

ASSEMBLY, No. 4870

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED OCTOBER 22, 2020

Sponsored by:

Assemblyman JOHN CATALANO

District 10 (Ocean)

Assemblyman GREGORY P. MCGUCKIN

District 10 (Ocean)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Co-Sponsored by:

Assemblymen Space, Wirths, Benson, Calabrese, Stanley and Moen

SYNOPSIS

Allows shore municipalities to provide spouse and dependent children of veterans free or reduced cost access to beaches.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/3/2022)

1 AN ACT permitting shore municipalities to provide free or reduced
2 cost access to the spouse and dependent children of veterans and
3 amending P.L.1955, c.49.

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

7
8 1. Section 1 of P.L.1955, c.49 (C.40:61-22.20) is amended to
9 read as follows:

10 1. a. The governing body of any municipality bordering on the
11 Atlantic Ocean, tidal water bays or rivers which owns or shall
12 acquire, by any deed of dedication or otherwise, lands bordering on
13 the ocean, tidal water bays or rivers, or easement rights therein, for
14 a place of resort for public health and recreation and for other
15 public purposes shall have the exclusive control, government and
16 care thereof and of any boardwalk, bathing and recreational
17 facilities, safeguards and equipment, now or hereafter constructed
18 or provided thereon, and may, by ordinance, make and enforce rules
19 and regulations for the government and policing of such lands,
20 boardwalk, bathing facilities, safeguards and equipment; provided,
21 that such power of control, government, care and policing shall not
22 be construed in any manner to exclude or interfere with the
23 operation of any State law or authority with respect to such lands,
24 property and facilities. Any such municipality may, in order to
25 provide funds to improve, maintain and police the same and to
26 protect the same from erosion, encroachment and damage by sea or
27 otherwise, and to provide facilities and safeguards for public
28 bathing and recreation, including the employment of lifeguards, by
29 ordinance, make and enforce rules and regulations for the
30 government, use, maintenance and policing thereof and provide for
31 the charging and collecting of reasonable fees for the registration of
32 persons using said lands and bathing facilities, for access to the
33 beach and bathing and recreational grounds so provided and for the
34 use of the bathing and recreational facilities, but no such fees shall
35 be charged or collected from children under the age of 12 years.

36 b. A municipality may by ordinance provide that no fees, or
37 reduced fees, shall be charged to:

- 38 (1) persons 65 or more years of age;
39 (2) persons who meet the disability criteria for disability
40 benefits under Title II of the federal Social Security Act (42 U.S.C.
41 s.401 et seq.);
42 (3) persons in active military service in any of the Armed Forces
43 of the United States and to their spouse or dependent children over
44 the age of 12 years;

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.

1 (4) persons who are active members of the New Jersey National
2 Guard who have completed Initial Active Duty Training and to their
3 spouse or dependent children over the age of 12 years. As used in
4 this paragraph, "Initial Active Duty Training" means Basic Military
5 Training, for members of the New Jersey Air National Guard, and
6 Basic Combat Training and Advanced Individual Training, for
7 members of the New Jersey Army National Guard;

8 (5) persons who have served in any of the Armed Forces of the
9 United States and who were discharged or released therefrom under
10 conditions other than dishonorable and who either have served at
11 least 90 days in active duty or have been discharged or released
12 from active duty by reason of a service-incurred injury or disability,
13 and to their spouse or dependent children over the age of 12 years.

14 The Adjutant General of the New Jersey Department of Military
15 and Veterans' Affairs shall promulgate rules and regulations
16 pertaining to veteran eligibility under this paragraph; and

17 (6) persons holding a driver's license or identification card with
18 a Gold Star Family designation issued pursuant to section 1 of
19 P.L.2013, c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47
20 (C.39:3-29.3), respectively.

21 c. A municipality providing for no fees or reduced fees
22 pursuant to paragraph (3), (4), (5), or (6) of subsection b. of this
23 section shall track, in a manner deemed appropriate by the
24 governing body of the municipality, the number of persons who
25 qualify under the provisions of those paragraphs.

26 d. A person who qualifies for free access to beaches and
27 bathing and recreational grounds and free use of bathing and
28 recreational facilities pursuant to paragraph (3), (4), (5), or (6) of
29 subsection b. of this section may, in lieu of obtaining and presenting
30 a municipal beach tag or similar admission pass to gain such access
31 and use, present a DD-214, DD-215, or DD-256 form as issued by
32 the federal government, NGB-22 or other approved separation
33 forms as outlined by all branches of the Armed Forces, a county-
34 issued veteran identification card pursuant to P.L.2012, c.30
35 (40A:9-78.1 et seq.), a veteran identification card as issued by the
36 United States Department of Veterans Affairs under the "Veterans
37 Identification Card Act of 2015," (38 U.S.C. 5706,) or similar
38 document, or State driver's license or identification card indicating
39 that the holder is a veteran of the Armed Forces of the United States
40 or a Gold Star Family member.

41 e. A municipality that issues a permit to operate a motorized
42 vehicle on a beach shall not charge a disabled veteran a fee to
43 obtain, replace, or renew the permit.

44 For purposes of this section, "disabled veteran" means any
45 resident of the State who has been honorably discharged or released
46 under honorable circumstances from active service in any branch of
47 the Armed Forces of the United States and who has been declared

1 by the United States Department of Veterans Affairs, or its
2 successor, to have a service-connected disability of any degree.
3 (cf: P.L.2019, c.500, s.7)

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5 2. This act shall take effect immediately.

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STATEMENT

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10 This bill would permit shore municipalities, by ordinance, to
11 provide free or reduced fee beach access to the spouse and
12 dependent children, over the age of 12 years, of veterans who have
13 served in any of the Armed Forces of the United States and who
14 were discharged or released therefrom under conditions other than
15 dishonorable and who either served at least 90 days in active duty
16 or were discharged or released from active duty by reason of a
17 service-incurred injury or disability.

18 Current law permits municipalities, by ordinance, to provide free
19 or reduced fee beach access to the spouse or dependent children,
20 over the age of 12 years, of persons who are in active military
21 service in any of the Armed Forces of the United States or who are
22 active members of the New Jersey National Guard and who have
23 completed Initial Active Duty Training. This bill would authorize
24 municipalities to provide the same benefit to the spouse and
25 dependent children of qualifying veterans.