

[First Reprint]

ASSEMBLY, No. 4745

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED SEPTEMBER 24, 2020

Sponsored by:

Assemblyman JOHN ARMATO

District 2 (Atlantic)

Assemblywoman ANNETTE CHAPARRO

District 33 (Hudson)

Assemblyman JOE DANIELSEN

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District 25 (Morris and Somerset)

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Senator MICHAEL J. DOHERTY

District 23 (Hunterdon, Somerset and Warren)

Co-Sponsored by:

Assemblyman Dancer, Assemblywoman Swain, Assemblymen Scharfenberger, Freiman, Assemblywomen Murphy, Mosquera, McKnight and Senator Pou

SYNOPSIS

Raises from 45 to 57 maximum eligibility age for exempt fireman certificates and membership in New Jersey State Firemen's Association.

CURRENT VERSION OF TEXT

As reported by the Assembly Law and Public Safety Committee on December 7, 2020, with amendments.

(Sponsorship Updated As Of: 6/3/2021)

1 AN ACT concerning exempt fireman certificates and New Jersey
2 State Firemen's Association membership and amending
3 N.J.S.40A:14-56 and R.S.43:17-9.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. N.J.S.40A:14-56 is amended to read as follows:
9 40A:14-56. A member of the fire department and force of a
10 municipality shall be entitled to an exempt fireman certificate when
11 it appears that at the time of his appointment he was of good moral
12 character and was not under 18 or over **[45]** 57 years of age and
13 that he had performed ^{1;1} during a period of seven years, 60% of
14 fire duty ^{1;1} or after January 1, 2009, 50% of fire duty ^{1;} or after
15 January 1, 2020, a percentage rate as set by the executive committee
16 of the New Jersey State Exempt Firemen's Association¹, in each
17 year, respectively. Any member who otherwise would be eligible
18 for an exempt fireman certificate, but who, as the result of an injury
19 or injuries incurred out of or in the course of fire duty, is
20 permanently unable to fulfill the seven-year performance
21 requirement set forth in this section, shall be entitled to an exempt
22 fireman certificate if, at the time he incurred the injury or injuries,
23 the member had performed ^{1;1} during a period of five years, 60% of
24 fire duty ^{1;1} or after January 1, 2009, 50% of fire duty ^{1;} or after
25 January 1, 2020, the percentage rate as set by the executive
26 committee of the New Jersey State Exempt Firemen's Association¹,
27 in each year, respectively. In cases where the appointment was
28 made during the war years the age limit shall be extended 10 years.
29 Service in the United States Armed Forces during the war years
30 shall be considered as fire duty service.

31 Service in more than one municipal fire department, for separate
32 periods not concurrent, amounting in the aggregate to seven years,
33 shall be deemed equivalent to seven years' service in a single
34 municipal fire department and any fireman so serving shall be
35 entitled to an exempt fireman certificate from the department and
36 force in the municipality wherein he is serving at the time when he
37 becomes entitled to the certificate. The prior service shall be
38 certified by the chief executive officer of the municipality or
39 municipalities wherein the member served and attested by the
40 municipal clerk or clerks.
41 (cf: P.L.2014, c.64, s.2)

42
43 2. R.S.43:17-9 is amended to read as follows:
44 43:17-9. The membership of such corporation shall consist,
45 without any formal election thereto, of the officers and members of

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:

¹Assembly ALP committee amendments adopted December 7, 2020.

1 such fire engine, hook and ladder, hose and supply company or
2 companies, fire association or fire department, or board of
3 firewardens, as shall be under the supervision or control of the
4 governing board or body of the municipality or fire district and
5 who, at the time of their becoming eligible for membership in the
6 New Jersey State Firemen's Association, shall be not less than 18
7 years of age and who were not more than **[45]** 57 years of age at
8 the time of joining the ¹**[fire engine, hook and ladder, hose and**
9 **supply company or companies, fire association or fire department,**
10 **or board of firewardens]** New Jersey State Firemen's Association¹
11 and shall furnish evidence of good health in accordance with such
12 reasonable rules and regulations as the executive committee of the
13 New Jersey State Firemen's Association shall from time to time
14 establish; the officers and members of any nonprofit corporations
15 and associations incorporated pursuant to N.J.S.15A:1-1 et seq.; and
16 the officers and members of any association therein of exempt
17 firemen. The whole body of the membership of such corporation
18 shall have the same rights therein as the charter members thereof.
19 (cf: P.L.1998, c.90, s.1)

20

21 3. This act shall take effect immediately and be retroactive to
22 ¹**[February 22, 2020]** January 1, 2020¹ .