

**National Conference of State Legislature  
2023 Legislative Compensation: Retirement Benefits**

U.S. States, Territories, and Washington D.C.	Participation	Requirements for Regular Retirement	Employee Contribution Rate	Benefit Formula
Alabama	No retirement plan available.			
Alaska	Mandatory retirement plan, same as state employees.	There are four Tier and requirements vary depending upon tier. Detailed information set forth in the Public Employees' Retirement System (PERS) plan comparison chart: <a href="https://drb.alaska.gov/employee/dbrplan.html#persintro">https://drb.alaska.gov/employee/dbrplan.html#persintro</a>	Tier I, II, III is 6.75%	There are four tiers and requirements vary depending upon tier. Detailed information set forth in Public Employees' Retirement System (PERS) plan comparison chart: <a href="https://drb.alaska.gov/employee/dbrplan.html#pension">https://drb.alaska.gov/employee/dbrplan.html#pension</a>
America Samoa	Optional retirement plan, same as state employees.	No minimum age requirement, no minimum service requirement.	4%	Legislator contributes 4%. Government contributes 10%.
Arizona	Mandatory retirement plan.	New legislators participate in a 401(a) defined contribution retirement system, and are required to share in the contribution with the employer. They are vested immediately.	Legislator are required to contribute 8% of their salary, and the employer contributes	Individual retirement accounts are based on contribution and market performance.
Arkansas	Mandatory retirement plan, same as state employees.	Legislators vest upon 10 years of service to the state.	5.25% is the employee/legislator contribution.	Years of service times average salary (3 years) times 2%.
California	No retirement plan available.			

Colorado	Mandatory retirement plan, same as state employees.	PERA defined benefit plan: Age 65 with 5 years of service; age 55 with 35 years of service; when age + service equals 86 or more (min. age of 55). PERA defined contribution plan: no age requirement and immediate vesting.	11%	Defined benefit plan: $2.5\% \times \text{FAS} \times \text{years of service}$ , capped at 100% of FAS (FAS = average salary during last three years of service). Defined contribution plan benefits depend on contributions and investment returns.
Connecticut	Mandatory retirement plan, same as state employees.	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	0-5% depending on the Tier	$(1.33\% \times \text{average annual salary}) + (5\% \times \text{average salary over "breakpoint"}) \times \text{credited service up}$
Delaware	Mandatory retirement plan. House plan same as state employees.	Senate: 62 year age minimum, 10 years of service. House: Elected before 2012 : Age 60 with 5 years of credited service or 55 with 10 years of service. Elected after 2012 : 65 with 10 years of service or 60 with 20 years of service. Vesting at 10 years.	Senate: 5% of gross pay after 1st \$6,000	Senate: State share and employee share

District of Columbia	Mandatory retirement plan, same as state employees.	Graduated vesting schedule beginning at 2 years' service vesting at 20% to 5 years' service at 100% vesting.	The District will automatically contribute 5% base salary upon employment. The Council offers a voluntary program and will match an employee's contribution up to 3% base salary.	The District will automatically contribute 5% base salary. The Council offers a voluntary program and will match an employee's contribution up to 3% base salary.
Florida	No data available.			
Georgia	Optional retirement plan available.	Normal retirement is 62 and early retirement is 60. 8 years of service required.	\$165, which is shared between the legislator and the state.	Creditable service x \$50
Guam				
Hawaii	Optional retirement plan available.	Age 55 w/5 years of service, or any age w/10 years of service. Time requirement includes five years if age 55, or 10 years if any age.	9.8% of monthly salary	3% of average final compensation (average of highest three years of earning) x number of years of service.
Idaho	Mandatory retirement plan, same as state employees.	Age 65 with 5 years of service; reduced benefit at age 55 with 5 years of service. 5 years of service required.	Legislator: 7.16%. State:11.94%.	Average monthly salary for highest

Illinois	Optional retirement plan available.	Age 55 with a minimum of 5 years of service.	11.40%	Same as previous years.
Indiana	Mandatory retirement plan.	Senate: 59.5 years, and 10 years of services. House: Vested Immediately, and Account Balance may be withdrawn any following separation of service.	Senate: Legislator: 5% of taxable income and State: 14% of taxable income	Senate: N/A House: Member pays 5% State contributions are determined by the INPRS Board.
Iowa	Senate: Mandatory House: Optional; Both same as state	Senate: 6 years of service of 65 years old. House: 7 years of service or 65 years old.	Employee 6.29%	They can accrue retirement on salary and per diem.
Kansas	Optional retirement plan available.	65 years old and 5 years.	6%	No information available.
Kentucky	Mandatory retirement	Vested after 5 years of services.	N/A	N/A
Louisiana	No retirement plan available.			
Maine	No information			
Maryland	Mandatory retirement plan available.	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	Mandatory retirement plan, same as state employees.	Vesting after 10 years. Eligible to retire at age 55 or 60 after 10 years of service depending on their hire date; eligible to retire at any age after 20 years of service.	Legislator: 9%, although	Age factor x years of creditable
Michigan	Mandatory retirement plan, same as state employees.	401(k) and 457 following IRS rules, vested 100% after 4 years.	The state contributes 4% of annual salary with up to a 3% match of the Member/employee	The state contributes 4% of annual salary with up to a 3% match of the Member/employee contribution.

Minnesota	Mandatory retirement plan, same as state employees.	At the age of 55 or later, provided that legislative service has ended, the legislator may elect a distribution in the form of a lump sum or monthly annuity. There is no minimum service requirement. The legislative member is vested upon the start of the participation in the pension plan.	6% for the legislative member (goes down to 5.5% on 7/1/23) and 6.25% for the state (unchanged on 7/1/23)	The Unclassified pension plan is a defined contribution retirement plan with benefits based on the value 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.
Mississippi	Senate: Mandatory House: Optional; Senate same as state employees.	Senate: "Depends on the tier in which you fall when first elected or began State service: and vested 1) Pre 6/30/1992 - 6/30/2007: Vested at 4 years; Eligible to retire with 25 years of service or age 60 2) 7/1/2007 – 6/30/2011: Vested at 8 years; Eligible to retire with 25 years of service or age 60 and vested, and 3) 7/1/11 or later: Vested at 8 years; Eligible to retire with 30 years of service or age 60 and vested." House: 60 years old and vested according to hiring date.	Senate: Regular Retirement - 17.40% State, 9.00% member.	Senate: Legislators who qualify for regular State retirement benefits also automatically qualify for the
Missouri	Mandatory retirement plan.	Senate: For those hired on or before 12/31/2010: Vesting at 6 years of service. Age 55; service in three full biennial assemblies (6 years) or Rule of 80. For those entering system after 1/1/2011: Vesting at 6 years of service. Age 62; service in three full biennial assemblies (6 years) or the Rule of 90 with a minimum age of 55. House: MSEP 2000 at least 50 with the sum of your age and years of service equaling 80 or more MSEP 2011 at least 55 with the sum of your age and years of service equaling 90 or more	Senate: 26.33% of the salary is paid to the retirement system (Mosers) by the state of Missouri on behalf of the member House: 26.33% of the salary is paid to the retirement system (Mosers) by the state of Missouri on behalf of the member	Senate: For those hired on or before 12/31/2010: monthly pay divided by 24 x years of creditable service, capped at 100% of pay. Benefit is adjusted by the percentage increase in pay for an active legislator. For those entering system after 1/1/2011: no change.

Montana	Optional retirement plan, same as state employees.	Members hired before 7/1/11: Age 60 with at least 5 years' service; age 65 regardless of years of service; or 30 years of service regardless of age. After 7/1/11: Vesting at 5 years. Age 65 with 5 years' service, or age 70 and in active service.	Legislator: 7.9%. State: 8.67%. For both DB and DC plan.	DB plan: Membership Service Factor (see below) x years of Service Credit x HAC. More than 5 years and less than 10 years of membership service: 1.5%. Less than 30 years of membership service: 1.7857%. 30 years or more of membership service: 2%.
Nebraska	No information			
Nevada	No information			
New Hampshire	No retirement plan available.			
New Jersey	Mandatory retirement plan available. Senate: Same as state	Senate: Must be 60 years old for the pension plan, no minimum service requirement for pension plan.	Pension plan: 7.5%.	Pension plan: 3% x FAS x years of service.
New Mexico	Optional retirement plan available.	Age 65 with 5 years of service or at any age with 10 years of legislative service.	\$600/year	14% of the per diem rate in effect on the first day of the fiscal year that the legislator retires multiplied by 60 and further multiplied by credited service as a legislator.
New York	No information			
North Carolina	Mandatory retirement plan available.	Age 65 with 5 years of service; reduced benefit available at earlier ages.	7%	Highest annual compensation x 4.02% x years of creditable service.
North Dakota	No retirement plan available.			
Northern Marina	No information			

Ohio	Optional retirement plan, same as state employees.	<p>Varies depending on retirement plan and eligibility group. To receive unreduced benefits under the Traditional Plan or Combined Plan, a member in Group A qualifies at age 65 with at least 5 years of service credit or at any age with 30 years of service credit, a member in Group B qualifies for age and service retirement at age 66 with at least five years of service credit, with 31 years of service credit (if at least age 52), or at any age with 32 years of service credit, or a member in Group C qualifies for age and service retirement at age 67 with at least five years of service credit or at age 55 with 32 years of service credit.</p> <p>Member Directed Plan: A member who has reached age 55 and has amounts on deposit in his or her account may receive benefits from the vested amounts in the account either as monthly annuity payments or a partial lump-sum distribution and monthly annuity payments.</p>	Legislator: 10% of earnable salary. A member may elect to contribute amounts beyond the required contribution. State: is 14%.	<p>Traditional Plan: 2.2% of the final average salary per year for each of the first 30 years of service credit, and 2.5% of final average salary for each year of service credit over 30 years or 35 years depending on what group the member is in. Member Directed Plan: member directs the investment of the contributions and benefits are based solely on the success of those investments. Combined Plan: member directs the investment of the member's contributions; OPERS invests the employer's contributions. Benefits are based on a combination of the success of the investments and the member's age, year of service and final average salary. The formula is 1% of the OPERS member's final annual salary for each of the first 30 years of service, and 1.25% of final annual salary for each year, or portion thereof, of service over 30 years or 35 years depending on the member's group.</p>
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Oklahoma	Mandatory retirement plan available. Same as state employees.	Vesting at 8 years. If member joined plan before 11/1/11: Age 62 with 6 years of service.If member joined plan after 11/1/11: Age 65 with 6 years of service.Early retirement with reduced benefits at age 55 or 60 with 10 years of service.	Legislators qualifying for OPERS contribute 3.5% of total compensation. Those starting on or after 11/1/2015 participate in Pathfinder, a defined contribution plan. Mandatory Contribution rate is 4.5%, but members can opt to contribute more.	2% FAS x total years of service. FAS=average of 3 or 5 depending on when member joined plan, highest years of last 10.
Oregon	Optional retirement plan, same as state employees.	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.	OPRSP DC component:	Under the Member Directed Plan,
Pennsylvania	No information			
Puerto Rico	No information			
Rhode Island	No retirement plan available.			
South Carolina	Optional retirement plan, same as state	28 years of service.	Same as state employees.	Same as state employees.
South Dakota	No retirement plan available.			
Tennessee	Optional retirement plan, same as state employees.	Staff and Members must meet the age of 25 for participation. Members are vested at 4 years of service.	For legislators elected after June 30, 2014, the contribution rate is:	For the contributory plan, the minimum monthly benefit formula is \$61.82 times the number of years of credible service.



Texas	Optional retirement plan available.	Age 60 with 8 years of service; age 50 with 12 years of service	Senate: 9.5% of gross salary if sworn prior to 9/1/22	Senate: For those contributing 9.5%, monthly annuities are calculated by multiplying the percentage value of a member's months and years of retirement credit, times the current salary of a state district judge for those contributing 6%, at the member's retirement, the state will contribute 150% of the member's account balance, which includes the member's contributions, the 4% annual interest earning, and any gain-sharing. Although the member contributes 6% on the \$600 salary, the account will be credited as though the salary is that of a state district judge."
U.S. Virgin Islands	Mandatory retirement plan available. Same as state employees.	6 years of service.	Hired Before September 30, 2005: 12%	A legislator may receive a retirement annuity from the government when:
Utah	Optional retirement plan, same as state	None.	None.	401k
Vermont	No retirement plan available.			

Virginia	Mandatory retirement plan available. Same as state employees.	Senate: Eligibility for various plans based on membership date. Plan 1: Age 50 with 30 years of service (unreduced); age 55 with 5 years of service; age 50 with 10 years (reduced). Plan 2: When age and service = 90; or normal Social Security retirement age with 5 years of service (unreduced); age 60 with 5 years of service (reduced). Hybrid plan: When age and service = 90; or normal Social Security retirement age with 5 years of service (unreduced); age 60 with 5 years of service (reduced). House: No minimum services requirements.	Senate: Plan 1: members who qualify do not make an employee contribution. Plan 2: 5% of creditable compensation. Hybrid plan: Mandatory and voluntary contributions to defined benefit and defined contribution components.	Senate: Plan 1: 1.7% of average final compensation x years of service (average over highest 36 consecutive months). Plan 2: 1.65% of average final compensation x years of service (average over highest 60 consecutive months). Hybrid plan: 1.65% of average final compensation x years of service (average over highest 60 consecutive months).
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Washington	Optional retirement plan, same as state employees.	Senate: 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. House:10 years to be vested.	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%.	Senate: For PERS 2 it's $(2\% * \text{Total Service Credit Years} * \text{AFC})$ . The AFC is the average of their 60 consecutive highest earning months in their career. For PERS 3 it's $(1\% * \text{Total Service Credit Years} * \text{AFC})$ , 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	No information			
Wisconsin	Mandatory retirement plan available. Same as state employees.	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. 5 years to be vested.	Legislators are required to contribute 6.80% 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.	Final average monthly earnings x creditable service x formula multiplier x age reduction factor (if any) = monthly amount. Final average monthly earnings is calculated by adding the highest earnings for three calendar years and dividing this total by the creditable service earned during these years and then dividing by 12.
Wyoming	Optional retirement plan available.	None.	Deferred compensation plan. Completely up to the legislator on how much they want to contribute.	Information unavailable.