

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 596

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 30, 2017

The Assembly Appropriations Committee reports favorably Senate Bill No. 596 (1R), with committee amendments.

As amended, this bill establishes a compensation program for the following categories of law enforcement officers and certain employees:

(1) State corrections officers, juvenile corrections officers, and juvenile detention officers who suffer bodily injury as the result of a riot or assault by the inmates or detainees under their custody and care;

(2) parole officers who suffer bodily injury as the result of an assault committed by an adult or juvenile parolee under their supervision;

(3) State Human Services police officers, State conservation officers, State park police officers Palisades Interstate Park officers, and campus police officers appointed by a county college or four-year public institution of higher education who suffer bodily injury as the result of an assault while engaged in the arrest or transportation of a suspect or person in their custody;

(4) civilian employees who directly work with or teach inmates or detainees in State correctional facilities, juvenile correctional facilities, or juvenile detention centers who suffer bodily injury as the result of a riot or assault by the inmates or detainees with whom they work;

(5) probation officers who suffer bodily injury as the result of an assault by a person placed on probation who is under their supervision; and

(6) medical security officers working under the authority of the Department of Human Services who suffer bodily injury as the result of an assault by a patient or resident who requires medical security.

Under the provisions of the amended bill, these injured officers and employees will be entitled to their salary from their employer until their workers' compensation payments begin. Once their workers' compensation payments begin, the injured officers and employees will be entitled to regular supplemental payments from their employer. The amount of these supplemental payments will be sufficient, when

added to the injured officer or employee's workers' compensation payments, to equal his or her net wages at the time of the injury.

These supplemental payments are to continue as long as the person remains a State corrections officer, juvenile corrections officer, juvenile detention officer, parole officer, State Human Services police officer, State conservation officer, State park police officer, probation officer, medical security officer, or civilian employee who works directly with or teaches inmates or detainees and continues to receive workers' compensation for the injury.

Finally, the amended bill specifies that these supplemental payments are not to negate or impair any fringe benefits afforded an injured officer or employee under the terms of a collective bargaining agreement, contract, or statute and that these fringe benefits are to remain in full force and effect during the time that officer or employee is receiving the supplemental payments authorized under the amended bill.

As amended and reported, this bill is identical to Assembly Bill No. 3422 (1R), also amended and reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that the bill would increase annual State expenditures by approximately \$450,000 to \$675,000 and that about 164 State employees per year would receive an additional average workers' compensation benefit ranging approximately from \$2,744 to \$4,116. The estimate represents an extrapolation from calendar year and fiscal year 2015 data on Department of Corrections employees. The OLS notes, however, that it is unable to determine how many civilian employees and how many full-time campus police officers would be affected under this bill. As such, including the affected employees in these two categories would increase the estimated annual State expenditures of this bill by an indeterminate amount. In general, an actuarial calculation would be required for a more accurate State cost determination.

The OLS also notes that this estimate is subject to two caveats. First, the OLS assumes that the receipt of supplemental workers' compensation benefits will not alter employee return dates to work. The collection of an employee's full net salary, however, may reduce the employee's incentive to return to work as soon as feasible. Second, the OLS assumes that the supplemental benefit payments will receive tax-exempt status under State and federal law. The cost estimate would be higher if State and federal law treated supplemental payments as taxable gross income.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- (1) extend the bill's provisions to Palisades Interstate Park officers, campus police officers appointed by a county college or four-year public institution of higher education, and medical security officers under the supervision of the Department of Human Services who suffer bodily injury as the result of an assault; and
- (2) clarify that civilian employees who teach inmates or detainees are included under the provisions of the bill.