

REFERENCE TITLE: ASRS; disclosure of information

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2207

Introduced by
Representative Livingston

AN ACT

AMENDING SECTION 38-755, ARIZONA REVISED STATUTES; RELATING TO THE ARIZONA STATE RETIREMENT SYSTEM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 38-755, Arizona Revised Statutes, is amended to
3 read:

4 38-755. Member's account information; beneficiary
5 designation; spousal consent; confidentiality;
6 exception

7 A. ASRS shall make information concerning a member's account
8 accessible to the member in written or electronic form. This information
9 shall include the member's current account balance, contact information,
10 beneficiary election, estimated retirement date and estimated benefit
11 amount.

12 B. The member may change the member's beneficiary at any time in a
13 manner established by ASRS.

14 C. A member who is married shall name and maintain the member's
15 current spouse as a beneficiary to receive at least fifty percent of the
16 member's account, unless naming or maintaining the current spouse as a
17 beneficiary violates another law, an existing contract or a court order.
18 The member's current spouse may consent to a waiver of this requirement
19 pursuant to section 38-776.

20 D. EXCEPT AS PROVIDED IN SUBSECTION F OF THIS SECTION, in order to
21 protect a member's identity from fraud, abuse, theft or civil or criminal
22 activity, information about a member is not subject to inspection pursuant
23 to title 39, chapter 1, article 2, except that the following information
24 about a member is subject to inspection:

25 1. The member's name.

26 2. Whether the member is an active member as defined in section
27 38-711, an inactive member as defined in section 38-711 or a retired
28 member as defined in section 38-711.

29 3. The member's current or most recent employer.

30 4. For a retired member, the average monthly compensation, as
31 defined in section 38-711, used to calculate the member's retirement
32 benefit.

33 5. The credited service as defined in section 38-711 on account for
34 an active or inactive member or the credited service used to calculate the
35 retirement benefit for a retired member.

36 6. The gross pension amount actually paid to a retired member.

37 7. The most recent retirement date.

38 8. The current account balance for an active or inactive member.

39 9. The gross long-term disability program benefit actually paid to
40 a member with a disability pursuant to article 2.1 of this chapter.

41 10. The amount paid to purchase credited service pursuant to
42 section 38-743, 38-744 or 38-745.

43 11. The amount of credited service purchased pursuant to section
44 38-743, 38-744 or 38-745.

1 E. ASRS shall not permit any unredacted record to be inspected that
2 contains a member's social security number, bank account information,
3 address, telephone number, ~~e-mail~~ EMAIL address, medical records, health
4 insurance information, beneficiary or survivor information or disability
5 information or any information that is protected by any federal or state
6 law.
7 F. ASRS MAY PROVIDE THE VALUE OF THE MEMBER'S BENEFIT TO A MEMBER'S
8 CURRENT OR FORMER SPOUSE ON RECEIPT OF PROOF OF SERVICE OF A PETITION FOR
9 ANNULMENT, DISSOLUTION OF MARRIAGE OR LEGAL SEPARATION FOR THE PURPOSES OF
10 SECTION 38-773.