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HOUSE BILL 231

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY
Jack E. Thomas

AN ACT

RELATING TO EDUCATIONAL RETIREMENT; AMENDING THE EDUCATIONAL
RETIREMENT ACT TO ALLOW THE DISCLOSURE OF PENSION AMOUNTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 22-11-55 NMSA 1978 (being Laws 2009,
Chapter 240, Section 1 and Laws 2009, Chapter 248, Section 1)
is amended to read:

"22-11-55. DISCLOSURE OF MEMBER OR RETIRED MEMBER
INFORMATION--PENALTY.--

A. Other than names of members and local
administrative units by which a member was employed; dates of
employment, retirement and reported death; service credit;
reported salary; pension amounts; and amounts of contributions
made by members and local administrative units, neither the
board nor its employees or contractors shall allow public

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 inspection or disclosure of any information regarding a member
2 or retired member to anyone except:

3 (1) the member, retired member or the spouse
4 or authorized representative of the member or retired member;

5 (2) other persons specifically identified in a
6 prior release and consent, in the form prescribed by the board,
7 executed by the member, retired member, spouse or authorized
8 representative; or

9 (3) the attorney general, appropriate law
10 enforcement agencies, the state auditor or the public education
11 department or higher education department, if the information
12 provided relates to contributions, payments or management of
13 money received by, or the financial controls or procedures of,
14 a local administrative unit.

15 B. No person receiving information disclosed by a
16 violation of Subsection A of this section shall disclose that
17 information to any other person unless authorized by an
18 applicable confidentiality agreement, board rule or state law.

19 C. Whoever knowingly violates a provision of
20 Subsection A or B of this section is guilty of a petty
21 misdemeanor and shall be sentenced in accordance with Section
22 31-19-1 NMSA 1978."