



NOTICES OF RULEMAKING DOCKET OPENING

This section of the *Arizona Administrative Register* contains Notices of Rulemaking Docket Opening.

A docket opening is the first part of the administrative rulemaking process. It is an “announcement” that the agency intends to work on its rules.

When an agency opens a rulemaking docket to consider rulemaking, the Administrative Procedure Act (APA) requires the publication of the Notice of Rulemaking Docket Opening.

Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. Many times an agency may file the Notice of Rulemaking Docket Opening with the Notice of Proposed Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these notices. Questions about the interpretation of this information should be directed to the agency contact person listed in item #4 of this notice.

**NOTICE OF RULEMAKING DOCKET OPENING
STATE RETIREMENT SYSTEM BOARD**

[R20-186]

1. **Title and its heading:** 2, Administration
Chapter and its heading: 8, State Retirement System Board
Article and its heading: 1, Retirement System
Section number: R2-8-121, R2-8-122 (*Sections may be added, deleted, or further modified as necessary.*)

2. **The subject matter of the proposed rule:**
 R2-8-121 will clarify how the ASRS may invoice an employer for an unfunded liability under A.R.S. § 38-748. R2-8-122 clarifies that the Employer shall certify that each employee for whom they are remitting contributions has met the requirements for active member eligibility and that all contributions are eligible for compensation under A.R.S. § 38-711. However, the ASRS needs to clarify that if the employer improperly certifies that the employee has met the requirements for active member eligibility or that all the contributions for that employee are eligible for compensation under A.R.S. § 38-711, the ASRS may charge the Employer an unfunded liability amount pursuant to A.R.S. § 38-748.

3. **A citation to all published notices relating to the proceeding:**
 Notice of Proposed Rulemaking: 26 A.A.R. 2837, November 6, 2020 (*in this issue*)

4. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
 Name: Jessica A.R. Thomas, Rules Writer
 Address: Arizona State Retirement System
 3300 N. Central Ave., Suite 1400
 Phoenix, AZ 85012-0250
 Telephone: (602) 240-2039
 E-mail: JessicaT@azasrs.gov

5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
 The Board will accept comments during business hours at the address listed in item 4. Information regarding an oral proceeding is included in the Notice of Proposed Rulemaking in this issue (see page 2837).

6. **A timetable for agency decisions or other action on the proceeding, if known:**
 To be determined.