



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature  
First Regular Session

House: GE DP 13-0-0-0

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## **HB 2356: ASRS; nonparticipatory employer liability.**

**Sponsor: Representative Kavanagh, LD 23**

**Caucus & COW**

### **Overview**

Removes the requirements for the Arizona State Retirement System (ASRS) to establish a separate fund for certain nonparticipating employers.

### **History**

Current statute requires ASRS to establish a separate fund for an employer other than a charter school that is no longer participating in ASRS as a result of any of the following:

- 1) The character of the employer changes from a public to a private entity;
- 2) An employer, other than this state, dissolves; or
- 3) Through legislative action, the employer is no longer enrolling new employees in ASRS or no longer contributing to ASRS on behalf of current employees.

ASRS is additionally required to establish a separate fund for an employer who employs at least 50 employees as of one year before the employer's nonparticipation date and who is no longer participating in ASRS ([A.R.S. § 38-751](#)).

### **Provisions**

1. Repeals statute that requires ASRS to establish a separate fund for an employer that is based on the number of contributing employees if certain conditions apply. (Sec. 1)
2. Eliminates the ability of a nonparticipating employer to participate in ASRS after the employer's nonparticipation date. (Sec. 1)
3. Makes technical and conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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