

[First Reprint]

**SENATE, No. 1454**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED FEBRUARY 13, 2020

**Sponsored by:**

**Senator JAMES W. HOLZAPFEL**

**District 10 (Ocean)**

**Senator CHRIS A. BROWN**

**District 2 (Atlantic)**

**Senator VIN GOPAL**

**District 11 (Monmouth)**

**Co-Sponsored by:**

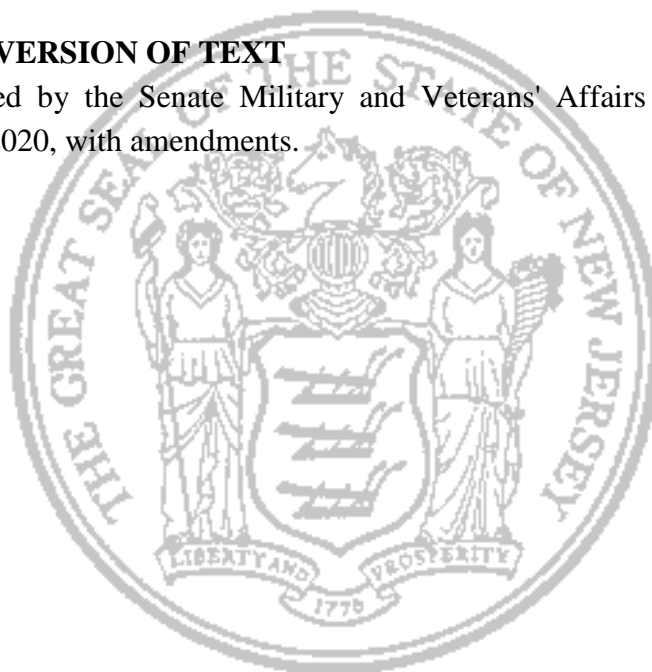
**Senators Connors, Cruz-Perez, A.M.Bucco and Testa**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

As reported by the Senate Military and Veterans' Affairs Committee on October 19, 2020, with amendments.



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

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 <sup>1</sup>**[**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SMV committee amendments adopted October 19, 2020.

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 valid military identification card, form DD-214  
32 or similar document, or State driver's license or identification card  
33 indicating that the holder is a veteran of the Armed Forces of the  
34 United States or a Gold Star Family member.

35 (cf: P.L.2017, c.175, s.8) **1**<sup>1</sup>

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45 care thereof and of any boardwalk, bathing and recreational  
46 facilities, safeguards and equipment, now or hereafter constructed  
47 or provided thereon, and may, by ordinance, make and enforce rules  
48 and regulations for the government and policing of such lands,

1 boardwalk, bathing facilities, safeguards and equipment; provided,  
2 that such power of control, government, care and policing shall not  
3 be construed in any manner to exclude or interfere with the  
4 operation of any State law or authority with respect to such lands,  
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15 use of the bathing and recreational facilities, but no such fees shall  
16 be charged or collected from children under the age of 12 years.

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

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20 (2) persons who meet the disability criteria for disability  
21 benefits under Title II of the federal Social Security Act (42 U.S.C.  
22 s.401 et seq.);

23 (3) persons in active military service in any of the Armed Forces  
24 of the United States and to their spouse or dependent children over  
25 the age of 12 years;

26 (4) persons who are active members of the New Jersey National  
27 Guard who have completed Initial Active Duty Training and to their  
28 spouse or dependent children over the age of 12 years. As used in  
29 this paragraph, "Initial Active Duty Training" means Basic Military  
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31 Basic Combat Training and Advanced Individual Training, for  
32 members of the New Jersey Army National Guard;

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34 United States and who were discharged or released therefrom under  
35 conditions other than dishonorable and who either have served at  
36 least 90 days in active duty or have been discharged or released  
37 from active duty by reason of a service-incurred injury or disability,  
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40 and Veterans' Affairs shall promulgate rules and regulations  
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42 (6) persons holding a driver's license or identification card with  
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5 recreational facilities pursuant to paragraph (3), (4), (5), or (6) of  
6 subsection b. of this section may, in lieu of obtaining and presenting  
7 a municipal beach tag or similar admission pass to gain such access  
8 and use, present a DD-214, DD-215, or DD-256 form as issued by  
9 the federal government, NGB-22 or other approved separation  
10 forms as outlined by all branches of the Armed Forces, a county-  
11 issued veteran identification card pursuant to P.L.2012, c.30  
12 (40A:9-78.1 et seq.), a veteran identification card as issued by the  
13 United States Department of Veterans Affairs under the "Veterans  
14 Identification Card Act of 2015," (38 U.S.C. 5706,) or similar  
15 document, or State driver's license or identification card indicating  
16 that the holder is a veteran of the Armed Forces of the United States  
17 or a Gold Star Family member.

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

21 For purposes of this section, "disabled veteran" means any  
22 resident of the State who has been honorably discharged or released  
23 under honorable circumstances from active service in any branch of  
24 the Armed Forces of the United States and who has been declared  
25 by the United States Department of Veterans Affairs, or its  
26 successor, to have a service-connected disability of any degree.<sup>1</sup>  
27 (cf: P.L.2019, c.500, s.7)

28

29 2. This act shall take effect immediately.