

# SENATE, No. 3277

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED DECEMBER 14, 2020

**Sponsored by:**

**Senator ANTHONY M. BUCCO**

**District 25 (Morris and Somerset)**

**Senator TROY SINGLETON**

**District 7 (Burlington)**

**Senator MICHAEL J. DOHERTY**

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

**Co-Sponsored by:**

**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 introduced.



**(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: during a period of seven years, 60% of fire  
14 duty; or after January 1, 2009, 50% of fire duty; or after January 1,  
15 2020, a percentage rate as set by the executive committee of the  
16 New Jersey State Exempt Firemen's Association, in each year,  
17 respectively. Any member who otherwise would be eligible for an  
18 exempt fireman certificate, but who, as the result of an injury or  
19 injuries incurred out of or in the course of fire duty, is permanently  
20 unable to fulfill the seven-year performance requirement set forth in  
21 this section, shall be entitled to an exempt fireman certificate if, at  
22 the time he incurred the injury or injuries, the member had  
23 performed: during a period of five years, 60% of fire duty; or after  
24 January 1, 2009, 50% of fire duty; or after January 1, 2020, the  
25 percentage rate as set by the executive committee of the New Jersey  
26 State Exempt Firemen's Association, in each year, respectively. In  
27 cases where the appointment was made during the war years the age  
28 limit shall be extended 10 years. Service in the United States  
29 Armed Forces during the war years shall be considered as fire duty  
30 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.

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 **[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 Association  
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 January 1, 2020.

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#### STATEMENT

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27 This bill would increase, from 45 to 57, 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. In addition, the bill allows the New Jersey State  
31 Exempt Firemen's Association to determine the percentage of  
32 service necessary to issue an exempt fireman certificate.

33 Under current law, a firefighter is required to join the fire service  
34 between the ages of 18 and 45 in order to be eligible for an exempt  
35 fireman certificate. The amended bill increases the maximum age  
36 at which firefighters are eligible for an exempt certificate to 57  
37 years old.

38 Current law also provides that exempt fireman certificates are  
39 issued to eligible firefighters who have responded to at least 60  
40 percent of their department's fire duty calls over a seven-year  
41 period. The amended bill would allow the New Jersey State Exempt  
42 Firemen's Association to determine after January 1, 2020 the  
43 percentage of fire duty calls to which a firefighter is required to  
44 respond in order to receive an exempt fireman certificate.

45 The bill would take effect immediately and be retroactive to  
46 January 1, 2020.