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HOUSE BILL 241

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

INTRODUCED BY  
Jack E. Thomas

AN ACT

RELATING TO EDUCATIONAL RETIREMENT; AMENDING DISCLOSURE  
INFORMATION TO INCLUDE RETIREMENT BENEFITS.

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; ~~and~~ amounts of contributions made by members  
and local administrative units; and retirement benefits,  
neither the board nor its employees or contractors shall allow

underscored material = new  
[bracketed material] = delete

underscored material = new  
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1 public inspection or disclosure of any information regarding a  
2 member 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."