annuitant, and whether your present joint annuitant is living. The change will be effective the first day of the month after the month in which the division receives your completed Change of Joint Annuitant Form (JA-1).
- If you divorce the person you named as your joint annuitant, you may nullify your designation of that joint annuitant (unless a Qualified Domestic Relations Order prevents it). After nullification, your benefits will be paid as if your joint annuitant had died. If you selected Option 4, your retirement benefit would be reduced by one-third. The nullification will be effective the first day of the month after the month in which the division receives your completed Joint Annuitant Nullification Form (JA-NUL) and a copy of your divorce papers.

Reference: Sections 121.091(6) and (8), Florida Statutes
Rules 60S-4.010(1) and (8) and 60S-4.011, Florida Administrative Code

VESTING

Being vested means that you have met the service requirements to be eligible to receive a future FRS retirement benefit.

- If you are initially enrolled in the FRS on or after July 1, 2011, you will be vested in the Pension Plan after eight years of creditable service, regardless of your membership class.
- If you are initially enrolled in the FRS before July 1, 2011, you will be vested in the Pension Plan after six years of service unless your covered employment ended before July 1, 2001.
- If you terminated covered employment before July 1, 2001, vesting varied based on membership class:
    - Members of the Regular Class, Special Risk Class and Special Risk Administrative Support Class vested in the FRS Pension Plan after completing 10 years of creditable service.
    - Members of the EOC vested in the FRS Pension Plan after completing eight years of creditable service.
    - Members of the SMSC vested in the FRS Pension Plan after completing seven years of creditable service.

  If you were more than one year away from vesting at the time you terminated covered employment before July 1, 2001, you must return to covered employment for one work year in order to be eligible for six-year vesting. However, if you were within one work year of vesting under the provisions of law in place when you terminated employment, you will vest upon working the number of months that were required for you to vest before you terminated.

Once you are vested, you are eligible for a future benefit when you terminate employment with all FRS employers and apply for your retirement benefit. Being vested does not entitle you to a disability benefit based on a disability that occurs after you terminate employment.

You will lose your vested rights if:

- You have to forfeit your benefits as described on Page 61.
- You have fewer years of service than are required to vest because you took a refund of your employee contributions and lost the service credit associated with your refunded service (see Refund of Contributions on Page 23).

Note: Vesting requirements for FRS disability retirement differ from those for service retirement if you are initially enrolled in the FRS before July 1, 2011. Read the Disability Retirement section for more information (see Page 53). You may also view and/or download the Disability Benefits Guide from the Publications page of the division's website at **FRS.MyFlorida.com**.

Reference: Sections 121.021(45) and 121.091, Florida Statutes
Rules 60S-4.003, Florida Administrative Code

TERMINATING EMPLOYMENT WITHOUT RETIRING

Whenever you terminate your employment with FRS employers before retiring, your available options under the FRS Pension Plan will vary depending upon your vesting status at the time of your termination.

Before You Are Vested

If you terminate before you have vested, you are not eligible to retire. However, the service credit you earned is not lost and will be combined with any future creditable service in the event you return to covered employment and resume active membership.

If you personally paid employee contributions to the system, either during a time when employee contributions are required under the FRS, or to purchase optional service credit, you must decide what to do about your employee contributions. When you terminate employment, you can choose to:

- Take a refund of your employee contributions and lose the associated service credit; or
- Leave your contributions on deposit with the FRS and retain all the service credit you have earned, which will be combined with future creditable service in the event you return to covered employment and resume membership.

If you choose to take a refund of your employee contributions all service credit represented by the refund is cancelled. If you later return to covered FRS employment, you must be employed for one work year before you can purchase your refunded service by repaying the contributions refunded to you, plus interest, to restore the service credit.

After You Are Vested

If you are vested when you terminate, you may choose to retire (see Page 48 for termination requirements that you must meet when you retire). If you elect to retire, depending on your age and total service credit, you could take a normal retirement or early retirement, or you could defer your retirement to a future date of your choice:

- If you qualify for normal retirement, your unreduced benefit will be based on all years of service for which you either earned or purchased service credit (see Page 33).
- If you choose to retire early (before reaching your normal retirement date), your benefit will be based on all years of service for which you either earned or purchased service credit but will be reduced based upon your age at retirement (see Page 46).
- To avoid or minimize benefit reduction for early retirement, you may choose to defer your retirement until you are older. If you defer retirement, your benefit amount will be calculated based upon your age when you begin receiving benefits.

If you elect not to retire, you will retain your earned service credit. This credit will be combined with any service credit you earn for any future covered employment.

If you have employee contributions on deposit when you terminate, you may:

- Request a refund of your employee contributions; or
- Leave your employee contributions on deposit.

If you return to covered employment before retiring, you retain all of your earlier noncontributory service credit as well as credit for any contributory service for which you have contributions on deposit. If you choose to obtain a refund of your employee contributions, all service credit represented by the refund is cancelled. You can reinstate this service credit by repaying your

refunded contributions, plus interest, after you have returned to covered employment and earned one year of service credit (see Page 33).

If you return to FRS covered employment after retirement and your initial date of reemployment is on or after July 1, 2010, through June 30, 2017, you are not eligible for renewed membership. This includes membership in the FRS Investment Plan and the FRS Pension Plan, as well as the SUSORP, the SMSOAP, the SCCSORP, and local government senior managers covered by a separate arrangement with their employers. If you are a retiree of the SUSORP, the SMSOAP, the SCCSORP, or the FRS Investment Plan, you will become a renewed member of the FRS Investment Plan, the SUSORP or the SCCSORP depending upon the plan covering the position you hold if you are employed in a regularly established position and you are initially reemployed on or after July 1, 2017. If you are a FRS Pension Plan retiree you remain ineligible for renewed membership if you are initially reemployed on or after July 1, 2010.

Reference: Sections 121.021(39), 121.081(2), 121.091 and 121.122, Florida Statutes
Rules 60S-3.002(6) and 60S-4.009, Florida Administrative Code

Note: Members of the FRS Investment Plan will have different decisions to make. If a terminated FRS Investment Plan member requests and receives a distribution of funds, in whole or in part, the member is retired. An Investment Plan retiree is subject to the laws and rules regarding reemployment after retirement and renewed membership. For instance, if a retiree returns to FRS covered employment and is enrolled as a renewed member prior to July 1, 2010, the retiree is not eligible to participate in the Special Risk Class or the DROP and is not covered for disability retirement. If an Investment Plan retiree is enrolled as a renewed member on or after July 1, 2017, Special Risk Class membership is available if employed in an eligible position but is not eligible to participate in the Pension Plan or retire under disability retirement. For more information, FRS Investment Plan members should call toll-free at 866-446-9377.

YOUR RETIREMENT BENEFIT

The monthly benefit payment you receive when you retire is based on your years of creditable service, your average final compensation, the percentage value you receive for each year of service, and the option you select, as described below.

Retirement Benefit Formula

The formula for calculating a yearly Option 1 benefit is:

Years of Creditable Service	X	Percentage Value	X	Average Final Compensation	=	Annual Option 1 Benefit at Normal Retirement

Annual Option 1 Benefit ÷ 12 = Monthly Option 1 Benefit

Years of Creditable Service

Years of creditable service is the total of all years and parts of years you worked in a covered position with an FRS employer, plus any additional service credit that you purchase.

Average Final Compensation

- If you are initially enrolled in the FRS before July 1, 2011, average final compensation (AFC) is the average of the five highest fiscal years of compensation you earned during your covered employment.
- If you are initially enrolled in the FRS on or after July 1, 2011, your AFC is the average of the eight highest fiscal years of compensation you earned during your covered employment.

For retirement purposes, your compensation records are kept by fiscal year (July 1 - June 30). Certain kinds of payments, such as lump-sum sick leave payments, retirement incentive bonuses, and lump-sum annual leave payments in excess of 500 hours, cannot be included in your AFC (see Rule 60S-6.001(6), Florida Administrative Code, for a listing of excluded payments).

Percentage Value

Percentage value is the value that you receive for each year of your creditable service based upon your membership class for that period. The following chart shows the percentage values assigned to each class or plan.

Note: For FRS members with hybrid membership, the AFC is calculated using the highest five or eight fiscal years of compensation earned while participating in the FRS Pension Plan, depending on your enrollment date in the FRS.

Percentage Value for a Year of Retirement Credit

The charts below list the percentage value earned for each year of service credit, by class or plan.

Retirement Plan/Class	Percent Value (per year of service)
Regular Class	
If initially enrolled in the FRS before July 1, 2011:	
Retirement at age 62 or 30 years	1.60%
Retirement at age 63 or 31 years	1.63%
Retirement at age 64 or 32 years	1.65%
Retirement at age 65 or 33 years	1.68%
If initially enrolled in the FRS on or after July 1, 2011:	
Retirement at age 65 or 33 years	1.60%
Retirement at age 66 or 34 years	1.63%
Retirement at age 67 or 35 years	1.65%
Retirement at age 68 or 36 years	1.68%

Service credit earned as a member of any of the other FRS classes (Special Risk Class, Special Risk Administrative Support Class, EOC, or SMSC), the State and County Officers and Employees' Retirement System, or the Teachers' Retirement System will be valued according to the percentage value provided by the class or plan at the time of service. Applicable percentage values are:

Special Risk Class	
Service from Dec. 1, 1970, through Sept. 30, 1974	2.00%
Service on and after Oct. 1, 1974	3.00%
Past service with city or special district upgraded to Special Risk Class service	2.00%
Special Risk Administrative Support Class[7]	
Retirement at age 55; or with 25 years of service; or at age 52 with 25 years of service, including military service	1.60%
Retirement at age 56; or with 26 years of service; or at age 53 with 26 years of service, including military service	1.63%
Retirement at age 57; or with 27 years of service; or at age 54 with 27 years of service, including military service	1.65%
Retirement at age 58; or with 28 years of service; or at age 55 with 28 years of service, including military service	1.68%

[7] To be eligible for retirement under this class, you must have the minimum years of special risk or special risk-related service credit required to be vested. Military service applies only to members initially enrolled before Jan. 1, 1987, who had eligible active duty wartime service performed before becoming an FRS member.

Senior Management Service Class	2.00%
Elected Officers' Class:	
Judges and Justices	3.33%
All Others	3.00%
Teachers' Retirement System	
Plan E (no Social Security)	2.00%

Steps to Calculate a Benefit for a Vested Member:

1. Determine the number of years of creditable service you have in each class or plan.
2. Multiply the percentage value for a year of service in a class/plan by your years of service in that class/plan to obtain a subtotal for each class/plan (see charts beginning on Page 30).
3. Add the percentage values for each class/plan in which you had creditable service (subtotals in step 2) to determine your total percentage value for all classes/plans.
4. If you initially enrolled in the FRS before July 1, 2011, multiply the average of your highest five fiscal years of salary by the total percentage value derived in step 3 to determine your Option 1 annual benefit; or

   If you initially enrolled in the FRS on or after July 1, 2011, multiply the average of your highest eight fiscal years of salary by the total percentage value derived in step 3 to determine your Option 1 annual benefit.
5. If you elect to retire early, your benefit will be reduced by 5% for each year remaining before you would reach your normal retirement age.
6. Your benefit may also be reduced if you elect to provide a continuing benefit to a beneficiary (see discussion of benefit payment options on Page 49).

Note: Your personal retirement information, including your service credit and fiscal year salaries, is available to you online. If you are vested, you can project future estimates from your FRS Online account and a summary of your personal information with projected estimates is also provided to you each year as part of your Member Annual Statement (see Page 9).

CREDITABLE SERVICE

You earn retirement credit for your creditable service when your employer reports your salary and contributions for work in a covered position with any of the over 1,000 public employers participating in the FRS. You do not earn service credit under the FRS Pension Plan as a temporary employee, working for a company that provides services to an FRS employer or independent contractor, or for any period that you are participating in any of the following retirement programs (as described on Page 21 and Page 40):

- The DROP;
- The SUSORP;
- The SCCSORP;
- The SMSOAP or in a local government alternative plan instead of participating in the SMSC; or
- The FRS Investment Plan.
- You will not be eligible to earn retirement credit as a renewed member if your initial date of reemployment after retirement is on or after July 1, 2010, through June 30, 2017, or if you are an FRS Pension Plan retiree and your initial date of reemployment after retirement is on or after July 1, 2010 (see Renewing Membership After Retirement on Page 59).

Counting Your Years of Creditable Service

You earn a full month of creditable service for each month your salary payment is reported to the division. However, during the period from July 1, 1974, through June 30, 1985, a minimum monthly salary was required for you to receive full credit for your service. If you earned less than the minimum monthly salary for any month during this period, your service credit is reduced proportionately for that month.

You earn creditable service based on your work year – 12 months of a plan year (July 1 – June 30) for most members and a shorter period (9, 10 or 11 months) for some members employed by district school boards, universities, state colleges, charter schools, developmental research schools, the Florida School for the Deaf and the Blind, and certain members who perform services for district school boards but actually work for another employer. When you work the required number of months in your work year during the plan year, you receive a full year of service credit. You cannot earn more than one year of creditable service in a plan year. If you work less than the required work year, you only receive credit for part of a year.

Example:

A deputy sheriff with a 12-month work year who works nine months of that year will receive service credit for 75% of the work year (9 ÷ 12 = 0.75). A teacher who works six months of a 10-month work year will receive service credit for 60% of that year (6 ÷ 10 = 0.60).

Reference: Section 121.021(17), Florida Statutes
Rule 60S-2.002(4), Florida Administrative Code

Other Types of Creditable Service

In addition to the service credit you earn for current work, you may be able to purchase credit under the FRS Pension Plan for certain other types of service to increase your benefit. You must pay any required retirement contributions, plus interest, for the extra service credit**.** (In some cases, your employer may pay some or all of the cost for this credit.)

For the purchase of credit under the FRS Pension Plan, the division will accept trustee-to-trustee transfers from your deferred compensation plan account, your tax-sheltered annuity plan account, or another tax deferred account, including the State of Florida Deferred Compensation Plan and 403(b) plans offered by educational institutions. Funds from a State University System Optional Retirement Program (SUSORP), State Community College System Optional Retirement Program (SCCSORP), or Senior Management Service Optional Annuity Program (SMSOAP) account may not be used to purchase credit. The transfer of funds, including a rollover, from one of the referenced optional retirement programs constitutes a retirement distribution and you would be deemed a retiree.

To be eligible for transfer, the plan must be authorized under one of the following sections of the Internal Revenue Code: 401(a), 401(k), 403(b), 408(a) or (b), or 457(b). If you wish to buy service credit under the FRS Pension Plan and pay for it with funds transferred from your tax deferred plan account, download a copy of the Pretax Direct Rollover/Transfer Form (PRO-1). This form can be found on the Forms page of the division's website, **FRS.MyFlorida.com**. This form can also be obtained by contacting the division (see contact information on Page 7). Contact your provider company or plan sponsor to see if they require a separate form.

The cost for the additional retirement credit depends on the type of service. Once you are eligible to buy the service credit, you may pay the amount due at any time before you retire. Interest at a rate of 6.5% is compounded annually and is charged once a year on the balance remaining as of June 30. Contact the division if you need additional information on claiming creditable service as described below and through Page 39:

1. **Prior Service** – Prior service is employment with an employer participating in a state-administered retirement system in Florida for which you either paid no contributions or withdrew your contributions. To purchase credit for your prior service, you must be reemployed as a member of the FRS and earn one year of service credit and pay the required contributions, plus interest. The types of prior service for which you may be able to purchase service credit are:
   - **Refunded Service** – If you terminated employment and obtained a refund of your employee contributions, you lost credit for the service represented by those contributions.
   - **Non-Membership Service** – If you were working before Dec. 1, 1970, with an employer who was participating in a state-administered retirement system in Florida, but were not in covered employment, you may be eligible to buy credit for the service. However, your employment must have been in a regularly established position – you cannot purchase credit for employment in a temporary position, such as other personal services (OPS) positions with a state agency or state university.

   Reference: Sections 121.021(19) and 121.081(2), Florida Statutes
   Rule 60S-2.004, Florida Administrative Code

2. **Past Service** – Past service is employment with:
   - A city or special district before it joined the FRS;
   - A local entity or function that was transferred to, merged with, or assumed by a state or local government agency, resulting in you becoming a member of the FRS;

- The Cuban Refugee Assistance Program, administered by the Florida State Department of Public Welfare or the Florida State Board of Health before Jan. 1, 1968; or
- A Multiple Offender Project supervised by the State Attorney's Office and funded by a federal government grant to a local government not covered by the FRS.
- The Fourth Judicial Circuit with the City of Jacksonville. (Applies only to those individuals who were employees of the city on June 30, 2004, and became an employee of the State Courts System on July 1, 2004, as a result of the implementation of Revision 7 to Article V of the Florida Constitution.)

Reference: Sections 121.021(18) and 121.081(1), Florida Statutes
Rule 60S-2.003, Florida Administrative Code

3. **Military Service** – Military service may be claimed in one of the following ways listed below:
   - If you were first employed in a covered position before Jan. 1, 1987**,** you may purchase up to four years of service credit for your wartime military service [section 121.111(2), Florida Statutes].
   - If you left covered employment to join the military and returned to covered employment afterwards, you may be entitled to coverage for military service as a military leave of absence [section 121.111(1), Florida Statutes]. See Page 35 for more information.
   - If your military service is not creditable as described above, see Page 36 for information on purchasing your military service as federal service under provisions of out-of-state service.

   If you wish to claim credit for your military service, you must submit a copy of your certificate of service (Form DD-214, or equivalent) showing your dates of entry into and discharge from active duty so that the division may determine your eligibility. To submit Form DD-214, log into your FRS Online account and use the Upload Document module.

   Wartime Military Service

   If you were in a covered position before Jan. 1, 1987, you may purchase credit for up to four years of active-duty wartime service with the United States Armed Forces or the Allied Forces from which you were honorably discharged.

   You must be vested in the FRS Pension Plan before you may claim and pay for wartime military service credit.

   You will not receive any credit for military service that is also credited toward any other federal, state, or local retirement benefit where length of service is a factor. However, credit may be granted for active-duty wartime service that also applies toward a benefit from the United States Armed Forces Reserves or National Guard (under Chapter 67 of Title 10 of the United States Code).

   Your military service must fall within wartime periods as defined by section 1.01(14), Florida Statutes. Some wartime periods are listed below (the dates of wartime periods before the Vietnam Era may be requested from the division):

   Vietnam Era – Feb. 28, 1961, through May 7, 1975.

   Persian Gulf War – Aug. 2, 1990, through Jan. 2, 1992.

   Operation Enduring Freedom – Oct. 7, 2001, and ending on the date thereafter prescribed by presidential proclamation or by law.

   Operation Iraqi Freedom – March 19, 2003, and ending on the date thereafter prescribed by presidential proclamation or by law.

If one or more days of any period of your active military service occurred during the dates identified by law as wartime, you may claim credit for that entire period – not to exceed four years. For example, if your active military service was from Jan. 1, 1959, through Jan. 1, 1963, you are eligible to claim four years of this service because a portion of your time (at least one day) fell within the active-duty wartime period defined as the Vietnam Era.

You will receive Regular Class value for each year of service claimed under Wartime Military Service provisions regardless of your actual membership class.

Military Leave of Absence

A military leave of absence occurs when you leave covered employment to serve in the military. To receive service credit for this time, you must be honorably discharged and be entitled to return to work under provisions of the Uniformed Services Employment and Reemployment Act (Chapter 43 of Title 38 of the United States Code) and you must satisfy the conditions of that act. After you return to covered employment, you may receive credit for up to five years of active-duty military service (or more if your service was extended for the convenience of the federal government).

Service credit for a military leave of absence will count toward the years of service you need to vest, and you do not need to be vested before you can receive such credit. If your military leave of absence ends on or after Dec. 3, 1974, and certain criteria are met, your employer must pay employer contributions required during the period of your absence. If all or part of your military leave of absence occurs on or after July 1, 2011, you must pay any required employee contributions for the period of your absence before the service will be creditable.

Reference: Sections 1.01(14), 121.021(20), and 121.111, Florida Statutes
Rule 60S-2.005, Florida Administrative Code

4. **Leave of Absence without Pay** – A leave of absence without pay is a period of time when you are on an approved absence from work, without pay, and plan to return to work after your leave (including a leave of absence taken due to resignation to run for Sheriff or Police Chief or a leave taken under the Family Medical Leave Act). You must return to work immediately following the approved leave and be actively employed for at least one calendar month in order to qualify to purchase retirement credit for the leave. You may purchase credit for up to two work years of approved leave. Before the division can calculate the cost of your leave, you must complete and send an Application to Purchase Retirement Credit for a Pension Plan Leave of Absence (Form FR-28) to the division. This form can be found on the Forms page of the division's website. To submit Form FR-28, log into FRS Online and use the Upload Document module. You may pay for the leave any time before retirement, but this service credit does not count toward the years of service you need to be vested.

   Reference: Section 121.121, Florida Statutes
   Rule 60S-2.006 and 60S-3.007, Florida Administrative Code

5. **In-State Service** – You may be eligible to purchase service credit under the FRS Pension Plan for up to five years of in-state public employment or nonpublic employment in certain schools or colleges. Qualifying service includes public employment not covered by the FRS, employment with a charter school, and employment with a nonpublic school or college accredited by the Southern Association of Colleges and Schools, subject to the following requirements:
   - The service claimed must have been covered by a retirement or pension plan provided by your employer.

- If the service credit you earned under another retirement or pension plan entitles you to receive a current or future benefit under that plan, you cannot buy credit for that service under the FRS. Or, if you received a refund of contributions from the other retirement system and the refund included any contributions made by the employer, you cannot buy FRS credit for that service.
- You must have one work year of FRS covered employment after the in-state service to qualify to purchase credit for this service.
- All service claimed will be credited as Regular Class service.
- If you also wish to purchase service credit for your out-of-state public service (see item 6), the combined total years of credit purchased for your in-state and out-of-state service may not exceed five years.
- You may purchase credit for your in-state service on a year-for-year basis as you complete an equal or greater amount of FRS service.
- You must be vested in the FRS before the in-state service will be creditable under the FRS.

Before the division can calculate the cost of in-state service, you must complete and send the Verification for In-State or Out-Of-State Service Credit. This is on the Forms page of the division's website. To submit Form FR-30, log into FRS Online and use the Upload Document module.

Reference: Section 121.1122, Florida Statutes
Rules 60S-2.007 and 60S-3.008, Florida Administrative Code

6. **Out-of-State Service** – The following types of employment outside the State of Florida may be creditable under the FRS:

Out-of-State Public Service and Federal Service – FRS

You may be eligible to purchase service credit under the FRS Pension Plan for up to five years of out-of-state public employment or federal employment. The service claimed must have been for periods of public employment in another state or a political subdivision of another state or for the federal government (including military service not otherwise creditable under the FRS).

To claim credit for this service, you must meet the following requirements:

- The service claimed must have been covered by a retirement or pension plan provided by your employer.
- If the service credit you earned under another retirement or pension plan entitles you to receive a current or future benefit under that plan, you cannot buy credit for that service under the FRS. Or, if you received a refund of contributions from the other retirement system and the refund included any contributions made by your employer, you cannot buy FRS credit for that service.
- You must have one work year of FRS covered employment after your out-of-state service to qualify to purchase credit for this service.
- All service claimed will be credited as Regular Class service.
- If you also wish to purchase service credit for your in-state service (see item 5), the combined total years of credit purchased for your in-state and out-of-state service may not exceed five years.
- You may purchase credit for your out-of-state service on a year-for-year basis as you complete an equal or greater amount of FRS service.

- You must be vested in the FRS before the out-of-state service will be creditable under the FRS.

Before the division can calculate the cost of in-state service, you must complete and send the Verification for In-State or Out-Of-State Service Credit. This form is on the Forms page of the division's website. To submit Form FR-30, log into FRS Online and use the Upload Document module.

Reference: Section 121.1115, Florida Statutes
Rules 60S-2.007 and 60S-3.008, Florida Administrative Code

Out-of-State Seasonal Agricultural Work

If you are a seasonal agricultural state employee who works for the Department of Agriculture and Consumer Services in Florida for six or more months during a fiscal year (July 1 – June 30) and you work in another state in a similar capacity during the same fiscal year, you may be able to purchase credit under the FRS Pension Plan for your actual time in out-of-state seasonal agricultural service.

Reference: Sections 121.011(3), 121.051(6)(a), 121.1115, 121.1122, 238.06(4), Florida Statutes
Rules 60S-2.007 and 60S-3.008, Florida Administrative Code

7. **Workers' Compensation Credit** – Periods when you receive temporary Workers' Compensation payments are creditable for retirement under the FRS if you return to active employment in a covered position for one calendar month or retire on FRS disability. Your employer must report such periods of Workers' Compensation to the division to ensure you receive this service credit at no cost to you.

   Reference: Section 121.125, Florida Statutes
   Rule 60S-2.012, Florida Administrative Code

8. **Periods of Suspension without Pay** – If you are suspended without pay and later reinstated, you may purchase service credit for up to 24 months of your period of suspension. To be eligible to purchase such service credit, you must provide documentation of your suspension and reinstatement, and you must return to active employment for at least one calendar month following your period of suspension. If your suspension without pay is retroactively changed to a suspension or reinstatement with pay, your employer must pay any applicable employer and employee contributions, plus interest, for the affected period of suspension without pay.

   Reference: Section 121.011(3)(e), Florida Statutes
   Rules 60S-2.016 and 60S-3.014, Florida Administrative Code

9. **Dismissal and Reinstatement** – If you are not retired and are dismissed by your employer and your dismissal is later rescinded by proper authority or through legal action, you may be eligible to receive retirement credit for this period of dismissal. Your employer must pay the required retirement employer contributions, plus interest, due for any portion of the dismissal period for which you are made whole. You must pay the required employee contributions for the dismissal period; your employer must pay the interest on your employee contributions. If, however, your dismissal period, or a portion of your dismissal period, is later changed from a termination to a suspension by proper authority or legal action, you would be required to buy the credit to receive retirement credit for this period (see item 8).

   Reference: Section 121.011(3)(g), Florida Statutes

10. **Reemployed Retiree Service before July 1, 1991** – If you became a renewed member on or after July 1, 1991, you may buy credit toward your second-career retirement benefit for your service in a covered position after your first retirement and before you became a renewed member.

    Reference: Section 238.175, Florida Statutes

11. **Teaching in a Federally Operated School in Florida** – You may purchase credit for teaching service in a public school located in Florida and operated by the United States Government, as long as the service does not entitle you to a current or future benefit under any other state or federal retirement system.

    Reference: Section 238.175, Florida Statutes

12. Periods of Disability Retirement – If you retire on disability and later recover and return to a covered position, and you are continuously employed for at least one work year, you may purchase service credit for the period while you were retired on disability.

Reference: Section 121.091(4)(h), Florida Statutes
Rules 60S-2.018, and 60S-4.007(8), Florida Administrative Code

Service Credit Upgrades

Special Risk Class

If you are an emergency medical technician or paramedic who has previous service in another FRS class that is now within the purview of the Special Risk Class, you may purchase additional service credit to upgrade the value of this service to the value provided for Special Risk Class. You may also purchase the upgrade of previous creditable service to Special Risk value if you are in the Special Risk Class and such previous service included responsibilities in fire prevention or firefighter training. The cost to upgrade this service credit is the difference between the total contributions that were actually paid during the period being upgraded and the contributions that were required for the Special Risk Class during that period, plus interest. Your employer is allowed, but not required, to pay some or all of this cost for you.

If you are employed in a forensic position covered for Special Risk Class membership on or after July 1, 2008, and you have previous service in another membership class in a forensic position within the forensic eligibility effective July 1, 2008, you may upgrade such prior creditable service earned in another FRS membership to the Special Risk Class accrual value. The member cost to upgrade this service will be an amount representing the actuarial accrued liability for the difference in accrual value during the affected period of service. Local government employers may purchase the upgraded service credit on behalf of the member if the member has been employed by that employer for at least three years. State employers are not able to purchase the upgraded service credit on behalf of their employees.

Reference: Section 121.0515(10), Florida Statutes

Elected Officers' Class

If you are a member of the EOC, you may pay the cost to upgrade previous service you performed that would now be within the purview of the class. If you were employed in a position that would have been covered by the EOC if your position or subclass had been included initially (see Page 10), you may upgrade the value of this service to the value provided for EOC service. The cost to upgrade this service credit is the difference between the total employee and employer contributions that were actually paid during the period being upgraded and the employee and employer contributions that were required for the EOC during that period, plus interest.

Reference: Section 121.052(5), Florida Statutes

Senior Management Service Class

If you have participated in the SMSC, you may pay the cost to upgrade previous service you performed that would now be within the purview of the class, retroactive to Feb. 1, 1987, except for positions in the offices of the conflict and civil regional counsel whose upgrade is retroactive to Oct. 1, 2007. If you were employed in a position that would have been included initially (see Page 10), you may upgrade the value of this service to the value provided for SMSC service. The cost to upgrade this service credit is the difference between the total contributions (employer and employee) that were actually paid during the period being upgraded and the contributions that were required for the SMSC during that period, plus interest. Your employer is allowed, but not required, to pay some or all of this cost for you except for positions in the offices of the conflict and civil regional counsel whose employer may not purchase upgraded service on your behalf.

Reference: Section 121.055(1)(j), Florida Statutes

THE DEFERRED RETIREMENT OPTION PROGRAM (DROP)

The DROP is offered for members who have reached their normal retirement date. The DROP allows you to effectively retire while delaying your termination. While participating in the DROP, your monthly retirement benefits accumulate in the FRS Trust Fund, earning tax-deferred interest, while you continue to work and earn a salary but no additional retirement service credit. For many, the DROP offers the best of both worlds, providing both a guaranteed lifetime monthly benefit and a lump sum you can invest or spend after your program participation ends.

Your monthly benefit will be the amount determined when your DROP participation started based upon your service credit and salary at that time, plus any annual cost-of-living adjustment. When your DROP participation period ends, you must terminate all employment with all FRS employers or forfeit your DROP benefits and any monthly retirement benefits you received after DROP participation ended.

Approximately 90 days before your scheduled termination date the division will send you a packet of information including the forms to verify your termination date and to select your payout method for your DROP accumulation. After your termination is verified by your employer, your name will be added to the retired payroll for you to begin receiving your monthly retirement benefit. Your DROP accumulation will be paid out after the division receives your payout instructions and your termination is verified, but not earlier than the calendar month following your employment termination.

For most DROP participants, the maximum participation period is 96 months, and the termination requirement applies (see termination requirement information on Page 48) at the end of the participation period. However, some exceptions apply:

- Effective July 1, 2023, K-12 instructional personnel as defined in section 1012.01(2)(a)-(d), Florida Statutes, who are employed by district school boards or the Florida School for the Deaf and the Blind or instructional personnel as defined in section 1012.01(2)(a), Florida Statutes, employed by developmental research (lab) schools may be permitted to extend their DROP participation for up to 24 months beyond their initial 96-month participation period. The member's employer must authorize the extension, and the division must approve it before such an extension may be granted. Such a DROP participant must remain in an eligible position throughout the duration of the extension, or the DROP will be voided.
    - ♦ K-12 instructional personnel must end their extended DROP participation on the last day of the school year.[8]
- Effective July 1, 2023, K-12 administrative personnel as defined in section 1012.01(3), Florida Statutes, who have a DROP termination date on or after July 1, 2018, may be authorized to extend their DROP participation beyond the initial 96 calendar month period if their termination date is before the end of the school year. Such administrative personnel may have their DROP participation extended until the last month of the school year. The employer is required to notify the division when these eligible personnel have their termination date changed to comply with this provision.
- A DROP participant serving in an elective office covered by the EOC when the participation period ends must terminate from all employment to receive a monthly pension benefit. Future monthly benefits will not be paid until the participant terminates employment.

[8] This provision expires on June 30, 2029.

- A participant serving in an elective office covered by the EOC at the end of DROP participation may delay termination until the end of the current term or successively held term of office. The DROP account will not earn additional interest after DROP participation period ends and benefits, including the DROP payout, will not be paid until termination has occurred and is verified.
- An elected officer (other than an officer serving as a legislator), who has completed their DROP participation period, may receive their DROP accumulations after attaining age 59 ½ and without terminating from their elected office.If you are an elected officer whose period of DROP participation will conclude before your term of elective office is over, you should contact the division for applicable termination requirements (see contact information on Page 7).

DROP FREQUENTLY ASKED QUESTIONS

1) **Q. Who is eligible to participate in the DROP?**

   A. All vested members of the FRS Pension Plan who have reached their normal retirement date are eligible to participate.

2) **Q. Who is not eligible to participate in the DROP?**

   A. Renewed members of the FRS Pension Plan and members of the FRS Investment Plan. Also, participants of the SUSORP, the SMSOAP, the SCCSORP, or a local annuity plan are not eligible to participate.

3) **Q. How soon can I enroll in the DROP if I am a Regular Class, EOC, or SMSC Member?**

   A. You may begin DROP participation any time after you reach your normal retirement date:

   - If you are initially enrolled in the FRS before July 1, 2011, this is the first of the month based upon your normal retirement age of 62 if you are vested or the first of the month following the month you reach 30 years of service before your normal retirement age or becoming vested after age 62. (For example, a member who is age 66 could enroll in the DROP the month after completing six years of service credit.)
   - If you are initially enrolled in the FRS on or after July 1, 2011, this is the first of the month based upon your normal retirement age of 65 if you are vested or the first of the month following the month you reach 33 years of service before your normal retirement age or becoming vested after age 65. (For example, a member who is age 66 could enroll in the DROP the month after completing eight years of service credit.)

4) **Q. How soon can I enroll in the DROP if I am a Special Risk Class member?**

   A. You may begin DROP participation any time after you reach your normal retirement date:

   - The first of the month based upon your normal retirement age of 55 if you are vested or the first of the month following the month you reach 25 years of service before your normal retirement age or becoming vested after age 55. (For example, a member who is age 56 could enroll in the DROP the month after completing six years of service credit.)

5) **Q. How long can I be in the DROP?**

   A. In most cases, your DROP participation is for a maximum of 96 months. Your employer may permit you to extend your DROP participation for up to another 24 months, if you are K-12 instructional personnel as defined in section 1012.01(2)(a)-(d), Florida Statutes.

6) **Q. What if I do not terminate my job when my DROP participation period ends?**

   A. If you do not terminate employment at the end of your participation period, your retirement application is voided and your DROP participation is retroactively cancelled.[9] Your FRS membership and service credit would be reestablished and your employer would be responsible for any cost owed to establish service credit as if you had never participated in the DROP. When you wish to retire, you would be required to reapply to establish a new retirement date.

[9] An exception applies in the case of elected officers in the DROP (see Page 38).

7) Q. Will my DROP money earn interest?

A. Yes, while you are in the program, your DROP account earns interest, compounded monthly at an effective annual rate of 4.00%[10]. No interest is earned on benefits on deposit for less than one month or after your DROP participation ends.

8) Q. Will I receive a cost-of-living adjustment while in the DROP?

A. Yes, if:

- You have service credit prior to July 1, 2011, your retirement benefits accumulating in your DROP account will receive a cost-of-living adjustment (COLA) each July that is individually calculated by dividing your years of service before July 1, 2011, by your total years of service and multiplying the quotient by 3%.[11] The first year's COLA is prorated if you have been retired for less than 12 months.
- You are an eligible Special Risk Class retiree. You must have completed either six years (if initially enrolled in the FRS prior to July 1, 2011) or eight years (if enrolled in the FRS on or after July 1, 2011) of Special Risk Class creditable service. The COLA would modify the benefit for Special Risk Class members beginning on the first July after the fifth anniversary of retirement as follows:
    - For Special Risk Class members initially enrolled prior to July 1, 2011, the COLA rate would be the greater of 1.5% and the COLA rate calculated under the current law's formula.
    - For Special Risk Class members initially enrolled in the FRS on or after July 1, 2011, the COLA rate would be 1.5%.

9) Q. When will eligible Special Risk Class Members receive a COLA adjustment?

A. Special Risk Class retirees receiving a COLA less than 1.5% based on current law will receive the minimum 1.5% COLA once they have been retired for at least five years (60 months). The COLA rate is adjusted only once each year, effective with the July retirement benefit payment.

10) Q. What if I am Special Risk Class Member who initially enrolled in the FRS on or after July 1, 2011, when do I receive a COLA?

A. For Special Risk Class members initially enrolled in the FRS on or after July 1, 2011, the COLA rate would be 1.5% when you have been retired for at least five years (60 months).

11) Q. When and how will my DROP benefits be paid?

A. Approximately 90 days prior to your scheduled termination of employment date, the DROP Termination Unit will send you a form to certify your employment termination and to select your DROP payout method. Once the division receives verification of your employment termination from your employer and your completed payout method form, the payout is processed as quickly as possible after your termination, but not earlier than the calendar month following your employment termination. You may choose to receive your DROP accumulation as a lump-sum payment, a direct rollover to an eligible tax-sheltered account as described in section 402(c)(8)(B) of the Internal Revenue Code, or a combined partial lump-sum payment and rollover.

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[10] A different interest rate applied to DROP account balances through June 30, 2023. Contact the division with any questions.

[11] Members initially enrolled on or after July 1, 2011, do not receive a COLA after retirement on benefits paid through the Pension Plan, unless they are eligible Special Risk Class retirees.

12) Q. Are FRS in-line-of-duty death benefits payable while I am in the DROP?

A. No. Since you effectively retired under the FRS Pension Plan when you entered the DROP, your beneficiary would not be eligible for in-line-of-duty death benefits. However, your beneficiary would be eligible to receive all of your DROP balance as a lump-sum payment, an eligible rollover distribution to an IRA as described under section 402(c)(9) of the Internal Revenue Code, or a combination lump-sum payment and rollover. And, if you chose Option 2, Option 3, or Option 4 when you entered the program, your surviving beneficiary would also receive monthly FRS benefits according to your option selection.

13) Q. Will I be eligible for disability retirement benefits while I am in the DROP?

A. No. Since you effectively retired from the FRS Pension Plan when you entered the DROP, you would not be eligible for disability retirement benefits if you became disabled while in the program.

14) Q. Do I receive HIS benefits while I participate in the DROP?

A. No. However, you may be eligible for HIS payments after your DROP participation ends. Eligible retirees must apply for the HIS benefit.

15) Q. Are my DROP benefits (and my future retirement benefits) subject to forfeiture?

A. Yes, but only if you have violated the forfeiture provisions of section 121.091(5)(f)-(j), Florida Statutes (see Page 61 on forfeiture).

RETIRING FROM THE PENSION PLAN

You should consider many issues as you approach retirement. What retirement income should you expect? Do you qualify for normal retirement and, if not, should you consider early retirement? What about the DROP? Once you decide what you want to do, you will need to decide on how and when you want to apply.

Estimate of Benefits

You can log in to your FRS Online account from the division's website to perform informal benefit estimates yourself (including DROP estimates) based on the retirement ages you assume (see Page 8 for more information).

Upon request, the division will calculate an official estimate of your retirement benefits. The division recommends that you request an estimate when you are within five years of your anticipated retirement date. Unlike the MAS that you receive each year, estimates that you request from the division use the retirement date(s) you specify to help you plan for retirement. Also, if the division has calculated the cost to purchase optional service credit, you will receive comparative estimates with and without this service credit to help you determine if buying the service credit is beneficial to you.

You may request an estimate of benefits by contacting the division (see contact information on Page 7). Once the division receives your request, your estimate will be calculated and made available through your FRS Online account or mailed to you at the address you provide depending upon your communication preference.

Normal Retirement

Your normal retirement date is the time you are first eligible to receive an unreduced retirement benefit based on your age or years of service.

As a Regular Class, EOC, or SMSC member you will qualify for normal retirement as follows:

If initially enrolled in the FRS before July 1, 2011, you qualify for normal retirement when:

- You are vested (see Page 26) and are age 62; or
- You have at least 30 years of creditable service, regardless of your age before age 62; or
- The age after age 62 when you become vested.

If initially enrolled in the FRS on or after July 1, 2011, you qualify for normal retirement when:

- You are vested (see Page 26) and are age 65; or
- You have at least 33 years of creditable service, regardless of your age before age 65; or
- The age after age 65 when you become vested.

Reference: Sections 121.021(29) and 121.091(1), Florida Statutes
Rule 60S-4.003, Florida Administrative Code

As a Special Risk Class member, you will qualify for normal retirement as follows:

- You are vested in Special Risk Class service (see Page 26) and are age 55; or
- You have at least 25 years of special risk creditable service; or
- You have a combined total of 25 years of special risk creditable service and military service and are age 52; or
- If enrolled in the FRS before July 1, 2011, you have at least 30 years of any creditable service, regardless of age; or
- If enrolled in the FRS on or after July 1, 2011, you have at least 33 years of any creditable service, regardless of age.

As a Special Risk Administrative Support Class member, you will qualify for normal retirement based on the special risk age and service criteria listed on the previous page, provided that you have at least the number of years of creditable service in the Special Risk Class that is required for you to vest (see Page 26). The value for each year of your service will remain the value of the class or system in which the service was earned or claimed (see Page 30).

Reference: Sections 121.021(29) and 121.091(1), Florida Statutes
Rule 60S-4.003, Florida Administrative Code

Early Retirement

As a Regular Class, EOC, or SMSC member, if you are vested but have not yet reached your normal retirement date, you may elect to take early retirement. If you do, the amount of your benefit will be reduced by 5% for each year between your age at retirement and your normal retirement age. If you are initially enrolled in the FRS before July 1, 2011, your normal retirement age is 62. If you are initially enrolled in the FRS on or after July 1, 2011, your normal retirement age is 65.

Example: If you are vested but have less than the number of years of service otherwise required for normal retirement and want to retire early at age 57, your reduction would be calculated as follows:

If your normal retirement age is 62, you have five years before you would reach age 62. Your benefit would be reduced by 25% (5 years × 5% = 25%).

If your normal retirement age is 65, you have eight years before you would reach age 65. Your benefit would be reduced by 40% (8 years × 5% = 40%).

Reference: Sections 121.021(30) and 121.091(3), Florida Statutes

As a Special Risk Class member if you are vested but have not yet reached your normal retirement date, you may elect to take early retirement. If you do, the amount of your benefit will be reduced by 5% for each year between your age at retirement and your normal retirement age. Your normal retirement age is 55.

Example: If you are vested but have less than the number of years of service otherwise required for normal retirement and wanted to retire early at age 50, your reduction would be calculated as follows:

If your normal retirement age is 55, you have five years before you would reach age 55. Your benefit would be reduced by 25% (5 years × 5% = 25%).

Reference: Sections 121.021(30) and 121.091(3), Florida Statutes

Dual Retirement Ages

If you have Special Risk Class service and service in another membership class and have not reached normal retirement age or date for both classes, a separate benefit must be calculated for each class of service. The two benefits will be added together for your total benefit.

Example:
At age 57 with 25 years of Special Risk Class service and four years of Regular Class service, you will receive the full benefit to which you are entitled based on your special risk service and a reduced benefit for your regular service. This is because you would have reached the special risk normal retirement age, but not your regular service normal retirement age. Therefore, the part of your benefit based on your four years of regular service is reduced by 25%. (5 years × 5% = 25%).

If you are initially enrolled in the FRS before July 1, 2011, you qualify for normal retirement in the Special Risk Class or Special Risk Administrative Support Class when you have 25 years of Special Risk Class Service before age 55, or at age 55 with six years of Special Risk Class service. If you are initially enrolled in the FRS on or after July 1, 2011, normal retirement in these classes is after 25 years of Special Risk Class service or age 55 with eight years of Special Risk Class service.

If you are initially enrolled in the FRS before July 1, 2011, you will qualify for normal retirement under all other classes when:

- You are vested and reach age 62; or
- You have at least 30 years of creditable service, regardless of your age before age 62; or
- The age after 62 when you become vested.

If you are initially enrolled in the FRS on or after July 1, 2011, you will qualify for normal retirement under all other classes when:

- You are vested and reach age 65; or
- You have at least 33 years of creditable service, regardless of your age before age 65; or
- The age after 65 when you become vested.

Reference: Section 121.091(2), Florida Statutes

Volunteer Services in accordance with section 121.091(15), Florida Statutes, do not constitute employment by or provision of services to an FRS employer.

Termination Requirement

(1st – 6th calendar months of retirement)

You must have a bona fide termination by terminating all employment relationships with and ceasing to provide services to all FRS employers for the first six calendar months of your retirement or the first six calendar months after your DROP termination date.

An employment relationship with an FRS employer in any capacity during this six-calendar month period may void your retirement and you and your FRS employer may be held jointly and severally liable for repayment of all retirement benefits received, which include any DROP accumulation or payout. This means that each party can be held fully responsible for the repayment of the total amount of retirement benefits. There are no exceptions to the six-calendar month termination requirement. Voiding your retirement applies even if the position you hold is not covered by the FRS but is with an FRS employer. This requirement also applies to employment with the same employer if the employer withdrew from the FRS effective Jan. 1, 1996, for newly hired employees.

Reference: Sections 121.021(39), 121.071(2), 121.091(13), and 121.122, Florida Statutes
Rules 60S-3.002(6) and 60S-4.009, Florida Administrative Code

Beginning the 7th calendar month of your retirement, there are no limitations on receiving your retirement benefit while being in an employment relationship with an FRS employer.

Contact the division if you have any questions about the termination requirement (see contact information on Page 7).

Reference: Sections 121.091 (9), 121.091(13), and 121.122, Florida Statutes
Rule 60S-4.012, Florida Administrative Code

Effective Retirement Date

Your effective retirement date is always the first day of the month your retirement begins. If the division receives your application form before, or within 30 days after you terminate employment, your effective retirement date will be the first day of the month following your termination. If you do not apply within 30 days after your termination, your effective retirement date will be the first day of the month after the month in which the division receives your application, unless you choose to defer your retirement and specify a later date.

If you choose to participate in the DROP, your effective retirement date is the first day of the month your DROP participation begins. Read the Eligibility Requirements section of the DROP Guide for detailed information on when you are eligible to apply for the DROP.

Reference: Section 121.091, Florida Statutes
Rule 60S-4.0035(3), Florida Administrative Code

Application for Benefits

You must apply for retirement benefits before you can begin receiving benefit payments. To apply for Service Retirement or the DROP, log in to FRS Online at **FRS.FL.gov**, and select Service Retirement or DROP Retirement. Alternatively, you may complete an Application for Service Retirement Form (FR-11), or to apply for the DROP, complete an Application for Service Retirement and the Deferred Retirement Option Program (DROP) Form (DP-11) and Notice of Election to Participate in the Deferred Retirement Option Program (DROP) and Resignation of Employment Form (DP-ELE). These forms are available from your human resource office or the division. These forms can also be found on the Forms page of the division's website at **FRS.MyFlorida.com**.

The earliest you may apply for retirement is six months before your planned retirement date. In addition to an application, you must submit proof of age as outlined on Page 51. The division will acknowledge receipt of your application form and advise you of anything else needed. If you are buying additional service credit, the division must receive your final payment before you can begin receiving benefits. Retirement benefits are paid on the last workday of each month after your name is added to the retired payroll.

You may change any item on your application before retirement. However, once a benefit payment has been cashed, deposited, or credited to the DROP, your retirement is final and you cannot change your option or add service credit. Also, you cannot change your type of retirement (early, regular, or disability) except when you recover from disability.

Reference: Section 121.091, Florida Statutes
Rules 60S-4.002(4), 60S-4.0035(1), and 60S-4.010(5), Florida Administrative Code

Benefit Payment Options

When you retire, you must choose one of the four benefit payment options (methods of payment) available to you. You will not begin receiving your retirement benefits until you have selected a benefit payment option and finalized your application. Once you cash or deposit a benefit payment, your option selection cannot be changed.

If you are married and you select Option 1 or Option 2, your spouse must acknowledge your option selection in writing. If you select Option 2, Option 3, or Option 4, your benefit will be actuarially reduced from the Option 1 amount. However, the total benefit provided under each of these options is actuarially equal to what you alone would be expected to receive under Option 1.

Options 1 and 2

Option 1: Provides a monthly benefit payment to you for your lifetime. Option 1 does not provide a continuing benefit to a beneficiary**.** Upon your death, the monthly benefit will stop, and your beneficiary is entitled to receive only a refund of contributions you paid, if any, which exceed the amount you received in benefits. If you wish to provide a beneficiary with a continuing benefit after your death, you should consider selecting one of the other three options.

Option 2: Provides a reduced monthly benefit payment to you for your lifetime. If you die 10 years or more after retirement, no benefits are payable to your beneficiary. However, if you die within 10 years (120 months) of your effective retirement date, your beneficiary will receive a monthly benefit payment in the same amount you were receiving for the balance of the 120-month period (including any period of DROP participation). No further benefits are then payable.

Options 3 and 4

Under Options 3 and 4, you may provide a continuing benefit to your spouse or other dependent beneficiary who is your joint annuitant as described below. To qualify as a joint annuitant, an individual must be:

- Your spouse; or
- Your parent or grandparent, as long as you are providing at least half of the financial support, as verified by your tax returns; or
- Your natural or legally adopted child who is either under age 25 or physically or mentally disabled and incapable of self-support; or
- A person for whom you are the legal guardian, as long as you provide at least half of the financial support, as verified by your tax returns.

If you choose Option 3 or 4 and name your spouse as your joint annuitant, you must submit a copy of your marriage certificate with your application.

Option 3: Provides a reduced monthly benefit payment to you for your lifetime and a continuing benefit to your surviving joint annuitant. No further benefits are payable after both you and your joint annuitant die. Upon your death:

- The benefit payment to your surviving joint annuitant will be the same amount you were receiving if the joint annuitant is your spouse, parent, grandparent, or someone age 25 or older for whom you are the legal guardian; or
- If your joint annuitant is your natural or legally adopted child (or someone for whom you are the legal guardian) who is under age 25 at the time of your death, your joint annuitant will receive a benefit payment in the amount of your Option 1 benefit until reaching age 25; or
- If your joint annuitant is your natural or legally adopted child (or person for whom you are the legal guardian) who is physically or mentally disabled and incapable of self-support at the time of your death, regardless of age, your joint annuitant will receive a benefit payment in the amount of your Option 1 benefit until no longer disabled.

Option 4: Provides an adjusted monthly benefit payment to you while both you and your joint annuitant are living and a reduced continuing benefit to the survivor upon the death of either you or your joint annuitant. No further Option 4 benefits are payable after both you and your joint annuitant die.

If your joint annuitant dies first, your benefit is reduced to two-thirds of the monthly benefit paid when you both were living.

In the event that you die first:

- The benefit payment to your surviving joint annuitant will be equal to two-thirds of the monthly benefit paid when you both were living if the joint annuitant is your spouse, parent, grandparent, or someone age 25 or older for whom you are the legal guardian; or
- If your joint annuitant is your natural or legally adopted child (or person for whom you are the legal guardian) who is under age 25 at the time of your death, your joint annuitant will receive a benefit payment in the amount of your Option 1 benefit until reaching age 25; or
- If your joint annuitant is your natural or legally adopted child (or person for whom you are the legal guardian) who is physically or mentally disabled and incapable of self-support at the time of your death, regardless of age, your joint annuitant will receive a benefit payment in the amount of your Option 1 benefit until no longer disabled.

Reference: Section 121.091, Florida Statutes
Rules 60S-4.002(4), 60S-4.0035(1), and 60S-4.010(5), Florida Administrative Code

Proof of Age

When you apply for retirement, you must furnish proof of your age. If you choose benefit payment Option 3 or Option 4, you must also furnish proof of age for your joint annuitant. The division must receive the required proof of age before you can begin receiving benefits. The division will accept a readable copy of one of the following documents:

- A valid driver's license issued after January 1, 2010, that indicates compliance with the federal REAL ID Act;
- Birth certificate;
- Delayed birth certificate;
- Valid, unexpired U.S. passport;
- Census report more than 30 years old;
- Life insurance policy more than 30 years;
-
- Certificate of Naturalization; or

If you cannot furnish any document listed above, a readable copy of a document from two of the following categories will be required:

- Birth certificate of child, showing age of parent (limit one);
- Baptismal certificate more than 30 years old;
- Hospital record of birth;
- School record at time of entering grammar school.

If you are having difficulty locating these documents or you are unable to obtain any of these documents, contact the division (see contact information on Page 7).

Reference: Section 121.091, Florida Statutes
Rule 60S-4.0035(2), Florida Administrative Code

Limitation of Benefits

State and federal laws may limit the amount of your annual benefit as explained below:

Florida Retirement System Maximums – Under state law, your initial retirement benefit under the FRS Pension Plan may not exceed 100% of your AFC. However, this restriction does not apply to pension increases resulting from a COLA, nor does it apply to benefits accruing in individual accounts under the FRS Investment Plan established under Part II of Chapter 121, Florida Statutes.

Federal Maximums – Since 1974, under section 415(b) of the Internal Revenue Code, the federal government has limited the amount of annual retirement benefits you can receive from a pension plan. In 1998, Congress enacted legislation to permit government entities to establish excess benefit plans for people who are adversely affected by this federal limit (similar to excess benefit plans already in effect for private employers) to allow payments up to the maximum allowed by the retirement plan.

As a result, the 1999 Florida Legislature adopted the FRS Preservation of Benefits Plan (an excess benefit plan) to effectively offset the impact of the federal limit on retirees of the FRS Pension Plan. This plan, which became effective on July 1, 1999, requires the division to pay each affected retiree, by separate check, an amount equal to any reduction in your total FRS benefits imposed by the federal limit. Therefore, if you are affected by this federal limit, you will be made whole by the excess benefit plan and you will not suffer a reduction in benefits. This maximum is adjusted for age so that retirees younger than age 62 have a lower maximum and those older than age 65 have a higher maximum. The determination if your retirement will be subject to section 415(b) limit can only be made at retirement. Limits vary every year, so your benefit could be affected one year and not the next year based on the Department of Labor specific Section 415(b) dollar limit that is published annually.

Section 401(a)(17) of the Internal Revenue Code also limits the amount of salary on which contributions can be paid into a retirement plan. If you became a member on or after July 1, 1996, and effective with the fiscal year 2025-26, you make over $350,000, service credit will be awarded, but no contributions will be paid by your employer on salary over that amount; however, if you became a member before July 1, 1996, the limit is $524,520.

FRS Benefits/Contributions Are Primary – If you participate in any retirement plan maintained by your employer in addition to the FRS and Social Security, including a qualified pension plan, a qualified employee annuity plan, or a 403(b) annuity, federal limits may apply to the combined amount of benefits payable under all plans except Social Security. If the combined amount exceeds a federal limit, the benefits payable under the other plan(s) must be reduced first to conform to the limit. Benefits provided under the FRS Pension Plan are considered primary to benefits provided under any other plan. Separate limits apply to contributions made under defined contribution plans, such as the FRS Investment Plan.

Reference: Sections 121.091(11) and 121.30(5), Florida Statutes
Rule 60S-4.002(3), Florida Administrative Code

DISABILITY BENEFITS

The FRS provides disability retirement coverage to eligible members of the FRS Pension Plan and the FRS Investment Plan who become totally and permanently disabled and are unable to work (disabled from all employment, not just from your current job). Your injury or illness must have occurred before you terminated employment. If you are a Pension Plan or Investment Plan retiree with renewed membership (see Page 59) or if you are in the DROP (see Page 40), you are not eligible for disability benefits. Disability benefits are not reduced for early retirement. The two types of disability benefits are regular disability benefits and in-line-of-duty disability benefits.

Regular Disability Benefits

You must complete at least eight years of creditable service, regardless of the other vesting requirements for your membership class or plan. If your disability retirement is approved, the Option 1 annual benefit will be at least 25% of your AFC. If your actual earned benefit based on your years of service would be higher than the 25% minimum regular disability benefit, the higher benefit amount will be paid.

In-Line-of-Duty Disability Benefits

You are covered for in-line-of-duty disability from your first day of covered employment. If you believe the illness or injury that caused your total and permanent disability arose out of and during the actual performance of your duties as required by your employer, you may apply for in-line-of-duty disability retirement benefits.

As a member of the Regular Class, the EOC, or the SMSC, the minimum yearly benefit paid under Option 1 for this type of disability is 42% of your AFC. If your actual earned benefit, based on your years of service, would be higher than the 42% minimum disability benefit, the higher benefit amount will be paid.

As a member of the Special Risk Class, the minimum yearly benefit paid under Option 1 for this type of disability is 65% of your AFC. If your actual earned benefit, based on your years of service, would be higher than the 65% minimum disability benefit, the higher benefit amount will be paid.

For specified professions and diseases, the disability may be presumed to have occurred in the line of duty. This special presumption is available for:

- Firefighters disabled due to one of the designated types of cancer specified in section 112.1816, Florida Statutes.
- Firefighters, law enforcement officers, and correctional officers disabled due to tuberculosis, heart disease or hypertension, hepatitis, or meningococcal meningitis.
- Paramedics and emergency medical technicians disabled due to hepatitis, meningococcal meningitis, or tuberculosis.

Reemployment for Disability Retirees

- If you retire under disability retirement, you may not be employed with any employer and continue to receive disability benefits. If you recover from your disability and return to work for any employer, whether in or out of state, public or private, you must inform the division to immediately stop your benefits (see contact information on Page 7).

- If you recover from your disability and return to work for an FRS employer for one year of creditable service and participate in the FRS Pension Plan, you may purchase service credit for the period you were retired under disability retirement to be used in your future retirement benefit.

Reexamination for Disability Retirees

- If you retire under disability retirement, the division periodically checks the status of your total and permanent disability. The Disability Determination Section provides the forms to be completed and returned. If a licensed doctor charges a fee for completing the required forms, the division will reimburse your out-of-pocket cost up to $100.00.
- After the division receives the completed forms, the division notifies you in writing of your eligibility to continue receiving disability benefits. If the division determines that you do not qualify to continue receiving disability benefits, you may appeal the decision to the State Retirement Commission. Otherwise, you can apply for a service retirement if you are not returning to FRS employment.

For more information regarding disability retirement benefits under the FRS Pension Plan and the FRS Investment Plan, you may view and/or download a copy of the Disability Benefits Guide from the Publications page of the division's website, **FRS.MyFlorida.com**. If you have further questions, call the division (see contact information on Page 7).

Reference: Sections 121.091(4) and (6), 112.18, 112.181, and 112.1816 Florida Statutes
Rule 60S-4.007, Florida Administrative Code

SURVIVOR BENEFITS

Regular Survivor Benefits

For the Beneficiary of a Non-Vested Member

If your death occurs other than in the line of duty and before you are vested, your designated beneficiary will be eligible to receive only a refund of any employee contributions you made to the system. Employer contributions are not refundable. If you purchased optional service credit, such as credit for a leave of absence, refunded service or military service, your beneficiary would receive a refund of those contributions. Payments or transfers made to the FRS Trust Fund to buy into the Pension Plan for the purpose of transferring membership from an eligible plan to the Pension Plan are not considered employee contributions and are not eligible to be refunded.

If your beneficiary qualifies as a joint annuitant and you are within one year of vesting at the time of your death, your joint annuitant may be eligible to purchase enough service credit to vest you after your death. This service credit would be based upon your accumulated leave balances and/or any in-state or out-of-state service you were eligible to purchase. (Your termination must have been due to your death.)

Even if you have no employee contributions on deposit, your death should be reported to the division (see contact information on Page 7).

For the Beneficiary of a Vested Member

If your death occurs other than in the line of duty after you are vested, but before you retire, and your designated beneficiary does not qualify as a joint annuitant, your beneficiary could only receive a refund of your employee contributions, if any (no monthly benefit would be payable). However, if your designated beneficiary qualifies as a joint annuitant, your beneficiary may choose one of the following:

- A refund of your employee contributions, if any.
- A lifetime monthly benefit calculated as though you had retired on your date of death and chosen an Option 3 benefit payout (this benefit would be adjusted for early retirement if you died before reaching your normal retirement date). However, if your joint annuitant is your natural or legally adopted child, or other person for whom you are the legal guardian, who is under age 25 or is disabled and incapable of self-support, the benefit paid will be your Option 1 benefit amount and your beneficiary will receive this benefit until reaching age 25, or until no longer disabled.
- An Option 3 benefit deferred to a future date and based on your age if you had lived to the date the benefit begins. If you die before reaching your normal retirement date and have less than 20 years of service, a deferred benefit would be higher for your beneficiary than an immediate benefit. This is because there is less of an early retirement reduction as a member approaches normal retirement age.
- If you die before reaching your normal retirement date while employed with an FRS employer but are within 10 years of your normal retirement date, your benefit may be reduced from 30 years if enrolled in the FRS before July 1, 2011, or from 33 years if enrolled on or after July 1, 2011, rather than normal retirement age if this will provide a higher benefit.

An application for benefits is required from your joint annuitant before benefits can begin. In order to begin receiving a monthly benefit effective the month following your death, a timely

application must be made. However, your joint annuitant may choose a future date for benefits to begin.

If your FRS covered employment is terminated by your death and if your joint annuitant chooses an Option 3 benefit, your joint annuitant will have the right to purchase any creditable service you were eligible to purchase before your death, such as a leave of absence, refunded service or military service.

If your beneficiary does not qualify as a joint annuitant, your beneficiary would not be entitled to a lifetime monthly benefit upon your death. Instead, your beneficiary would be entitled to receive a refund of your employee retirement contributions, if any, including any payments you may have made by personal remittance or by a rollover of funds to purchase optional service. Payments or transfers made to the FRS Trust Fund to buy into the Pension Plan for the purpose of transferring membership from an eligible plan to the Pension Plan are not considered employee contributions and are not eligible to be refunded.

In-Line-of-Duty Survivor Benefits

All FRS Pension Plan members, including renewed members, are covered from their first day of employment for in-line-of-duty death survivor benefits.

Retirees of the FRS Pension Plan initially reemployed on or after July 1, 2010, are not eligible for renewed membership or in-line-of-duty survivor benefits.

Regular Class, EOC, SMSC, Special Risk Administrative Support Class

If your death arises out of and in the actual performance of the required duties of your job while you are employed in a covered position under the FRS Pension Plan, your surviving spouse will be eligible to receive all benefits due, even if you named someone else as your beneficiary. Your spouse is entitled to a lifetime monthly benefit equal to half of your last monthly salary, regardless of your length of service. If you have a child or children at the time of your death, but are not married, or your spouse dies later, the benefit will be paid on behalf of your unmarried children until the youngest child reaches age 18.

Special Risk Class

Effective July 1, 2017, if your death occurred on or after July 1, 2002, and arises out of and in the actual performance of the required duties of your job while you are employed in a covered position under the FRS Pension Plan, your surviving spouse will be eligible to receive all benefits due, even if you named someone else as your beneficiary. Your spouse is entitled to a lifetime monthly benefit equal to 100% of your last base monthly salary, regardless of your length of service. If you have a child or children at the time of your death, but are not married, or your spouse dies later, the benefit will be paid on behalf of your unmarried children until the youngest child reaches age 18 or until age 25 if the child is unmarried and enrolled as a full-time student.

Certain members may be entitled to a presumption that their death from specified diseases occurred in the line of duty:

- Firefighters whose death occurred due to one of the designated types of cancer specified in section 112.1816, Florida Statutes.
- Firefighters, law enforcement officers, and correctional officers whose death occurred due to tuberculosis, heart disease or hypertension, hepatitis, or meningococcal meningitis.
- Paramedics and emergency medical technicians whose death occurred due to hepatitis, meningococcal meningitis, or tuberculosis.

Note: If you are participating in the DROP, you are considered retired, so your surviving spouse and/or children are not eligible for in-line-of-duty survivor benefits.

Reference: Sections 112.1816, 121.021(28) and 121.091(3), (5), (6), and (7), Florida Statutes
Rules 60S-4.008, and 60S-4.009, Florida Administrative Code

AFTER RETIREMENT

Cost-of-Living Adjustment (COLA)

Florida law provides FRS Pension Plan retirees (including DROP participants) with an annual COLA in their July benefit payment of each year. The increase will be included in the check you receive at the end of each July. The increase is calculated on the amount of your June FRS benefit. Your individual COLA is calculated when you retire based on your years of service before July 1, 2011, divided by your total years of service at retirement. This figure is then multiplied by 3% to determine your COLA.

This calculation does not include any health insurance subsidy, Florida National Guard supplemental benefit, or IFAS supplemental benefit you may receive. If you have not been retired for a full year, your first COLA will be prorated based on the number of months you have been retired as of July 1. For example, if you retired effective Jan. 1, your first COLA would be half of your calculated COLA times your June benefit, based on six months of retirement.

COLA for Eligible Special Risk Class Members

Beginning July 1, 2026, for a Special Risk Class member to be eligible for a minimum 1.5% COLA, the member must have completed either six years (if initially enrolled in the FRS prior to July 1, 2011) or eight years (if enrolled in the FRS on or after July 1, 2011) of Special Risk Class creditable service.

The COLA would modify the benefit for Special Risk Class members beginning on the first July after the fifth anniversary of retirement as follows:

- For Special Risk Class members initially enrolled prior to July 1, 2011, the COLA rate would be the greater of 1.5% and the COLA rate calculated under the current law's formula.
- For Special Risk Class members initially enrolled in the FRS on or after July 1, 2011, the COLA rate would be 1.5%.

Reference: Section 121.101, Florida Statutes

Health Insurance Subsidy (HIS)

Most retirees with health insurance coverage (which may include Medicare, Tricare, or coverage provided through the Cover Florida Health Care Access Program) are eligible to apply for a monthly supplemental payment to help pay for this insurance. The amount of your HIS benefit is based on your service credit at retirement ($7.50 for each year of service) and is included with your monthly benefit payment. The minimum monthly subsidy is $45 and the maximum monthly subsidy is $225 (if you retire with 30 or more years of service credit). The HIS certification form is automatically provided to eligible benefit recipients after their names have been added to the retired payroll to begin receiving monthly benefits and is available from the Forms page of the division's website, **FRS.MyFlorida.com**. The eligible retiree (or joint annuitant, if the member is deceased) is responsible for applying for the HIS.

Retirees in DROP are not eligible to receive HIS payments until they terminate employment and begin receiving monthly benefits.

Reference: Section 112.363, Florida Statutes
Rule 60S-4.020, Florida Administrative Code

Insurance Coverage after Retirement

Under state law, Florida public employers that provide group insurance plans for active employees must offer their retiring employees the opportunity to continue participating in these group plans. The cost of health and hospitalization insurance premiums paid by a retiree cannot exceed the total (employee and employer) premium cost applicable to an active employee. If you do not elect to continue participating in your employer's group plan at retirement, if you initially elect to continue but subsequently discontinue your participation, or if you defer your retirement to a future date, you may lose eligibility to participate in your former employer's group insurance plan in the future.

Note: The division has no authority over or responsibility for these plans. You should discuss this provision with your employer when preparing to retire.

Reference: Sections 110.123 and 112.0801, Florida Statutes

Reemployment after Being Retired for 6 Calendar Months

Beginning the 7th calendar month of your retirement, there are no limitations on receiving your retirement benefit while providing services to an FRS employer after you have been retired for six calendar months. See Termination Requirement on Page 48 for information about restrictions during the first six calendar months of retirement.

Reference: Sections 121.021(39),121.091(9), 121.30, and 121.122, Florida Statutes
Rule 60S-4.012, Florida Administrative Code

Renewing Membership after Retirement

Retirees of the SUSORP, the SMSOAP, the SCCSORP, and the FRS Investment Plan who are employed in a regularly established position and are initially reemployed on or after July 1, 2017, will become renewed members of the FRS Investment Plan, the SUSORP or the SCCSORP depending upon the plan covering the position held.

- Renewed members are not eligible for disability retirement, but the surviving spouse or dependent children of a renewed member may qualify for survivor benefits.
- Renewed FRS Investment Plan members are eligible to participate in the Special Risk Class if employed in a position covered by this class.

FRS Pension Plan retirees remain ineligible for renewed membership if initially reemployed on or after July 1, 2010.

Retirees initially reemployed in a regularly established position on or after July 1, 2010, through June 30, 2017, are not eligible for renewed membership and will not earn creditable service toward a subsequent retirement benefit. This restriction from renewed membership includes retirees of the FRS Pension Plan, the FRS Investment Plan, the SUSORP, the SMSOAP, and the SCCSORP.

Retirees of the FRS Pension Plan or the FRS Investment Plan who were initially reemployed in covered employment by June 30, 2010:

- Renewed their membership in the FRS (Pension Plan or Investment Plan) or other state-administered retirement system and earn service credit toward a subsequent retirement benefit.
- Renewed members are not eligible to participate in the DROP or the Special Risk Class, and are not eligible for disability retirement. However, the surviving spouse and dependent children of a renewed member may qualify for survivor benefits. Contact the division for details (see contact information on Page 7).

Reference: Sections 121.091(9), 121.122, and 238.181, Florida Statutes

Rule 60S-4.012, Florida Administrative Code

Minimum Benefit Adjustment

The division automatically identifies any eligible retiree of the FRS Pension Plan who retired under normal retirement and whose retirement benefit is below a certain level and will increase the benefit to a minimum amount when the retiree reaches age 65 and one month.

Reference: Section 112.362, Florida Statutes

GENERAL INFORMATION

Appeals Procedure

To appeal an unfavorable decision regarding your Special Risk Class membership or your application for FRS Pension Plan disability benefits, you may request a hearing before the State Retirement Commission. At the time your Special Risk Class membership or application for disability benefits is denied, you will be provided with information about requesting a hearing before the State Retirement Commission.

For all other appeals, if the division makes a decision that will reduce, suspend, or terminate your retirement benefits, you may petition the division for a hearing. Rule 28-106.201 of the Florida Administrative Code outlines the requirements for filing a petition. After the division reviews your petition, the State Retirement Director may ask a hearing officer from the Division of Administrative Hearings to conduct the hearing, or in some cases the General Counsel's Office of the Department of Management Services may conduct the hearing. If the outcome is not in your favor, you will be informed of the time period during which you can appeal the hearing officer's decision to the District Court of Appeal.

Reference: Section 120.57, Florida Statutes
Rules 60S-4.002(8), and 28-106.201, Florida Administrative Code

Forfeiture of Benefits

If, before retirement, you commit a crime as specified in section 121.091(5) or section 112.3173, Florida Statutes, and you are found guilty of the crime or enter a plea of no contest with respect to the crime, or your employment is terminated because you admit to committing, aiding, or abetting such a crime, you will forfeit all your retirement rights and benefits (except for a refund of your employee retirement contributions, if any).

Section 121.091(5), Florida Statutes, states in part:

> (f) Any member who has been found guilty by a verdict of a jury, or by the court trying the case without a jury, of committing, aiding, or abetting any embezzlement or theft from his or her employer, bribery in connection with the employment, or other felony specified in chapter 838, except ss. 838.15 and 838.16, committed prior to retirement, or who has entered a plea of guilty or of nolo contendere to such crime, or any member whose employment is terminated by reason of the member's admitted commitment, aiding, or abetting of an embezzlement or theft from his or her employer, bribery, or other felony specified in chapter 838, except ss. 838.15 and 838.16, shall forfeit all rights and benefits under this chapter, except the return of his or her accumulated contributions as of the date of termination.
>
> (g) Any elected official who is convicted by the Senate of an impeachable offense shall forfeit all rights and benefits under this chapter, except the return of his or her accumulated contributions as of the date of the conviction.
>
> (h) Any member who, prior to retirement, is adjudged by a court of competent jurisdiction to have violated any state law against strikes by public employees, or who has been found guilty by such court of violating any state law prohibiting strikes by public employees, shall forfeit all rights and benefits under this chapter, except the return of his or her accumulated contributions as of the date of the conviction.
>
> (i) The division or the state board may not pay benefits to any member convicted of a felony committed on or after October 1, 2008, defined in s. 800.04 against a victim younger than 16 years of age, or defined in chapter 794 against a victim younger than 18 years of age, through the use or attempted use of power, rights, privileges, duties, or position of the member's public office or employment position. However, the division or the state board shall return the member's accumulated contributions, if any, that the member accumulated as of the date of conviction.

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

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

Chapter 838, Florida Statutes, describes offenses relating to bribery and misuse of public office.

In addition, if a court of competent jurisdiction determines that you violated any state law against strikes by public employees, you will also forfeit your benefits (except for your employee contributions).

If your beneficiary is found guilty of intentionally killing you or procuring your death, your beneficiary will forfeit all rights to any survivor benefits otherwise payable on your behalf. Any benefits payable would be paid as if your beneficiary died before you.

The Clerk of the Court, the Secretary of the Senate or your employer, as appropriate, must notify the Commission on Ethics, and may notify the division, if you are found guilty of, or you are impeached or terminated for, any of the offenses listed beginning on Page 61. The Commission on Ethics will notify the division. Your benefits will be suspended, subject to a hearing held by a hearing officer of the Division of Administrative Hearings. You may appeal the hearing officer's decision to the District Court of Appeal.

For more information on the forfeiture of benefits, contact the Legal Section at 850-487-1082.

Reference: Sections 112.3173, 121.091(5), and Chapter 838, Florida Statutes

Assignment, Execution, or Attachment

Your retirement benefits and accumulated contributions accrued under the FRS are not subject to assignment, execution, attachment, or any other legal process at the time of being issued with the exception of qualified domestic relations orders, certain income deduction orders (section 61.1301, Florida Statutes), and federal income tax levies.

Reference: Sections 121.131 and 222.21, Florida Statutes

GLOSSARY OF RETIREMENT TERMS

The following terms are defined as used in connection with the FRS. If these terms appear elsewhere in this guide, they are underlined the first time they appear.

In an effort to make these provisions easy to understand, this glossary has been written using nontechnical language as much as possible. If questions of interpretation arise as a result, Chapter 121 of the Florida Statutes and any applicable rules of the Florida Administrative Code must remain the final authority. Retirement terms relevant to the FRS Pension Plan are defined in section 121.021, Florida Statutes. Florida Retirement System Rules are published in Chapter 60S, Florida Administrative Code.

Actuarial – An adjective that describes statistical elements, assumptions, and techniques used by actuaries. An actuary is an expert who computes insurance or pension risks and plan costs based upon plan membership, experience, and other factors. Actuaries determine the level of funding required to provide benefits promised under the FRS.

Average Final Compensation or **AFC** – If initially enrolled before July 1, 2011, the average of the five highest years of salary earned during covered employment. For retirement purposes, salaries are counted by fiscal year (July 1 – June 30). For FRS members with hybrid membership, AFC is the average of the five highest fiscal years of salary earned while participating in the FRS Pension Plan. If initially enrolled on or after July 1, 2011, the average of the eight highest years of salary earned during covered employment. For retirement purposes, salaries are counted by fiscal year (July 1 – June 30). For FRS members with hybrid membership, AFC is the average of the eight highest fiscal years of salary earned while participating in the FRS Pension Plan (see Page 29 for more on the AFC and related calculation factors).

Beneficiary – The joint annuitant or any other person, estate, organization, or trust fund designated by the member to receive any benefits which may be payable upon death (see also Beneficiary Designation on Page 24).

Class of Membership – See definition of Membership Class.

Closed Retirement Systems – The separate state-administered retirement systems that existed before the FRS was created on Dec. 1, 1970, and have since been closed to new members. These systems were consolidated under the FRS by Chapter 121 of the Florida Statutes and include the State and County Officers and Employees' Retirement System (SCOERS), the Teachers' Retirement System (TRS), the Highway Patrol Pension System and the Judicial Retirement System, as established by Chapters 122, 238, 321, and 123, Florida Statutes, respectively.

Compensation – Regular payment of salary by an FRS employer to an FRS member for work performed in a covered position, including certain overtime payments. By law, certain fees, bonuses, and other amounts are not considered compensation under the FRS (see sections 121.021(22) and (47), Florida Statutes, or see subsection (16) of Rule 60S-6.001, Florida Administrative Code, for details).

Contribution – The percentage of reported compensation required by law to fund the members' FRS benefits, it is paid by both employees and employers on behalf of FRS members. Additionally, the term may refer to payments made by members or their employers to purchase service credit or pay for service credit upgrades (see Page 23 for more on contributions and contribution rates).

Contribution Rate – The percentage of compensation required to fund each member's future FRS retirement benefits. Contribution rates are established annually by the Florida Legislature and vary depending on retirement plan, membership class, and other factors (see Page 23).

Cost-of-Living Adjustment or **COLA** – An annual increase in the FRS Pension Plan retirement benefit. The increase is added to the July monthly retirement benefit and is intended to help offset the effects of inflation. If a member has been retired for less than a full year on July 1, the first COLA is a prorated percentage based on the number of months the member was retired before July 1 (see Page 58 for more on the COLA).

Covered Employment or **Covered Position** – Employment in a regularly established position with an employer participating in the FRS or in a state-administered retirement system (see Page 10 for more on membership requirements).

Creditable Service – Service for which retirement credit is earned through paid employment in a regularly established position with an FRS employer, as well as any optional service for which retirement credit may be purchased (see Page 32 for more on creditable service).

Deferred Retirement Option Program or **DROP** – An elective program available for members of the FRS Pension Plan, Teachers' Retirement System, and the State and County Officers and Employees' Retirement System who are eligible for normal retirement. Under this program, a member effectively retires and continues covered employment for a limited period. While in DROP, the member's deferred monthly retirement benefits accumulate earning interest. DROP participants initially enrolled in the FRS prior to July 1, 2011, will also receive a COLA. When the DROP period is over, the participant terminates covered employment and begins receiving the predetermined monthly retirement benefit, as well as the DROP accumulation (see Page 40 for more on DROP).

Defined Benefit Plan – An employer-sponsored retirement plan under which members are promised a continuing benefit at retirement if they meet certain age and/or service requirements. The benefit amount is determined by formula, which is normally based on the member's earnings, length of service, and membership class. Promised member benefits are prefunded by contributions and investment earnings. The plan sponsor or employer must ensure that sufficient funds are raised to pay all promised benefits to current and future retirees and their eligible beneficiaries. The FRS Pension Plan is a defined benefit plan.

Defined Contribution Plan – An employer-sponsored retirement plan under which contributions are made to individual member accounts to generate funds for distribution to the member at retirement. Contribution amounts are determined by the plan sponsor or employer and are usually a set percentage of the employee's salary. Investments are generally directed by the employee, among investment products offered by the plan. The benefit amount at retirement is the sum that accumulates in the member's account, based on contributions made and investment earnings/losses. It is the member's responsibility to ensure that sufficient moneys are raised to provide for adequate retirement income. The FRS Investment Plan is a defined contribution plan. If you are a member of the FRS Investment Plan and have questions concerning the plan, call the MyFRS Financial Guidance line toll-free at 866-446-9377.

Early Retirement – Under a defined benefit plan like the FRS Pension Plan, early retirement is an elective, service-based retirement that occurs before the member reaches the normal retirement age or date. If a member retires early, the member will receive a reduced retirement benefit because eligibility requirements for normal retirement have not been met. When a member of the FRS Pension Plan elects to take an early service retirement, the benefit is reduced by 5 percent for each year remaining until the member would attain the normal retirement age for the membership class. For less than a full year, the reduction is prorated on a month-by-month basis. A member must be vested to take an early service retirement. Disability benefits are not reduced for early retirement, and vesting is not required for in-line-of-duty disability or in-line-of-duty survivor benefits.

Effective Retirement Date – The date that a member's retirement officially begins, based on the termination date (or date of death) and the date the division receives the application for retirement. For DROP participants, this is the month the application is received or the specified future month when participation begins in the program. The effective retirement date is always the first of the month that retirement or DROP participation begins (see Page 49 for more on the effective retirement date).

Enrollment – The act by an employer agency of establishing membership in the FRS for all or any of its employees.

Fiscal Year – For the FRS and the closed retirement systems, this term refers to a 12-month period beginning on July 1 and ending on June 30.

Florida Retirement System or **FRS** – The retirement system established on Dec. 1, 1970, to consolidate the existing pension plans (now the closed retirement systems) and provide a retirement, disability, and survivor benefit program for participating state and local government employees. Today, the FRS is a single retirement system consisting of two primary retirement plans and other programs administered under Chapter 121, Florida Statutes. The primary plans are a defined benefit plan established under Part I (the FRS Pension Plan) and a defined contribution plan established under Part II (the FRS Investment Plan) of that chapter. Members under both plans participate in the following membership classes: the Regular, Special Risk, Special Risk Administrative Support, Senior Management Service, and Elected Officers' Classes. In addition to the two primary plans, nonintegrated, alternative defined contribution programs are available for specified employee groups under Part I, including the SUSORP, the SCCSORP, and the SMSOAP (SMSOAP is closed to new members effective July 1, 2017.)

FRS Investment Plan – This plan is a defined contribution plan created under Part II of Chapter 121, Florida Statutes, as an alternative for eligible employees. This plan, which provides for vesting after one year of service, began enrolling members in July 2002. If you are a member of the FRS Investment Plan and have questions concerning your benefits, call the MyFRS Financial Guidance line toll-free at 866-446-9377.

FRS Pension Plan – This plan is a defined benefit plan administered under Part I of Chapter 121, Florida Statutes. The benefits to be paid at retirement are guaranteed by the plan and are based on a formula determined under the plan.

Health Insurance Subsidy or **HIS** – A supplemental benefit program that provides monthly benefits to eligible FRS retirees and their surviving beneficiaries (spouse or financial dependent), who apply and are approved, to help them cover some of the cost of health insurance coverage. The amount received is based on the member's length of service. Since July 1, 2023, the subsidy has been $7.50 per month for each year of creditable service, with a minimum subsidy payment of $45 per month and a maximum subsidy payment of $225 per month, if the benefit is based on 30 or more years of creditable service. The division also administers the HIS Program for eligible FRS Investment Plan members (see Page 58 for more information about the HIS).

Hybrid Membership – FRS Pension Plan members who elect to participate in the FRS Investment Plan for future service while retaining their pension plan service earned prior to the election.

In-Line-of-Duty or **In the Line of Duty** – In the performance of the duties required by the employer (see Page 53 and Page 56 for information on in-line-of-duty disability and survivor benefits).

Interest – The term may refer to the amount charged on money owed to the FRS Trust Fund or, for participants of DROP, the term may refer to the amount earned on retirement benefits that accrue on a participant's behalf. Interest owed is charged from the date required by law for the type of service purchased and is compounded annually each June 30, while DROP interest is earned from the month following deposit and is compounded monthly.

Joint Annuitant – A type of beneficiary who is eligible to receive certain continuing benefits upon an FRS Pension Plan member's death. If a member who is retiring or entering DROP chooses benefit payment Option 3 or 4, the beneficiary must be a joint annuitant to receive continuing benefits after the member's death (see Page 24 for information on beneficiary designation and see Page 50 and Page 55 for more on benefit payments to a surviving joint annuitant).

Membership Class – Members of the FRS participate in the following classes of membership: Regular Class, Special Risk Class, Special Risk Administrative Support Class, SMSC, and EOC (see Page 10 for more on FRS classes of membership).

Normal Retirement, **Normal Retirement Date**, or **Normal Retirement Age** – The date when a member first becomes eligible to retire without a reduction of benefits, based on age and being vested or length of service (see Page 45 for more on normal retirement).

Option – Choice of benefit payment method under the FRS Pension Plan. (The four benefit payment options available to retiring members under this plan are described on Page 50.)

Other Personal Services or **OPS** – See definitions of Temporary Position and Regularly Established Position for state employees.

Plan Year – See definition of Fiscal Year.

Reemployment after Retirement – This term means employment after retirement under the FRS and generally refers to employment with or providing services to employers participating in the system. However, in the case of disability retirement under the FRS, prohibited reemployment occurs whenever a disability retiree is gainfully employed by any employer, public or private (see Page 59 for more on reemployment requirements).

Regularly Established Position – Regularly established positions are covered for retirement under the FRS. In state government, a regularly established position is a full-time or part-time position authorized by law and paid from a salary appropriation or salary account (not a temporary position, such as one paid from an Other Personal Services, or OPS, account). At the local level, a regularly established position is one that will last beyond six consecutive months, except as otherwise provided by rule of the division (see Rule 60S-1.004(5), Florida Administrative Code).

Note: Employment prior to 1979 is subject to different rules.

Senior Management Service Optional Annuity Program (SMSOAP) – A defined contribution plan offered as an alternative for eligible state senior managers. The SMSOAP provides retirement and death benefits through contracts with designated provider companies. The SMSOAP is closed to new members effective July 1, 2017.

State-Administered Retirement System – Any of the statewide retirement systems administered by the Department of Management Services through the division. These systems are the FRS, the SUSORP, the SMSOAP, Teachers' Retirement System, State and County Officers and Employees' Retirement System, Highway Patrol Pension System, Judicial Retirement System and certain general revenue-funded pensions. While the SCCSORP is not administered by the division, it is specified as a state-administered retirement plan under Chapter 121, Florida Statutes.

State Community College System Optional Retirement Program (SCCSORP) – A defined contribution plan alternative to FRS membership for eligible faculty and administrators of state colleges or charter technical career centers sponsored by state colleges, if offered by the state college board of trustees. The SCCSORP provides retirement and death benefits through contracts with designated provider companies.

State University System Optional Retirement Program (SUSORP) – A defined contribution plan offered as an alternative for eligible state university faculty and administrators. The SUSORP provides retirement and death benefits through contracts with designated provider companies.

Temporary Position – Temporary positions are not covered for retirement under the FRS (see Page 10 for more on membership requirements). A temporary position in a state agency is one that is authorized under section 110.131, Florida Statutes, and is paid from a non-salary account including an Other Personal Services (OPS) account. These positions are subject to durational restrictions specified by law. At the local level, a temporary position is one that will exist for less than six consecutive months, or other position determined by rule of the division regardless of whether it will exist for six consecutive months or longer (see Rule 60S-1.004(5), Florida Administrative Code).

Terminate or **Termination** – Termination of employment occurs when a member ends all employment with all FRS employers to finalize retirement or the separation period to become eligible for a refund of employee contributions. The termination requirement for FRS Pension and FRS Investment Plan members is six calendar months. The member must not be in an employment relationship with an FRS employer. Providing services, paid or unpaid, to an FRS employer may create an employment relationship. The determination of whether an employment relationship exists depends on the facts and circumstances of each case. Please seek competent tax and legal counsel to assist you in determining whether an employment relationship exists. An employment relationship with an FRS employer in any capacity during this six-calendar month period may void the members retirement and the member and the FRS employer will be held jointly and severally liable for repayment of all retirement benefits received, which include any DROP accumulation or payout. This means that each party can be held fully responsible for the repayment of the total amount of retirement benefits. There are no exceptions to the six-calendar month termination requirement. (see Page 27 and Page 48 for more on terminating employment and termination requirements). There is a three-calendar month separation period when a member must not be employed by an FRS employer to be eligible to receive a refund of employee contributions.

Vest, **Vested,** or **Vesting** – These terms refer to meeting the length-of-service conditions that are required under a retirement plan for a member to qualify for a future benefit from that plan (see Page 26 for more on vesting under the Pension Plan).

Note: Special provisions apply for the surviving spouse of a member who dies within one year of vesting.

Work Year – The period of time a member must be employed to receive a full year of service credit for retirement purposes. Under the FRS, a year of creditable service consists of 12 months of covered employment in a fiscal year, unless the approved work year is shorter than 12 months, as is the case with some employees of educational institutions (see Page 32 for more on the work year and determination of service credit; or see Rule 60S-2.002(4), Florida Administrative Code).


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