

2025 Legislator Retirement Benefits

State/ Territory	Participation	Requirements for Regular Retirement	Employee Contribution Rate	Benefit Formula
Alabama	House/Assembly: Optional participation. Different from state employee plan. Senate: None offered.	N/A	N/A	N/A
<u>Alaska</u>	Optional participation. Same as state employee plan.	N/A	N/A	N/A
American Samoa	None offered.			
Arizona	Mandatory participation. Different from the state employee plan.	House/Assembly Minimum age: The Elected Officials Defined Contribution Retirement is a 401(a) plan that requires a contribution of 8% by the legislator and 6% by the state. The legislator and state contributions, plus investment	House/Assembly: N/A Senate: There are various plans based on several different situations.	House/Assembly: N/A Senate: Varied

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		earnings, are immediately vested. Senate: No minimum age or service requirement.		
Arkansas	No data provided.			
California	No data provided.			
<u>Colorado</u>	Mandatory participation. Same as state employee plan.	There is no minimum age or service requirement.	The legislator contribution rate is 11% of their gross salary per month.	N/A
Connecticut	Mandatory participation. Different from the state employee plan.	- Age 55 with 10 years credited service - Age 65 with 5 years credited service - Reduced benefit available with earlier retirement ages - Legislators participate in either Tier I, Tier II, Tier IIA, Tier III or Tier IV of the State of CT Retirement Plan	0-5% depending on the Tier	(1.33% x average annual salary) + (5% x average salary over "breakpoint") x credited service time
<u>Delaware</u>	Mandatory participation. Different from the	Elected before 1/1/2012: Age 60 with 5 years of credited service	Elected before 1/1/2012: 3% after the first \$6,000 of gross pay	Pension amount is primarily based on years of credited service and Final Average Compensation (FAC). FAC is

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	state employee plan.	or 55 with 10 years of service. Vesting at 5 consecutive years. Elected on or after 1/1/2012: 65 with 10 years of service or 60 with 20 years of service. Vesting at 10 years.	Elected on or after 1/1/2012: 5% after the first \$6,000 of gross pay	1/36 of the total compensation paid to you during the three (3) periods of twelve (12) consecutive months during which your compensation was the highest. Elected on or after 2/28/2025: Minimum benefit factor x total service= gross monthly pension Elected before 2/28/2025: the higher of two formulas- 1. (Final average compensation x .0200 factor x pre-1997 service)/pre-1997 benefit 2. (Final average compensation x .0185 factor x post-1996 service)/post 1996 benefit
District of Columbia	Optional participation. Same as the state employee plan.	Minimum age: Depends on age and number of years of creditable service Minimum service: 10 years	Following completion of one year of creditable service, the District government will contribute an amount equal to 5 percent of annual base salary.	Years of employment, age and salary
Florida	No data provided.			

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Georgia	Optional participation. Different from the state employee plan.	Minimum age: None. Minimum service: They vest at 8 years of service after opting into the plan.	Effective July 1, 2022, the Employee Contribution is \$165 each month for all Members except the presiding officer of the House of Representatives (Speaker) who has an Employee Contribution of \$825 each month. The State “picks-up” 4.75% of the Member’s monthly salary, less \$7, toward this contribution. The remaining balance of \$165 (\$825 for the Speaker) is paid by the Member.	Creditable services x \$50 = Maximum Plan Benefit Members with service as the presiding officer of the House of Representatives (Speaker) will receive an additional benefit. For years with Presiding Creditable Service, \$250 will be used in the benefit formula, whereas \$50 will be used for all other Creditable Service.
Guam	No data provided.			
Hawaii	No data provided.			
Idaho	House/Assembly: Mandatory participation. Same as state employee plan.	House/Assembly Minimum age: Retirement age is 65, or earlier if the Rule of 90 is met. Minimum service: Automatically vested after 5 months.	House/Assembly: Idaho PERSI: employee contribution is 7.18% of gross earnings, which includes legislators. Idaho State employer contribution is 11.96% of gross earnings.	House/Assembly: Average monthly salary for highest 42 months x total months service credit x PERSI multiplier = monthly benefit
Illinois	Optional participation.	Age 55 with a minimum of 5 years of service.	11.40%	First 4 years x 3.0% = 12%; next 2 years x 3.5% = 7.0%; next 2

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	Different from the employee plan.			years x 4.0% = 8.0%; next 4 years x 4.5% = 18.0%; next 8 years x 5.0% = 40.0%
<u>Indiana</u>	Senate: Mandatory participation. Different from the state employee plan.	Senate Minimum age: 59.5 years Minimum service: 10 years	Senate: 0.5% of employee taxable income	Senate: 0.5% Employee Contributions 14.2% State Contributions
<u>Iowa</u>	House/Assembly: Optional participation. Same as the state employee plan.	House/Assembly Minimum age: 18 Minimum service: Depends on age	House/Assembly: 6.29% employee share, 9.44% employer share	House/Assembly: Depends on age
<u>Kansas</u>	Optional participation. Same as the state employee plan.	Minimum age: 65 Minimum service: 5 years	6%	No information available
<u>Kentucky</u>	Mandatory participation. Different from the state employee plan.	N/A	N/A	N/A

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Louisiana	House/Assembly: Optional participation. Different from the state employee plan. Senate: None offered.	House/Assembly: May join our deferred compensation plan at any age, must follow rules for a 457(b) plan to withdraw funds	House/Assembly: any elected rate or flat amount	N/A
Maine	Mandatory participation. Different from the state employee plan.	Legislators are vested after five years of service if they terminate after September 30, 1999.	Legislators contribute 7.65%.	Legislators receive a year of service credit for each year in their term. Their benefit is based on Average Final Compensation (average of the three highest years of earnable compensation), years of service credit, and their age.
Maryland	Mandatory participation. Different from the state employee plan.	Age 60 with 8 years of services or age 50 with 8+ years of creditable service for early reduced retirement	7% of annual salary	3% of legislative salary for each year of service up to 22 years 3 months. Benefits are recalculated
Massachusetts	Optional participation. Same as the state employee plan.	1) You entered state service prior to April 2, 2012 and you have 20 years of full-time creditable service at any age, or	Depends on the date of hire	The same formula as all state employees.

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		2) You entered state service prior to April 2, 2012 and you attain the age of 55 with ten years of creditable service, or 3) You entered state service on or after April 2, 2012 and you attain the age of 60 if retiring from Group 1, with ten years of creditable service.		https://www.mass.gov/orgs/massachusetts-state-retirement-board
Michigan	House/Assembly: Optional participation. Same as the state employee plan. Senate: Mandatory participation. Same as the state employee plan.	House/Assembly Minimum age: 401 k guidelines Minimum service: -2 years 50% vested in the state's contributions -3 years 75% vested in the state's contributions -4 years 100% vested in the state's contributions Senate: 401(k) and 457 following IRS rules, vested 100% after 4 years.	The state contributes 4% of their annual salary and matches up to an additional 3%.	N/A
Minnesota	Mandatory participation. Same as the state employee plan.	Minimum age: For the retirement plan which is mandatory, the legislative member may elect a distribution in the form of lump	5.5% for the legislative member and 6.25% for the state. The legislative member contribution rate increases on 7/1/25 to 6%.	Newly elected members participate in the Unclassified pension plan. It is a defined contribution retirement plan with benefits based on the value

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		payment or monthly annuity at the age of 55 or later, provided that legislative service has ended. The member can also optionally contribute to a State deferred compensation program. Withdrawals are not subject to the IRS 10% tax penalty usually assessed on withdrawals made before age 59½. Minimum service: There is no minimum service requirement. The legislative member is vested upon the start of the participation in the pension plan.		of the participant's account when they retire or start collecting their benefits. The account balance is comprised of the member's contributions, the state's contributions, plus any investment gain or losses. Members may also be eligible for a Combined Service Annuity for other Minnesota public service.
Mississippi	House/Assembly: Mandatory participation. Same as the state employee plan.	House/Assembly Minimum age: 62 Minimum service: 8 years	House/Assembly: 9% - Regular PERS 3% - Supplemental	House/Assembly: N/A
Missouri	Senate: Mandatory participation.	Senate Minimum age: Age 62 with 3 full biennial assemblies OR	Senate: 4% contributed by legislator	Senate: Base formula = (active legislator's pay/24) X service

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	Different from the state employee plan.	"rule of 90" - at least age 55 with age and service equaling 90 or more. Minimum service: 3 full biennial assemblies		
Montana	Optional participation. Same as the state employee plan.	Minimum age: 65 to retire Minimum service: 5 years if meet age requirement	7.9%	Retirement Factor x Years of Service Credit x HAC (Highest Average Compensation) = Monthly Benefit.
Nebraska	Optional participation. Same as the state employee plan.	Legislators are only offered a voluntary retirement savings plan under IRS Code §457, Deferred Compensation Plan. There is no age limitation.	Legislators are only offered a voluntary retirement savings plan under IRS Code §457, Deferred Compensation Plan. The member can contribute whatever amount they want to, within the Federal guidelines. There is no State matching funds.	N/A
Nevada	No data provided.			
New Hampshire	None offered.			
New Jersey	House/Assembly: Mandatory participation.	House/Assembly:	House/Assembly: 7.5% for members in the pension plan.	House/Assembly: For members in the pension plan, there are several different

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	Same as the state employee plan.	Minimum service: Vesting is at eight years for those enrolled in the pension plan.	5.5% for members in the defined benefit plan.	formulas depending on retirement type and if the member has other non-legislative public service that might apply to their overall retirement benefit.
New Mexico	Optional participation. Different from the state employee plan.	Minimum age: There are various age requirements and two tiers.	\$1,000 per year.	Formula provided at the following link: https://www.nmpera.org/members/legislative-member
New York	No data provided.			
North Carolina	Mandatory participation. Different from the state employee plan.	Minimum age: Age 65 with 5 years of service/reduced benefit at earlier ages Minimum service: 5 years	7% legislator contribution	Highest annual comp x4.02%x years of service
North Dakota	No data provided.			
Northern Mariana	No data provided.			
Ohio	House/Assembly: Optional participation.	House/Assembly Minimum age: Dependent type of plan.	House/Assembly: 10% employee, 14% employer	House/Assembly: N/A

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	Same as the state employee plan.	Minimum service: This too is dependent on age and whether they are taking a reduced of unreduced benefit.		
<u>Oklahoma</u>	House/Assembly: Mandatory participation. Same as the state employee plan. Senate: Optional participation. Same as the state employee plan.	House/Assembly Minimum age: If elected before 11/1/2011: Age 60 with 6 years of participation. Or early retirement at age 55 with 10 years of participating service. If elected after 11/1/2011: Age 62 with 10 years of participation, or Age 65 with 8 years of participation. Or early retirement at age 60 with 10 years participating service. Minimum service: 55 Senate Minimum age: Same as the minimum age to serve as a legislator. Minimum service: Oklahoma has a defined contribution plan, so there is no minimum	House/Assembly: Legislators qualifying for OPERS contribute 3% of total compensation. Those starting on or after 11/1/2015 participate in Pathfinder, a 401(a) plan with a mandatory contribution of 4.5% of pre-tax salary. Senate: Participants, including state legislators, choose a contribution rate which is matched by their state employer up to 7%.	House/Assembly: OPERS: Final average compensation x years of service credit x computation factor (2%) Senate: Oklahoma's defined contribution plan is composed of a 401(a) Plan for mandatory and matching contributions and a 457(b) Plan for additional voluntary contributions. With each paycheck a legislator / state employee makes a mandatory contribution of 4.5% of your pretax salary to the 401(a) Plan. The state employer also contributes 6% of the pretax salary into the plan.

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		service requirement for legislators or state employees.		
Oregon	Optional participation. Same as the state employee plan.	Minimum age: OPSRP for general service members is age 65, or age 58 with 30 years of retirement credit. Tier 2 - 60 years or 30 years of retirement credit. Tier 1 - 58 or 30 years of retirement credit.	6%	Same as regular employee plan: https://www.oregon.gov/pers/mem/Pages/Benefit-Component-Comparisons.aspx
Pennsylvania	Senate: Optional participation. Same as the state employee plan.	Senate: Minimum age: Depends on the plan. Minimum service: Depends on the plan.	Senate: Depends on the plan.	Senate: Depends on the plan.
Puerto Rico	No data provided.			
Rhode Island	None offered.			
South Carolina	House/Assembly: Optional participation. Different from the state employee plan. Senate:	House/Assembly Minimum age: 18--cannot be a legislator without being a registered voter in South Carolina. Minimum service: 10 years. Senate: Minimum age: None.	House/Assembly: N/A Senate: 9% Elected before November 2012: General Assembly Retirement System	House/Assembly: N/A Senate: Same as state employees.

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	Optional participation. Same as the state employee plan.	Minimum service: 8 years of earned service	Elected in or after November 2012: South Carolina Retirement System or State Optional Retirement Program	
South Dakota	None offered.			
Tennessee	Optional participation. Different from the state employee plan.	Minimum age: 55 Minimum service: Four years of credible service	The minimum benefit for legislators participating in the Legacy Plan who retire with less than 10 years is \$103.62 per month for each year of creditable service. The minimum benefit for members with ten (10) or more years of service is \$120 per month for each year of creditable service. This increased minimum benefit is not available to General Assembly members who retired prior to November 5, 2024 or former General Assembly Members who accrue additional TCRS service credit in another capacity before applying for TCRS retirement benefits. (T.C.A. § 8-36-209(b)(5 (a)). Only service credit established as a Member	Minimum benefit rate x months of credible General Assembly service / 12 months = Monthly Benefit

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			of the General Assembly, eligible military service credit, and Constitutional Convention delegate service credit may be calculated under the minimum benefit formula. Minimum benefit amounts are adjusted each July 1 pursuant to the cost-of-living provisions. Any selection of an optional benefit payment plan as described in the Legacy Retirement Plan for State and Higher Education Employees may reduce this amount. (T.C.A. § 8-36-209 (b))	
Texas	No data provided.			
U.S. Virgin Islands	No data provided.			
Utah	House/Assembly: Optional participation. Same as the state employee plan. Senate:	House/Assembly Minimum service: N/A Senate Minimum age: Age 65 - 4 Years Age 62 - 10 Years Minimum service: 4 years	House/Assembly: 10% Senate: Before July 1, 2011, \$10 per month for each year of service as a legislator. Increased semiannually up to 2% based on the consumer price index. The amount as of July 1, 2023, is	House/Assembly: N/A Senate: N/A

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	Optional participation. Different from the state employee plan.		\$32.40. An additional \$3.50 per month, for each year of service, is payable to elected and appointed legislators and governors who were members of this Plan before March 1, 2000. After July 1, 2011, the State of Utah contributes an amount equal to 10% of eligible compensation to the 401(k) Plan.	
Vermont	None offered.			
<u>Virginia</u>	Mandatory participation. Same as the state employee plan.	House/Assembly Eligibility for various plans based on membership date. Plan 1 retirement plan: Age 50 with 30 years of service (unreduced); age 55 with 5 years of service; age 50 with 10 years (reduced). Plan 2 retirement plan: When age + service = 90; or normal Social Security retirement age with 5 years of service	House/Assembly: Plan 1 retirement plan: House Members who qualify do not make an employee contribution. Plan 2 retirement plan: 5% of creditable compensation. Hybrid retirement plan: Mandatory and voluntary contributions to defined benefit and defined contribution components. Senate: Based on service	House/Assembly: Plan 1 retirement plan: 1.7% of average final compensation x years of service (average over highest 36 consecutive months). Plan 2 retirement plan: 1.65% of average final compensation x years of service (average over highest 60 consecutive months). Hybrid retirement plan: 1.65% of average final compensation x years of service (average over

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		(unreduced); age 60 with 5 years of service (reduced). Hybrid retirement plan: When age + service = 90; or normal Social Security retirement age with 5 years of service (unreduced); age 60 with 5 years of service (reduced). Senate Minimum service: 5 years		highest 60 consecutive months). Senate: Based on service
Washington	Optional participation. Same as the state employee plan.	House/Assembly Minimum age: 18 Minimum service: 90 hours worked within 1 month to receive 1 full service credit. Senate Minimum age: The minimum age for retirement would be 55, but that is an early retirement and has additional requirements. The standard age is 65. Depending on plan, the member becomes vested at 5 or 10 years. Minimum service: 5 yrs	House/Assembly: PERS Plan 2 is 6.36% for the employee/legislator and 9.11% for the employer. PERS Plan 3 allows the employee/legislator choose their contribution. This ranges from 5% - 15%. The employer rate is 9.11%. Senate: For a legislator in PERS 2 it is 6.36%. They are given six options to choose from for their rate in PERS 3 ranging from 5% up to 15%	House/Assembly: It depends on which retirement plan the legislator chooses. Senate: For PERS 2 it's (2%*Total Service Credit Years*AFC). The AFC is the average of their 60 consecutive highest earning months in their career. For PERS 3 it's (1%*Total Service Credit Years*AFC), or otherwise half of PERS 2. That 1% is covered by the employer contribution and then they invest their contributions in PERS 3.

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West Virginia	Optional participation. Same as the state employee plan.	Minimum age: It varies by Tier. Tier 1: A member who has not separated from employment with a participating PERS agency may: -Retire with full benefits at age 55 if age plus contributing service equals 80 or more. (Known as the Rule of 80). -Retire with full benefits at age 60 if he or she has 5 or more years of contributing service. -Retire at age 55 with reduced benefits if he or she has 10 or more years of service. -Retire with reduced benefits if less than 55 years of age and he or she has 30 or more years of service. A member who has separated from employment with a participating PERS agency and has not withdrawn his or her contributions may: -Retire at age 62 with full benefits if he or she has 5 or	Tier 1: 4.5% Member 9% State Tier 2: 6% Member 9% State	2% times Years of Service times Final Average Salary (FAS) Tier 1 FAS: the average annual salary from the highest 36 consecutive months within the last 15 years of employment. Any lump sum payment that is not guaranteed to be paid annually is not considered compensation and is, therefore, not used in FAS. Tier 2 FAS: the average annual salary from the highest 60 consecutive months within the last 15 years of employment. Any lump sum payment that is not guaranteed to be paid annually is not considered compensation and is, therefore, not used in FAS.

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		more years of contributory service. -Retire with full benefits at age 55 if age plus contributing service equals 80 or more. (Known as the Rule of 80). -Retire with reduced benefits if he or she has 10 or more years of service, and attained age 55 at the time of separation of employment. -Retire with reduced benefits at age 55 if he or she has between 20 and 25 years of service. -Retire with reduced benefits if less than 55 years of age and he or she has 30 or more years of credited service. Tier 2: A PERS Tier 2 member who has not separated from employment with a participating PERS agency may: -Retire with full benefits at age 62 if he or she has 10 or more years of contributing service,		

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		excluding non-USERRA purchased military service. -Retire between the age of 60 and 62 with reduced benefits if he or she has 10 or more years of contributing service, excluding non-USERRA purchased military service. -Retire between the age of 57 and 62 with reduced benefits if he or she has 20 or more years of service, excluding non-USERRA purchased military service. -Retire between the age of 55 and 62 with reduced benefits if he or she has 30 or more years of contributing service, excluding non-USERRA purchased military service. A PERS Tier II member who has separated from employment with a participating PERS agency prior to retirement and has not withdrawn his or her contributions may:		

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		-Retire at age 64 with full benefits if he or she has 10 or more years of contributory service, excluding non-USERRA purchased military service. -Retire at age 63 with full benefits if he or she has 20 or more years of service, excluding non-USERRA purchased military service. Minimum service: Tier 1: 5 years Tier 2: 10 years		
Wisconsin	Mandatory participation. Same as the state employee plan.	House/Assembly Minimum age: Age 62 for members who began employment before 1/1/17; age 65 for members who began employment on or after 1/1/17. Age 55 with reduced benefits. Minimum service: 5 years to be vested. Senate Minimum age: 55 Minimum service: 5 years	House/Assembly: Legislators are required to contribute 6.95% of their gross monthly salary to their retirement account. This amount changes yearly. The employee contribution amount is also matched by the employer. This is a pre-tax contribution for the purpose of federal and state income tax. Senate: 6.95% per month	House/Assembly: Final average monthly earnings x creditable service x formula multiplier x age reduction factor (if any) = monthly amount. Final average monthly earnings are calculated by adding the highest earnings for three calendar years and dividing this total by creditable service earned during these years, and then dividing by 12.



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				Senate: They have the option of a formula method or money purchase.
Wyoming	None offered.			

Source: 2025 Legislator Compensation Survey, Retirement sheet.