



The Legislature  
of the  
State of New Mexico

49th Legislature, 2nd Session

LAWS 2010

CHAPTER 60

HOUSE BILL 231, as amended

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Introduced by

REPRESENTATIVE JACK E. THOMAS



# Chapter 60

AN ACT

RELATING TO EDUCATIONAL RETIREMENT; AMENDING THE EDUCATIONAL  
RETIREMENT ACT TO ALLOW THE DISCLOSURE OF RETIREMENT AND  
DISABILITY 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; retirement and disability benefits; 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

1 authorized representative; or

2 (3) the attorney general, appropriate law  
3 enforcement agencies, the state auditor or the public  
4 education department or higher education department, if the  
5 information provided relates to contributions, payments or  
6 management of money received by, or the financial controls or  
7 procedures of, a local administrative unit.

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

12 C. Whoever knowingly violates a provision of  
13 Subsection A or B of this section is guilty of a petty  
14 misdemeanor and shall be sentenced in accordance with Section  
15 31-19-1 NMSA 1978." \_\_\_\_\_



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 8<sup>th</sup> day of March, 2010



BILL RICHARDSON, GOVERNOR  
STATE OF NEW MEXICO

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