

**Arizona Administrative Register**  
**NOTICES OF FINAL RULEMAKING**

**Volume 32**

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**March 13, 2026**

**NOTICES OF FINAL RULEMAKING**

An agency shall submit a Notice of Final Rulemaking to the Governor’s Regulatory Review Council (Council) or Attorney General for review within 120 days after the close of the record on a proposed rulemaking, and if applicable, supplemental proposed rulemaking, under A.R.S. § 41-1024.

The Notice of Final Rulemaking as published in this section has been filed with a certificate of approval from the Council or Attorney General.

An economic, small business and consumer impact statement is filed with this notice but not published in the *Register*.

The effective date of this notice is published in item #4 of the preamble.

Questions about the notice can be answered by the person listed in item #6 of the preamble.

The codified version of Notices of Final Rulemaking are published in the *Arizona Administrative Code* by title and chapter.

**NOTICE OF FINAL RULEMAKING**

**TITLE 2. ADMINISTRATION**

**CHAPTER 8. STATE RETIREMENT SYSTEM BOARD**

[R26-23]

**PREAMBLE**

**1. Permission to proceed with this final rulemaking was granted under A.R.S. § 41-1039 by the governor on:**

July 2, 2024

**2. Article, Part, or Section Affected (as applicable)**

R2-8-104

**Rulemaking Action**

Amend

**3. Citations to the agency’s statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**

Authorizing statute: A.R.S. § 38-714(E)(4)

Implementing statute: A.R.S. §§ 38-701 et seq.

**4. The effective date of the rule:**

April 18, 2026

**a. If the agency selected a date earlier than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):**

Not applicable

**b. If the agency selected a date later than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason the agency selected the later effective date as provided in A.R.S. § 41-1032(B):**

Not applicable

**5. Citations to all related notices published in the *Register* that pertain to the current record of the proposed rule:**

Notice of Rulemaking Docket Opening: 31 A.A.R. 2777; Issue Date: August 29, 2025; Issue Number: 35; File Number: R25-200

Notice of Proposed Rulemaking: 31 A.A.R. 2747; Issue Date: August 29, 2025; Issue Number: 35; File Number: R25-194

**6. The agency’s contact person who can answer questions about the rulemaking:**

Name: Jessica Thomas

Title: Government Relations Officer

Address: 3300 N. Central Ave., Ste. 1400

**Arizona Administrative Register**  
**NOTICES OF FINAL RULEMAKING**

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Phoenix, AZ 85012

Telephone: (602) 240-2039  
Email: JessicaT@azasrs.gov  
Website: [www.azasrs.gov](http://www.azasrs.gov)

**7. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:**

The ASRS needs to amend its rules related to Domestic Relations Orders (DROs) in order to clarify what information is required pursuant to HB2433(2023). Such clarification will ensure the rules are clear, concise, and consistent and the public is aware of how the ASRS processes DROs.

**8. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

Not applicable

**9. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

**10. A summary of the economic, small business, and consumer impact:**

The ASRS promulgates rules that allow the agency to provide for the proper administration of the state retirement trust fund. ASRS rules affect ASRS members and ASRS employers regarding how they contribute to, and receive benefits from, the ASRS. The ASRS effectively administrates how public-sector employers and employees participate in the ASRS. As such, the ASRS does not issue permits or licenses, or charge fees, and its rules have little to no economic impact on private-sector businesses, with the exception of some employer partner charter schools, which have voluntarily contracted to join the ASRS. Thus, there is little to no economic, small business, or consumer impact, other than the minimal cost to the ASRS to prepare the rule package. The rule will have minimal economic impact, if any, because it merely clarifies how the ASRS shall process DROs based on recently updated statutory requirements.

**11. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:**

Not applicable

**12. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:**

Not applicable

**13. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**

None

**a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**

None of the rules requires a permit.

**b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**

There are no federal laws applicable to these rules.

**c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:**

No analysis was submitted.

**14. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:**

Not applicable

**Arizona Administrative Register**  
**NOTICES OF FINAL RULEMAKING**

**15. Whether the rule was previously made, amended or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:**

Not applicable

**16. The full text of the rules follows:**

**TITLE 2. ADMINISTRATION**

**CHAPTER 8. STATE RETIREMENT SYSTEM BOARD**

**ARTICLE 1. RETIREMENT SYSTEM**

Section

R2-8-104. Definitions

**ARTICLE 1. RETIREMENT SYSTEM**

**R2-8-104. Definitions**

A. The definitions in A.R.S. § 38-711 apply to this Chapter.

B. Unless otherwise specified, in this Chapter:

1. "Actuarial assumption" means an estimate of an uncertain future event that affects pension liabilities, or assets, or both.
  2. "Assumed actuarial investment earnings rate" means the assumed rate of investment return approved by the Board and contained in R2-8-118(A).
  3. "Authorized employer representative" means an individual specified by the Employer to provide the ASRS with information about a member who previously worked for the ASRS employer.
  4. "Contribution" means:
    - a. Amounts required by A.R.S. Title 38, Chapter 5, Articles 2 and 2.1 to be paid to the ASRS by a member or an employer on behalf of a member;
    - b. Any voluntary amounts paid to the ASRS pursuant to 2 A.A.C. 8, Article 5 by a member to be placed in the member's account; and
    - c. Amounts credited by transfer under 2 A.A.C. 8, Article 11.
  5. "Day" means a calendar day, and excludes the:
    - a. Day of the act or event from which a designated period of time begins to run; and
    - b. Last day of the period if a Saturday, Sunday, or official state holiday.
  6. "Designated beneficiary" means the same as in A.R.S. § 38-762(G) or another person designated as a beneficiary by law.
  7. "Director" means the Director appointed by the Board as provided in A.R.S. § 38-715.
  8. "Individual retirement account" or "IRA" means the types of eligible retirement plans specified in A.R.S. § 38-770(D)(3)(a) and (b).
  9. "DRO" means a copy of an original domestic relations order specified in A.R.S. § 38-773(~~H~~)(1) that contains all of the following:
    - a. The requirements of A.R.S. § 38-773(~~C~~);
    - b. The date of the member and alternate payee's marriage;
    - c. The date of divorce or the date in which the community property interest ended;
    - d. A court stamp indicating the domestic relations order is a true and correct copy of the original domestic relations order on file with the court;
    - e. If the member is retired on the date of service of the petition for annulment, dissolution of marriage, or legal separation, the gross amount of the member's monthly benefit.
    - f. If the member is not retired on the date of service of the petition for annulment, dissolution of marriage, or legal separation, the following:
      - i. The member's account balance, including employee and employer contributions;
      - ii. The member's estimated amount of refunded contributions;
      - iii. The member's estimated survivor benefit amount;
  - e-g. How the member's ASRS benefits should be split in specific amounts for the following possible events;
    - i. The member's retirement;
    - ii. Return of contributions and termination of membership according to R2-8-115; and
    - iii. The death of the member prior to retirement;
  - ~~f-h~~. Whether the member may transfer all ASRS service credit to another retirement system;
  - ~~g-i~~. Whether the member is required to maintain the alternate payee as the member's beneficiary;
  - ~~h-j~~. Whether the member may rescind their retirement option according to A.R.S. § 38-760; and
  - ~~i-k~~. The judge's dated signature.
10. "Party" means the same as in A.R.S. § 41-1001(14).
  11. "Person" means the same as in A.R.S. § 41-1001(15).
  12. "Plan" means the same as "defined benefit plan" in A.R.S. § 38-712(B), and as administered by the ASRS.
  13. "Retirement account" means the same as in A.R.S. § 38-771(J)(2).

**Arizona Administrative Register**  
**NOTICES OF FINAL RULEMAKING**

14. “Rollover” means a contribution to the ASRS by an eligible member of an eligible rollover distribution from one or more of the retirement plans listed in A.R.S. § 38-747(H)(2) and (H)(3).
15. “Terminate employment” means to end the employment relationship between a member and an ASRS employer with the intent that the member does not return to employment with an ASRS employer.
16. “United States” means the same as in A.R.S. § 1-215(39).

**NOTICE OF FINAL RULEMAKING**

**TITLE 2. ADMINISTRATION**

**CHAPTER 8. STATE RETIREMENT SYSTEM BOARD**

[R26-24]

**PREAMBLE**

**1. Permission to proceed with this final rulemaking was granted under A.R.S. § 41-1039 by the governor on:**

July 2, 2024

**2. Article, Part, or Section Affected (as applicable)**

R2-8-403

**Rulemaking Action**

Amend

**3. Citations to the agency’s statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**

Authorizing statute: A.R.S. § 38-714(E)(4)

Implementing statute: A.R.S. §§ 41-1092 et seq.

**4. The effective date of the rule:**

April 18, 2026

**a. If the agency selected a date earlier than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):**

Not applicable

**b. If the agency selected a date later than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason the agency selected the later effective date as provided in A.R.S. § 41-1032(B):**

Not applicable

**5. Citations to all related notices published in the Register that pertain to the current record of the proposed rule:**

Notice of Rulemaking Docket Opening: 31 A.A.R. 2778; Issue Date: August 29, 2025; Issue Number: 35; File Number: R25-201

Notice of Proposed Rulemaking: 31 A.A.R. 2750; Issue Date: August 29, 2025; Issue Number: 35; File Number: R25-195

**6. The agency’s contact person who can answer questions about the rulemaking:**

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Email: JessicaT@azasrs.gov

Website: [www.azasrs.gov](http://www.azasrs.gov)

**7. An agency’s justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:**

The ASRS needs to amend its rules related to appeals in order to better reflect current organizational structure. Such clarification will ensure the rules are clear, concise, and consistent and the public is aware of how the ASRS processes appeals.

**8. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

None