



2025 South Dakota Legislature

House Bill 1030

Introduced by: The Chair of the Committee on Retirement Laws at the request of the South Dakota Retirement System

1 **An Act to update the South Dakota Retirement System's member information**
2 **protection provisions.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That a NEW SECTION be added to chapter 3-12C:**

5 For purposes of this chapter, "member information" means any information
6 collected, prepared, or received by the system, relating to a member of the system. The
7 term does not include data in a form that cannot be associated with or otherwise identify,
8 directly or indirectly, a particular member of the system.

9 **Section 2. That § 3-12C-215 be AMENDED:**

10 **3-12C-215.** ~~Any information contained in any record pertaining to a member of~~
11 ~~the system is confidential and shall be used for the sole purpose of carrying into effect the~~
12 ~~provisions of this chapter, chapter 3-13, and chapter 3-13A. Any record containing the~~
13 ~~information is not open to inspection by any person or entity except the member, the~~
14 ~~board, the employees of the system, or the member's employer. The information and~~
15 ~~records may be released to the member or with the member's consent. The information~~
16 ~~and records may also be released pursuant to a court order or subpoena.~~ Member
17 information is confidential. Member information may be disclosed only in the following
18 circumstances:

- 19 (1) To the member or with the member's consent;
20 (2) For the purpose of, and only to the extent necessary for, the administration of this
21 chapter and chapters 3-13 and 3-13A; or
22 (3) In a judicial or administrative proceeding, to the extent required by a proper
23 judicial or administrative order.