

**SENATE, No. 1634**

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

INTRODUCED FEBRUARY 13, 2020

**Sponsored by:**

**Senator MICHAEL J. DOHERTY**

**District 23 (Hunterdon, Somerset and Warren)**

**Senator GERALD CARDINALE**

**District 39 (Bergen and Passaic)**

**Co-Sponsored by:**

**Senators A.M.Bucco, Oroho and O'Scanlon**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 10/8/2020)**

S1634 DOHERTY, CARDINALE

2

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:

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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]** 60 years of age and  
13 that he had performed during a period of seven years, 60% of fire  
14 duty or after January 1, 2009, 50% of fire duty, in each year,  
15 respectively. Any member who otherwise would be eligible for an  
16 exempt fireman certificate, but who, as the result of an injury or  
17 injuries incurred out of or in the course of fire duty, is permanently  
18 unable to fulfill the seven-year performance requirement set forth in  
19 this section, shall be entitled to an exempt fireman certificate if, at  
20 the time he incurred the injury or injuries, the member had  
21 performed during a period of five years, 60% of fire duty or after  
22 January 1, 2009, 50% of fire duty, in each year, respectively. In  
23 cases where the appointment was made during the war years the age  
24 limit shall be extended 10 years. Service in the United States  
25 Armed Forces during the war years shall be considered as fire duty  
26 service.

27 Service in more than one municipal fire department, for separate  
28 periods not concurrent, amounting in the aggregate to seven years,  
29 shall be deemed equivalent to seven years' service in a single  
30 municipal fire department and any fireman so serving shall be  
31 entitled to an exempt fireman certificate from the department and  
32 force in the municipality wherein he is serving at the time when he  
33 becomes entitled to the certificate. The prior service shall be  
34 certified by the chief executive officer of the municipality or  
35 municipalities wherein the member served and attested by the  
36 municipal clerk or clerks.

37 (cf: P.L.2014, c.64, s.2)

38

39 2. R.S.43:17-9 is amended to read as follows:

40 43:17-9. The membership of such corporation shall consist,  
41 without any formal election thereto, of the officers and members of  
42 such fire engine, hook and ladder, hose and supply company or  
43 companies, fire association or fire department, or board of  
44 firewardens, as shall be under the supervision or control of the  
45 governing board or body of the municipality or fire district and

**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 who, at the time of their becoming eligible for membership in the  
2 New Jersey State Firemen's Association, shall be not less than 18  
3 years of age and who were not more than **[45]** 60 years of age at  
4 the time of joining the fire engine, hook and ladder, hose and supply  
5 company or companies, fire association or fire department, or board  
6 of firewardens and shall furnish evidence of good health in  
7 accordance with such reasonable rules and regulations as the  
8 executive committee of the New Jersey State Firemen's Association  
9 shall from time to time establish; the officers and members of any  
10 nonprofit corporations and associations incorporated pursuant to  
11 N.J.S.15A:1-1 et seq.; and the officers and members of any  
12 association therein of exempt firemen. The whole body of the  
13 membership of such corporation shall have the same rights therein  
14 as the charter members thereof.

15 (cf: P.L.1998, c.90, s.1)

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17 3. This act shall take effect immediately.

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#### STATEMENT

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22 Under current law, a firefighter is required to join the fire service  
23 between the ages of 18 and 45 in order to be eligible for an exempt  
24 fireman certificate. Exempt fireman certificates are issued to  
25 eligible firefighters who have responded to at least 60 percent of  
26 their department's fire duty calls over a seven-year period.

27 This bill would increase, from 45 to 60, the age by which a  
28 firefighter is required to join the fire service to establish eligibility  
29 for the New Jersey State Firemen's Association and for an exempt  
30 fireman certificate.