

House Engrossed

FILED
MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

CHAPTER 175

HOUSE BILL 2339

AN ACT

AMENDING SECTIONS 38-703 AND 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 38-703, Arizona Revised Statutes, is amended to
3 read:

4 38-703. Plans for coverage of employees of eligible political
5 subdivisions; payroll audits

6 A. Each eligible political subdivision of this state may submit for
7 approval by the state agency a plan for extending the benefits of title II of
8 the social security act, in conformity with applicable provisions of the
9 social security act, to employees of the eligible political subdivisions.
10 The state agency shall approve each plan and any amendment of the plan if it
11 finds that the plan or amendment of the plan is in conformity with
12 requirements ~~provided in rules~~ of the state agency, except that a plan shall
13 not be approved unless:

14 1. It is in conformity with the requirements of the social security
15 act and with the agreement entered into under section 38-702.

16 2. It provides that all services that constitute employment and that
17 are performed in the employ of the eligible political subdivision by
18 employees of the political subdivision are covered by the plan.

19 3. It provides for such methods of administration of the plan by the
20 eligible political subdivisions that the state agency finds to be necessary
21 for the proper and efficient administration of the plan.

22 4. It provides that the eligible political subdivision make reports,
23 in the form and containing the information, the state agency from time to
24 time requires, and comply with provisions the state agency or the
25 commissioner of social security from time to time finds necessary to assure
26 the correctness and verification of the reports.

27 B. The state agency shall not finally refuse to approve a plan
28 submitted by an eligible political subdivision under subsection A of this
29 section without reasonable notice and the opportunity for a hearing to the
30 political subdivision affected by the refusal.

31 Sec. 2. Section 38-755, Arizona Revised Statutes, is amended to read:

32 38-755. Member's account information; beneficiary designation;
33 spousal consent; confidentiality

34 ~~A. Subject to rules prescribed by the board, on application of a~~
35 ~~member, the board shall furnish information concerning the member's status.~~
36 ~~In addition, the board shall furnish to each member an account, that may be~~
37 ~~electronic or online, showing the status of the member's account, including~~
38 ~~the name of the member's beneficiary as last listed with the board.~~

39 A. ASRS SHALL MAKE INFORMATION CONCERNING A MEMBER'S ACCOUNT
40 ACCESSIBLE TO THE MEMBER IN WRITTEN OR ELECTRONIC FORM. THIS INFORMATION
41 SHALL INCLUDE THE MEMBER'S CURRENT ACCOUNT BALANCE, CONTACT INFORMATION,
42 BENEFICIARY ELECTION, ESTIMATED RETIREMENT DATE AND ESTIMATED BENEFIT AMOUNT.

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

1 C. A member who is married shall name and maintain the member's
2 current spouse as a beneficiary to receive at least fifty ~~per cent~~ PERCENT of
3 the member's account, unless naming or maintaining the current spouse as a
4 beneficiary violates another law, an existing contract or a court order. The
5 member's current spouse may consent to a waiver of this requirement pursuant
6 to section 38-776.

7 D. In order to protect a member's identity from fraud, abuse, theft or
8 civil or criminal activity, information about a member is not subject to
9 inspection pursuant to title 39, chapter 1, article 2, except that the
10 following information about a member is subject to inspection:

- 11 1. The member's name.
- 12 2. Whether the member is an active member as defined in section
13 38-711, an inactive member as defined in section 38-711 or a retired member
14 as defined in section 38-711.
- 15 3. The member's current or most recent employer.
- 16 4. For a retired member, the average monthly compensation, as defined
17 in section 38-711, used to calculate the member's retirement benefit.
- 18 5. The credited service as defined in section 38-711 on account for an
19 active or inactive member or the credited service used to calculate the
20 retirement benefit for a retired member.
- 21 6. The gross pension amount actually paid to a retired member.
- 22 7. The most recent retirement date.
- 23 8. The current account balance for an active or inactive member.
- 24 9. The gross long-term disability program benefit actually paid to a
25 member with a disability pursuant to article 2.1 of this chapter.
- 26 10. The amount paid to purchase credited service pursuant to section
27 38-743, 38-744 or 38-745.
- 28 11. The amount of credited service purchased pursuant to section
29 38-743, 38-744 or 38-745.

30 E. ASRS shall not permit any unredacted record to be inspected that
31 contains a member's social security number, bank account information,
32 address, telephone number, e-mail address, medical records, health insurance
33 information, beneficiary or survivor information or disability information or
34 any information that is protected by any federal or state law.

APPROVED BY THE GOVERNOR APRIL 1, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 2, 2015.

Passed the House February 19, 2015

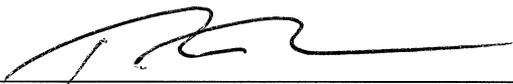
Passed the Senate MARCH 25, 2015

by the following vote: 57 Ayes,

by the following vote: 39 Ayes,

0 Nays, 3 Not Voting

0 Nays, 1 Not Voting

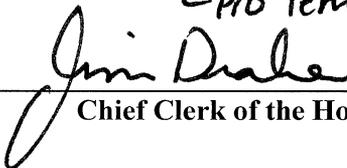


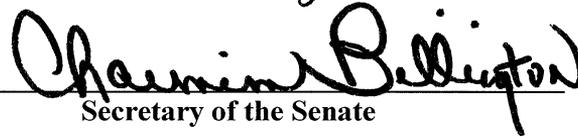


Speaker of the House

President of the Senate

Pro Tempore


Chief Clerk of the House

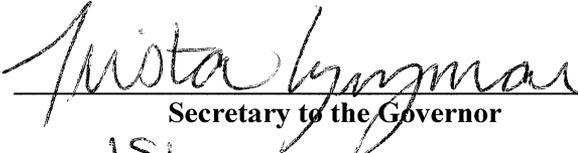

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

26th day of March, 20 15

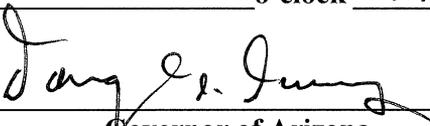
at 12:01 o'clock P. M.


Secretary to the Governor

Approved this 1st day of

April

at 2:39 o'clock P. M.


Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 2 day of April, 20 15

at 9:00 o'clock A M.


Secretary of State

H.B. 2339