



The Legislature  
of the  
State of New Mexico

49th Legislature, 1st Session

LAWS 2009

CHAPTER 248

HOUSE BILL 722, as amended

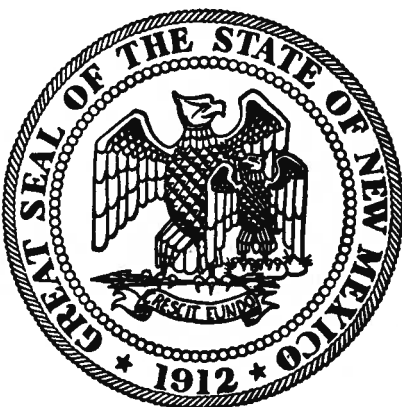
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Introduced by

REPRESENTATIVE JACK E. THOMAS

REPRESENTATIVE MIMI STEWART  
REPRESENTATIVE RICK MIERA  
REPRESENTATIVE KAREN E. GIANNINI  
REPRESENTATIVE ELISEO LEE ALCON  
REPRESENTATIVE AL PARK



# Chapter 248

## AN ACT

RELATING TO EDUCATIONAL RETIREMENT; ENACTING A NEW SECTION OF THE EDUCATIONAL RETIREMENT ACT TO PROHIBIT THE DISCLOSURE OF CERTAIN CONFIDENTIAL INFORMATION; PROVIDING A PENALTY.

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

Section 1. A new section of the Educational Retirement Act is enacted to read:

"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, neither the board nor its employees or contractors shall allow public inspection or disclosure of any information regarding a member or retired member to anyone except:

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

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

(3) the attorney general, appropriate law


1 enforcement agencies, the state auditor or the public  
2 education department or higher education department, if the  
3 information provided relates to contributions, payments or  
4 management of money received by, or the financial controls or  
5 procedures of, a local administrative unit.


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


10 C. Whoever knowingly violates a provision of  
11 Subsection A or B of this section is guilty of a petty  
12 misdemeanor and shall be sentenced in accordance with Section  
13 31-19-1 NMSA 1978."

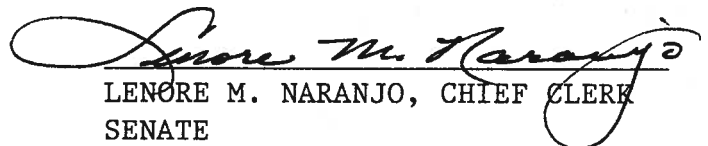
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BEN LUJAN, SPEAKER  
HOUSE OF REPRESENTATIVES

  
STEPHEN R. ARIAS, CHIEF CLERK  
HOUSE OF REPRESENTATIVES

  
DIANE D. DENISH, PRESIDENT  
SENATE

  
LENORE M. NARANJO, CHIEF CLERK  
SENATE

Approved by me this 7<sup>th</sup> day of April, 2009

  
BILL RICHARDSON, GOVERNOR  
STATE OF NEW MEXICO