

**Table 3.13**  
**STATE LEGISLATIVE RETIREMENT BENEFITS**

<i>State or other jurisdiction</i>	<i>Participation</i>	<i>Requirements for regular retirement</i>	<i>Employee contribution rate</i>	<i>Benefit formula</i>
<b>Alabama</b> .....	None available.			
<b>Alaska</b> .....	Optional	Four tiers. Varies depending upon tier. Detailed information set forth in Public Employees' Retirement System (PERS) plan comparison chart.	Four tiers. Varies depending upon tier. Detailed information set forth in Public Employees' Retirement System (PERS) plan comparison chart.	Four tiers. Varies depending upon tier. Detailed information set forth in Public Employees' Retirement System (PERS) plan comparison chart.
<b>Arizona</b> .....	Mandatory except that officials subject to term limits may opt out for a term of office. AZ SB 1609 of 2011—Contribution requirements affect all members; benefit and eligibility requirements affect those elected after January 1, 2012.	Age 65 with 5+ years of service; age 62 with 10+ years of service; or 20 years of service; earlier retirement with an actuarial reduction of benefits. Vesting at 5 years. AZ SB 1609 of 2011—For those elected to office after 1/1/2012. Age 65 with 5+ years of service; age 62 with 10+ years of service. Vesting at 5 years. No provision for retirement after 20 years or for early retirement.	7% employee AZ SB 1609 of 2011—2011 legislation increases contribution rates in annual steps from the present 7% of gross salary to, in FY 2014, 13% or an actuarially based calculation, which can be revised. Affects all members. Newly elected officials as of 1/1/14 pay a rate of 8%.	4% x years of credited service x highest 3 yr. average in the past 10 years. The benefit is capped at 80% of FAS. An elected official may purchase service credit in the plan for service earned in a non-elected position by buying it at an actuarially determined amount. AZ SB 1609 of 2011—For those elected to office after 1/1/2012: 3% x years of credited service x highest 5 yr. average in the past 10 years. The benefit is capped at 75% of FAS.
<b>Arkansas</b> .....	Optional. Those elected before 7/1/99 may have service covered as a regular state employee but must have 5 years of regular service to do so.	Age 65 with 10 years of service; 55/12; any age with 28 years of service; any age if serving in the General Assembly on 7/1/79; any age if in elected office on 7/1/79 with 17 and 1/2 years of service. As a regular employee, 65/5 or any age/28 years. Members of the contributory plan established in 2005 must have a minimum of 10 years legislative service, if they have only legislative state employment.	Non-contributory plan in effect for those elected before 2006. For those elected then and thereafter, a contributory plan that requires 5% of salary.	For service that began after 7/1/99: 2.07% x FAS x years of service FAS based on three highest consecutive years of service. For service that began after July 1, 1991, \$35 x years of service = monthly benefit. For contributory plan, 2% x FAS x years of service.
<b>California</b> .....	Legislators elected after 1990 are not eligible for retirement benefits for legislative service.			
<b>Colorado</b> .....	Mandatory	PERA: age 65 with 5 years of service; age 50 with 30 years of service; when age + service equals 80 or more (min. age of 55). State Defined Contribution Plan (DCP): no age requirement and immediate vesting.	Employee: 8%	PERA: 2.5% x FAS x years of service, capped at 100% of FAS. DCP benefit depends upon contributions and investment return.
<b>Connecticut</b> .....	Mandatory	Age 60 with 25 years credited service; age 62 with 10-25 years credited service; age 62 with 5 years actual state service. If elected after 2011—age 63 with 25 years of vesting service or age 65 with 10-25 years of vesting service. Reduced benefit available with earlier retirement ages.	Employee 2%	(1.33% x average annual salary) + (5% x average salary over "breakpoint") x credited service up to 35 years; 2003—\$36,400; 2004—\$38,600; 2005—\$40,900; 2006—\$43,400; 2007—\$46,000; 2008—\$48,800; 2009—\$51,700. After 2009—increase breakpoint by 6% per year rounded to nearest \$100.

See footnotes at end of table.

STATE LEGISLATIVE RETIREMENT BENEFITS — Continued

<i>State or other jurisdiction</i>	<i>Participation</i>	<i>Requirements for regular retirement</i>	<i>Employer contribution rate</i>	<i>Benefit formula</i>
<b>Delaware</b> .....	Mandatory. DE HB 81 of 2011 — Mandatory for those elected after January 1, 2012.	Age 60 with 5 years of credited service; or 55 with 10 years of service. DE HB 81 of 2011 — 65 with 10 years of service; or 60 with 20 years of service. Vesting at 10 years.	3% of annual compensation in excess of \$6,000. DE HB 81 of 2011 — 5% of annual compensation in excess of \$6,000.	2% times FAS times years of service before 1997 + 1.85% times FAS times years of service from 1997 on. FAS = average of highest 3 years.
<b>Florida</b> .....	Optional. Elected officials may opt out or may choose between DB and DC plans. FL SB 2100 of 2011 — SB 2100 affects those enrolled in the elected officers' class on or after July 1, 2011, except for a contribution requirement for all members.	Vesting in DB plan — 6 years. Age 62 with 6 years; 30 years at any age. Changed in 2011 to age 62 without a service minimum. Vesting in DC plan — 1 year, any age. FL SB 2100 of 2011 — vesting in DB plan, 8 years. Retirement eligibility at age 65 or with 33 years of service at any age. No changes affecting the DC plan.	Employee contribution is 3%; employer contribution is 45.8%.	DB plan — 3% x years of creditable service x average final compensation (average of highest 5 years). DC plan — dependent upon investment experience. FL SB 2100 of 2011 — Unchanged for the DB plan except that for those enrolled in the system after July 1, 2011, average final compensation will be based on the highest 8 years.
<b>Georgia</b> .....	Optional; choice when first elected.	Vested after 8 years. Age 62 with 8 years of service; age 60 with reduction for early retirement.	Employee: 3.75% + \$7/m.	\$36/month for each year of service. Post-retirement benefit increases are not available to any person who joins the system after July 1, 2009.
<b>Hawaii</b> .....	Mandatory. HI Act 163 of 2011 — Act 163 affects for those who enter the plan after July 1, 2012.	Vesting at 5 years. Age 55 with 5 years of service, any age with 10 years of service. HI Act 163 of 2011 — vesting at 10 years. Any age with 10 years of service.	Main plan is noncontributory; 7.8% for elected officials' plan for annuity. HI Act 163 of 2011 — Contribution rate of 9.8%.	3.5% x years of service as elected official x highest average salary plus annuity based on contributions as an elected official. Highest average salary = average of 3 highest 12-month periods as elected official. Annual COLA of 2.5%. HI Act 163 of 2011 — Multiplier for elected officials' reduced from 3.5% to 3.0%; COLA reduced from 2.5% annually to 1.5%.
<b>Idaho</b> .....	Mandatory; same plan as public employees (PERSI)	Age 65 with 5 years of service; reduced benefit at age 55 with 5 years of service.	6.79%, paid by member, 11.32% paid by employer.	Average monthly salary for highest 42 consecutive months x 2% x months of credited service.
<b>Illinois</b> .....	Optional; not the same as the State Employees' Retirement System. Only state senators, representatives and statewide elected officials have the option to participate.	Tier 1 — age 55 with 8 years of service or age 62 with 4 years of service. Tier 2 — age 67 with 8 years of service or age 62 with 8 years of service reduced 1/2 of 1% for each month.	Tier 1 — 11.5% of salary (includes contributions for retirement annuity and survivor annuity) or 9.5% of salary as contributions for just retirement annuity (no survivor annuity). Tier 2 — the same with the exception Tier 2 members only pay contributions on their salary up to the maximum salary for annuity purposes. In 2016 the maximum salary for annuity purposes is \$115,480.89 (currently no legislators have salaries that exceed the maximum salary).	Tier 1 — First 4 yrs x 3.0% = 12%; next 2 yrs x 3.5% = 7.0%; next 2 yrs x 4.0% = 8.0%; next 4 yrs x 4.5% = 18.0%; next 8 yrs x 5.0% = 40.0%. Tier 2 — 3% for each year of service.

See footnotes at end of table.

STATE LEGISLATIVE RETIREMENT BENEFITS — Continued

State or other jurisdiction	Participation	Requirements for regular retirement	Employer contribution rate	Benefit formula
<b>Indiana</b> .....	DB plan was mandatory for those serving before April 30, 1989, except that those serving on that day could opt to transfer to the DC plan. Defined contribution has been mandatory for those elected or appointed since 4/30/89.	DB plan—vesting at 10 years. Age 65 with 10 years of legislative service; or, if no longer in the legislature, these options apply; at least 10 years of service; no state salary; at age 55. Rule of 85 applies; or age 60 with 15 years of service. Early retirement with reduced benefit. DC plan—immediate vesting.	DB plan—funded by employer and employee contributions. DC plan—5% employee, 20% state (of taxable income) through 2009. At present, the contribution is recalculated annually not to exceed the state contribution to the employee retirement plan.	DB plan—monthly benefit: Lesser of (a) \$40 x years of General Assembly service completed before 11/8/89; or (b) 1/12 of the average of the three highest consecutive years of General Assembly service salary. DC plan—numerous options for withdrawing accumulations in accord with IRS regulations. Loans are available. A participant in both plans may receive a benefit from both plans.
<b>Iowa</b> .....	Optional	Age 65; age 62 with 20 years of service; Rule of 88; reduced benefit at 55 with at least 4 years of service.	5.95% individual.	2% times FAS x years of service for first 30 years, + 1% times FAS times years in excess of 30 but no more than 5 in excess of 30. FAS is average of 3 highest years.
<b>Kansas</b> .....	Optional for legislators and employees of the legislator leadership offices. Mandatory for all other regular, full time employees.	Age 65; age 62 with 5 years of service, or when age plus years of service equals 85.	6% (base may include salary, per diem, non-session allowance, session expenses; or various combinations at the legislator's option.)	3 highest years x 1.75% x years of service ÷ 12= monthly benefit.
<b>Kentucky</b> .....	Optional. Those who opt out are covered by the state employees' plan	Age 65 with 5 years of service; any age with 30 years of service; and intermediate provisions. Early retirement with reduced benefits.	5% of creditable compensation set by law at \$27,500; not the same as actual salary. Revised to be payable on compensation reported on W-2 forms beginning in 2005. HB 1 of 2008 Special Session—raised the contribution level to 6% for legislators elected after 7/1/08.	2.75% of FAS (based on creditable compensation) x years of service. FAS is the average monthly earnings for the 60 months preceding retirement. HB 1 of 2008 Special Session—reduced the annual COLA for retired legislators from the CPI (capped at 5%) to 1.5% effective on July 1, 2008. This applies to current as well as to future retirees. The statutes reserve to the legislature the power to make such changes. The amount of the COLA may be increased by the legislature if the legislature prefunds the cost of the increase.
<b>Louisiana</b> .....	Legislative service for legislators elected after January 1, 1997, is ineligible for State Employee Retirement System benefits. (LSA-Const. Art. 10, § 29.1)	Age 60 if 10 years of service on 7/1/93; age 62 if less than 10 years of service on 7/1/93. Reduced benefit available for earlier retirement.	7.65% legislators; employer contribution is actuarially determined.	2% of average final compensation (the average of the 3 highest salary years) times years of service.
<b>Maine</b> .....	Mandatory	Age 60 with 8 years; age 50 with 8+ years creditable service for early reduced retirement.	5% of annual salary.	3% of legislative salary for each year of service up to 22 years, 3 months. Benefits are recalculated when legislative salaries are changed.
<b>Maryland</b> .....	Optional	Vesting at 6 years. Age 55 with 6 years service; unreduced benefit at 65. Reduced benefits for retirement before age 65.	9%, although some legislators are grandfathered at lower rates.	2.5 times years of service times FAS. FAS = average of highest 36 months. Service credit is allowed for membership in other Massachusetts retirement plans.

See footnotes at end of table.

STATE LEGISLATIVE RETIREMENT BENEFITS — Continued

<i>State or other jurisdiction</i>	<i>Participation</i>	<i>Requirements for regular retirement</i>	<i>Employee contribution rate</i>	<i>Benefit formula</i>
<b>Michigan</b> .....	Optional	Age 55 with 5 years or when age plus years of service equal 70. Employee contributions are immediately vested. Employer contributions are vested as follows: Zero after one year; 50% after two years; 75% after three years; 100% after four years.	For legislators elected before 3/31/97—7-10% for (DB) plan. Elected after 3/31/97—(DC) plan, the state contributes 4% of salary. Members may contribute up to 3% of salary. The state will match the member's contribution in addition to the state 4% contribution.	DB plans—various provisions, depending on when service started. DC plan—benefits depend upon contributions and earnings.
<b>Minnesota</b> .....	Mandatory	Legislators Retirement Plan (LRP) before 7/1/97—62 years with 6 years of service and fully vested. LRP members do not have Social Security coverage. Defined Contribution Plan (DCP) since 1997—age 55 and immediate vesting. DCP members have Social Security coverage.	LRP—9%. DCP—5.5% from member, 6% from state.	2.7% x high 5 year average salary x years of service. DCP benefits depend upon contributions and investment return.
<b>Mississippi</b> .....	Mandatory	Age 60 with 4 or more years of service, or 25 years of service.	Regular—15.75% state, 9.00% member. Supplemental Legislative Retirement Plan—7.40% state, 3.00% member.	Legislators who qualify for regular state retirement benefits also automatically qualify for the legislators' supplemental benefits. Regular—2% x average compensation x years of service up to and including 25 years of service + 2.5% x average compensation x service in excess of 25 years. Average compensation is calculated using the highest 4 years of compensation. Supplement—1% x average compensation x years of legislative service through 25 years + 1.25% x average compensation x years of service in excess of 25.
<b>Missouri</b> .....	Mandatory. The retirement plan for Legislators is calculated differently from the plan for other state employees.	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.	For those hired on or before 12/31/2010—non-contributory. For those entering system after 1/1/2011—contribution of 4% of salary.	For those hired on or before 12/31/2010—monthly pay divided by 24 x years of creditable service, capped at 100% of salary. Benefit is adjusted by the percentage increase in pay for an active legislator. For those entering system after 1/1/2011—no change.
<b>Montana</b> .....	Optional	Hired before 7/1/11—vesting at 5 years. 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.	7.9% employee and 8.37% employer for 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%

See footnotes at end of table.

STATE LEGISLATIVE RETIREMENT BENEFITS — Continued

State or other jurisdiction	Participation	Requirements for regular retirement	Employee contribution rate	Benefit formula
Nebraska .....	None available			
Nevada.....	Mandatory, but a legislator, within 30 days after he/she is first elected or appointed, may elect not to participate; a decision to terminate participation in the plan cannot be reversed. The legislators' retirement system is separate from the state employee retirement plan.	Must have at least 10 years of service, be age 60, and no longer be a legislator in order to retire without benefit reduction. A legislator who is no longer serving, has at least 10 years of service, but is under the age of 60 can elect to wait to receive his/her benefit until the age of 60 or begin receiving a reduced benefit prior to the age of 60.	15% of session salary.	Number of years x \$25 = monthly allowance.
New Hampshire .....	None available			
New Jersey .....	Mandatory	Vesting at 8 years. Age 60; no minimum service requirement. Early retirement with no benefit reduction with 25 years of service.	5% of salary	3% x FAS x years of service. FAS = higher of three highest years or three final years. Benefit is capped at 2/3 of FAS. Other formulas apply if a legislator also has other service covered by the Public Employee Retirement System.
New Mexico .....	Optional	Plans 1A and 1B—age 65 with 5 years of service; 64 with 8 years of service; 63 with 11 years of service; 60 with 12 years of service; or any age with 14 years of service. Plan 2—age 65 with 5 years of service or at any age with 10 years of legislative service.	Plan 1A—\$100 per year for service after 1959. Plan 1B—\$200 per year (now closed to new enrollments). Plan 2—\$500 per year. Increased to \$600 per year by 2012 legislation.	Plan 1A: \$250 per year of service. Plan 1B: \$500 per year of service after 1959. Plan 2: 11 percent of the IRS Legislative per diem rate in effect on December 31st of the year a legislator retires x 60 x the years of credited service. For a legislator who retired in 2111 the benefit would be \$1,129 per year of credited service. Annual 3% COLA.
New York.....	Detailed information set forth in <i>Your Retirement Plan: Legislative and Executive Plan</i> , published by New York State Office of the State Comptroller.	Detailed information set forth in <i>Your Retirement Plan: Legislative and Executive Plan</i> , published by New York State Office of the State Comptroller.	Detailed information set forth in <i>Your Retirement Plan: Legislative and Executive Plan</i> , published by New York State Office of the State Comptroller.	Detailed information set forth in <i>Your Retirement Plan: Legislative and Executive Plan</i> , published by New York State Office of the State Comptroller.
North Carolina.....	Mandatory	Age 65 with 5 years of service; reduced benefit available at earlier ages.	7%	Highest annual compensation x 4.02% x years of service.
North Dakota.....	None available.			
Ohio.....	Optional. OPERS offers three plans for retirement—the traditional plan (a defined benefit plan); the member directed plan (a defined contribution plan); and the combined plan. Participation in the latter two plans is limited to new OPERS members and OPERS members who had less than 5 years of service on 12/31/2002.	Varies depending upon plan. Detailed information set forth in <i>Legislative Benefits, Privileges, and Restrictions of Office</i> .	Varies depending upon plan. Detailed information set forth in <i>Legislative Benefits, Privileges, and Restrictions of Office</i> .	Varies depending upon plan. Detailed information set forth in <i>Legislative Benefits, Privileges, and Restrictions of Office</i> .

See footnotes at end of table.

STATE LEGISLATIVE RETIREMENT BENEFITS — Continued

<i>State or other jurisdiction</i>	<i>Participation</i>	<i>Requirements for regular retirement</i>	<i>Employee contribution rate</i>	<i>Benefit formula</i>
<b>Oklahoma</b> .....	Legislators may retain membership as regular public employees if they have that status when elected; one time option to join elected officials' plan. SB 794 of 2011—new provisions affect people elected to office after 11/1/2011.	Elected Officials' Plan—vesting at 6 years. Age 65, or age 60 with 6 years' service. SB 704 of 2011—vesting at 8 years. Age 65 or age 62 with 10 years of membership in the plan. Early retirement with reduced benefits at age 60 with 10 years of service.	Optional contribution levels—4.5%, 6%, 7.5%, 8.5%, 9%, or 10%, of total compensation. SB 794 of 2011—schedule of options was repealed. Required contribution of 3.5% of total compensation.	Average participating salary x length of service x computation factor depending on optional contributions ranging from 1.9% for a 4.5% contribution to 4% for a 10% contribution. S.B. 1641 (Chapter: 105, Laws of 2008)—people elected to office on or after 7/1/2008; formula described here can apply only to years of service as an elected official and can be based only on higher year of salary received as an elected official (not on any subsequent salary from a non-elective post as was possible under the original provisions). Capped benefits at 100% of salary as a member of the OPERS (not clear whether this is highest salary as an elected official). S.B. 1889 (Chapter 435, Laws of 2010)—reduced the menu of options to the highest and lowest, which are shown above, for people elected to office after 11/1/2010. Those who fail to make a choice within 90 days of taking office default to the highest contribution and computation factor. SB 794 of 2011—2% of final average salary, times years of service. SB 2322 of 2012—members may choose a benefit option of 2.5% of final average salary, for which members' contributions will be increased by an amount that will equal the actuarial cost of the increased benefit.
<b>Oregon</b> .....	Optional	Normal retirement age for general service members is age 65 or age 58 with 30 years of retirement credit.	OPRSP DC component—employees contribute 6% of salary. DB component—non-contributory. 457 plans—members may contribute amounts to limits set by IRS.	OPRSP individual account component, or DC component—at retirement, employees may receive the IAP as a lump-sum payment or in equal installments over a 5, 10, 15 or 20-year period. DB component—benefit calculation is 1.5 percent x final average salary x years of service.
<b>Pennsylvania</b> .....	Optional. Act 120 of 2010—applies to those who become state legislators on or after 12/1/2010.	Age 50 with 3 years of service; any age with 35 years of service; early retirement with reduced benefit. Act 120 of 2010—vesting at 10 years. Retirement age is 55 with 3 years of credited service or according to the Rule of 92 with a minimum of 35 years of service.	6.25%. Act 120 of 2010—6.25% or 9.3% (member's choice). Rate will vary with actuarial conditions; these are minimums.	3% x final average salary x credited years of service (x withdrawal factor if under 50), with a maximum benefit of 100% of FAS. Act 120 of 2010—new legislators may choose between plans with different contribution rates. The multiplier for the lower contribution will be 2%, and for the higher contribution 2.5%. Cap on benefits is unchanged.
<b>Rhode Island</b> .....	Legislators elected before January 1995—eligible for a pension of \$600 a year for each year of legislative service, capped at an annual retirement benefit of \$12,000. Legislators elected after January 1995—ineligible to earn credit for public retirement benefits. Different than state employee retirement plan.			

See footnotes at end of table.

STATE LEGISLATIVE RETIREMENT BENEFITS — Continued

<i>State or other jurisdiction</i>	<i>Participation</i>	<i>Requirements for regular retirement</i>	<i>Employee contribution rate</i>	<i>Benefit formula</i>
<b>South Carolina</b> .....	Mandatory (but not available to anyone first elected to the General Assembly after November 2012). Act 278, Laws of 2012—mandatory choice for those elected in or after November 2012.	Age 60 with 8 years of service. 30 years of service regardless of age. Act 278, Laws of 2012—SCRS; vesting at 8 years; retirement benefits at age 65 with 8 years of service or in accord with the Rule of 90. Reduced benefits are available at age 60 with 8 years of service. ORP: immediate vesting in employer contributions.	10% 11% as of January 1, 2013. Act 278, Laws of 2012—SCRS; 7% as of July 1, 2012, rising to 8% on July 1, 2014. ORP: 7% + 5% employer contribution, immediately vested.	4.82% x earnable compensation x years of service. "Earnable compensation" means 40 x the daily rate of remuneration, plus \$12,000, of a member of the General Assembly, as from time to time in effect. Act 278, Laws of 2012—SCRS; 2.25% x years of service x final average compensation, which is the average of the member's 5 highest years of earned compensation. ORP: upon retirement a member may annuitize the balance in the account or take a lump sum or partial distribution. Federal provisions apply.
<b>South Dakota</b> .....	None available.			
<b>Tennessee</b> .....	Optional.	Age 55, 4 years of service.	Members hired before 7/1/14 participate in a non-contributory plan. Members hired after 7/1/14 participate in a contributory plan. State contributes 4% toward defined benefit, 5% into 401K. Member contributes, 5% toward defined benefit, 2% into 401K (can do more if so desired).	\$85.21 per month x years of service with a cap 90% of final compensation. 2006 legislation provides for an annual adjustment in the base amount (not an annual COLA to recipients) and provides that a legislator may reject the increase in writing. \$55,00 for those in the contributory plan.
<b>Texas</b> .....	Optional	Vesting at 8 years. Age 60 with 8 years of service; or age 50 with 12 years of service.	8%	2.3% x district judge's salary x length of service, with the monthly benefit capped at the level of a district judge's salary, and adjusted when such salaries are increased. Various annuity options are available. Military service credit may be purchased to add to elective class service membership. In September 2013, a district judge's salary was set at \$140,000 a year.
<b>Utah</b> .....	Mandatory	Age 62 with 10 years and an actuarial reduction; age 65 with 4 years of service for full benefits. 2010 legislation closed the Governors' and Legislators' Retirement Plan to legislators elected after 7/1/2011 and replaced it with the New Public Employees' Tier II Contributory Retirement Plan Defined Contribution Plan. The new DC plan will be a 401(k) with distribution of accumulations subject to federal rules.	Non-contributory. For the DC plan, employer will contribute 10% of compensation, which will vest after four years of service. Employees may, but are not required, to contribute.	\$24.80/month (as of July 2004) x years of service; adjusted semi-annually according to consumer price index up to a maximum increase of 2%. For the DC plan, benefits will be based upon accumulations in the employee account.
<b>Vermont</b> .....	None available. Deferred compensation plan available.			

See footnotes at end of table.



STATE LEGISLATIVE RETIREMENT BENEFITS — Continued

State or other jurisdiction	Participation	Requirements for regular retirement	Employee contribution rate	Benefit formula
<b>Virginia</b> .....	Mandatory. Eligibility for various plans based on membership date. Same as state employees plan.	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).	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.	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).
<b>Washington</b> .....	Optional. If before an election the legislator belonged to a state public retirement plan, he or she may continue in that plan by making contributions. Otherwise, new legislators may join PERS Plan 2 or Plan 3.	Plan 2—age 65 with 5 years of service credit. Plan 3—age 65 with 10 years of service credit for the DB side of the plan; immediate benefits (subject to federal restrictions) on the DC side of the plan. The member may choose various options for investment of contributions to the DC plan.	Plan 2—employee contribution of 2.43% for 2002. Estimated at 3.33% for 2005-2007. Plan 3—no required member contribution for the DB component. The member may contribute from 5% to 15% of salary to the DC component.	Plan 2—2% x years of service credit x average final compensation. Plan 3—DB is 1% x service credit years x average final compensation. DC benefit depends upon the value of accumulations.
<b>West Virginia</b> .....	Optional	Age 55, if years of service + age equal 80.	Before 10/1/87—7%. After 10/1/87—5%.	2% x final average salary x years of service. Final average salary is based on 3 highest years out of last 10 years.
<b>Wisconsin</b> .....	Wisconsin Retirement System (WRS)—mandatory. Deferred Compensation 457 Plan—optional.	Minimum retirement age is 55. Normal retirement age is 62. Normal retirement age with 30 years of WRS service is age 57.	2016 contribution rate is 6.6% of the legislator's salary. The employer matches this for a total contribution of 13.2%.	Retirement benefit is calculated under both "formula" and "money purchase" methods and will receive the higher of the two benefit calculations. Formula—if terminated prior to the year 2000, may not exceed 65% of the final average earnings (highest 3 years of salary), or 70% for 2000 or after. (2.165% x years of service x salary for service before 2000; 2% x years of service x salary for service 2000 and after). Money Purchase Calculation—based only on the dollar balance in WRS account and exact age (and therefore life expectancy) when annuity begins.
<b>Wyoming</b> .....	None available			

Source: National Conference of State Legislatures, March 2016.

Key:

- COLA — Cost of living adjustment.
- CPI — Consumer price index.
- DB — Defined Benefit.
- DC — Defined Contribution.
- FAS — Final average salary.
- None available — no retirement benefit provided.

- OPERS — Ohio Public Employee's Retirement System.
- OPERS — Oklahoma Public Employee's Retirement System.
- OPSRP — Oregon Public Employee's Retirement System.
- ORP — South Carolina State Optimal Retirement Program.
- PERA — Public employee retirement association.
- PERS — Public Employee's Retirement System.
- SCRS — South Carolina Retirement System.