

**SENATE, No. 3114**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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INTRODUCED NOVEMBER 5, 2020

**Sponsored by:**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Senator PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**SYNOPSIS**

Allows members of PERS Prosecutors Part to establish purchased PERS credit in the Part at additional cost.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/1/2021)**

1 AN ACT concerning the establishment of purchased credit in the  
2 Prosecutors Part of the Public Employees' Retirement System of  
3 New Jersey and supplementing P.L.2001, c.366.

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

7  
8 1. a. A member of the Prosecutors Part of the Public  
9 Employees' Retirement System may establish credit in the  
10 Prosecutors Part for credit purchased pursuant to sections 8 and 14  
11 of P.L.1954, c.84 (C.43:15A-8 and 43:15A-14), section 2 of  
12 P.L.1963, c.19 (C.43:15A-73.1) and section 1 of P.L.1991, c.444  
13 (C.43:15A-73.4) except that the member shall pay the amount  
14 required by applying the factor, supplied by the actuary as being  
15 applicable to membership in the Prosecutors Part as well as to the  
16 member's age at the time of the purchase, to the member's salary at  
17 that time, or to the highest annual compensation for service in this  
18 State for which contributions shall have been made during any  
19 fiscal year of membership, whichever is highest.

20 b. A member of the Prosecutors Part may establish credit in the  
21 Prosecutors Part for credit previously purchased and established in  
22 the regular Public Employees' Retirement System by paying into the  
23 annuity savings fund the amount of the difference between the  
24 contribution that the member paid into the retirement system and  
25 the contribution that would have been required if the member had  
26 established the credit in the Prosecutors Part pursuant to subsection  
27 a. of this section.

28  
29 2. This act shall take effect immediately.

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## 32 STATEMENT

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34 This bill allows a member of the Prosecutors Part in the Public  
35 Employees' Retirement System (PERS) to purchase and establish  
36 credit in the Prosecutors Part in the same manner as credit may be  
37 purchased for the regular part of PERS, except that the amount paid  
38 by the member of the Prosecutors Part will be calculated to reflect  
39 the cost of the benefits of the Prosecutors Part.

40 Current law provides benefits to members of the Prosecutors Part  
41 in PERS superior to the benefits for regular PERS service credit and  
42 imposes a higher employee contribution rate. PERS members who  
43 were prosecutors on January 7, 2002, the effective date of P.L.2001,  
44 c.366 which established the Prosecutors Part, became members of  
45 the Prosecutors Part and regular PERS service credit established  
46 prior to January 7, 2002 was established in the Prosecutors Part  
47 without further assessment of cost to those prosecutors. Regular  
48 PERS credit purchased after January 7, 2002 by persons who

1 became members of the Prosecutors Part on January 7, 2002 may  
2 not be established in the Part. Regular PERS credit, purchased or  
3 established by other PERS-covered service, of persons who become  
4 members of the Prosecutors Part after January 7, 2002 may not be  
5 established in the Part, except regular PERS credit of a  
6 constitutionally nominated and appointed county prosecutor may be  
7 credited in the Part.

8 The bill allows a member of the Prosecutors Part to establish  
9 credit in the Prosecutors Part through the regular PERS purchase  
10 process except that the member will pay the amount required by  
11 applying the factor, supplied by the actuary as being applicable to  
12 membership in the Prosecutors Part as well as to the member's age  
13 at the time of the purchase, to the member's salary at that time, or to  
14 the highest annual compensation for service in this State for which  
15 contributions were made during any fiscal year of membership,  
16 whichever is highest. In addition, a member of the Prosecutors Part  
17 may establish credit in the Prosecutors Part for credit previously  
18 purchased and established in the regular Public Employees'  
19 Retirement System by paying into the annuity savings fund the  
20 amount of the difference between the contribution that the member  
21 paid into the retirement system and the contribution that would have  
22 been required if the member had made the purchase to establish  
23 credit in the Prosecutors Part.