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District 39 (Bergen and Passaic)
Assemblyman ANTHONY M. BUCCO
District 25 (Morris and Somerset)
Assemblyman ROBERT AUTH
District 39 (Bergen and Passaic)
Assemblyman JOE DANIELSEN
District 17 (Middlesex and Somerset)
Assemblyman JOHN DIMAIO
District 23 (Hunterdon, Somerset and Warren)

Co-Sponsored by:
Senators A.R.Bucco, Oroho, Madden, Assemblyman Space,
Assemblywomen Phoebus, N.Munoz, Assemblyman Johnson,
Assemblywoman Chaparro, Assemblymen Rible, Rooney and Wisniewski

SYNOPSIS
Provides that PERS or PFRS member who continues to be volunteer firefighter or emergency services worker after retirement with employer from whom member retired has bona fide severance for compliance with State and federal law.

CURRENT VERSION OF TEXT
As amended by the General Assembly on May 22, 2017.

(Sponsorship Updated As Of: 1/9/2018)
AN ACT concerning retirement from employment covered by the
Public Employees’ Retirement System and the Police and
Firemen’s Retirement System, and supplementing P.L.1954,
c.84 (C.43:15A-1 et seq.) and P.L.1944, c.255 (C.43:16A-1 et
seq.).

BE IT ENACTED by the Senate and General Assembly of the State
of New Jersey:

1. The retirement of a member of the Public Employees’
Retirement System, established pursuant to P.L.1954,
c.84 (C.43:15A-1 et seq.), who (1) on the date of retirement has
attained the service retirement age applicable to that member and is
a volunteer firefighter 1or first aid worker, rescue squad worker, or
emergency medical technician serving as a volunteer 4 with the same
employer from whose employment the member retires; and (2)
remains a volunteer firefighter 1or first aid worker, rescue squad
worker, or emergency medical technician serving as a volunteer 4
after the date of retirement, shall be a bona fide severance from
employment, notwithstanding that the retired employee maintains
the relationship of a volunteer firefighter 1or first aid worker, rescue
squad worker, or emergency medical technician serving as a
volunteer 4 with the same employer from whose employment the
member retired. This act shall be effective if the qualified status of
the retirement system under federal law can be maintained upon its
application, and such modifications to the system as may be
available shall be made to allow for its application.

2. Notwithstanding any other provisions of law to the contrary,
the provisions of this section shall not be construed to permit a paid
firefighter employed by a part-paid fire department to serve as a
volunteer with the department from which the paid firefighter
retired. 2

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2.
The retirement of a member of the Police and Firemen’s
Retirement System, established pursuant to P.L.1944,
c.255 (C.43:16A-1 et seq.), who (1) on the date of retirement has
attained the service retirement age applicable to that member and is
a volunteer firefighter 1or first aid worker, rescue squad worker, or
emergency medical technician serving as a volunteer 4 with the same
employer from whose employment the member retires; and (2)
remains a volunteer firefighter 1or first aid worker, rescue squad
worker, or emergency medical technician serving as a volunteer 4
after the date of retirement, shall be a bona fide severance from

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
1 Senate SSG committee amendments adopted June 9, 2016.
2 Assembly floor amendments adopted May 22, 2017.
employment, notwithstanding that the retired employee maintains
the relationship of a volunteer firefighter or first aid worker, rescue
squad worker, or emergency medical technician serving as a
volunteer with the same employer from whose employment the
member retired. This act shall be effective if the qualified status of
the retirement system under federal law can be maintained upon its
application, and such modifications to the system as may be
available shall be made to allow for its application.

2. Notwithstanding any other provisions of law to the contrary, the
provisions of this section shall not be construed to permit a paid
firefighter employed by a part-paid fire department to serve as a
volunteer with the department from which the paid firefighter
retired.

3. This act shall take effect immediately.