

**SENATE, No. 3284**

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

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INTRODUCED DECEMBER 14, 2020

**Sponsored by:**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Senator DAWN MARIE ADDIEGO**

**District 8 (Atlantic, Burlington and Camden)**

**Co-Sponsored by:**

**Senators Diegnan, Cryan and Turner**

**SYNOPSIS**

Provides for accidental death benefit if death of TPAF member is caused by COVID-19.

**CURRENT VERSION OF TEXT**

As introduced.



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

1   **AN ACT** concerning an accidental death benefit in the Teachers'  
2       Pension and Annuity Fund and supplementing chapter 66 of Title  
3       18A of the New Jersey Statutes.

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

7  
8       1. For purposes of paragraph (1) of subsection a. of  
9       N.J.S.18A:66-46, a member whose death is attributable to COVID-  
10      19, complications therefrom, or the aggravation or acceleration of a  
11      preexisting condition caused thereby shall be deemed to have  
12      occurred as the result of an accident met in the actual performance  
13      of duty at some definite time and place if:

14      the member contracted COVID-19 during the public health  
15      emergency in the State declared by the Governor in Executive  
16      Order No. 103 of 2020 and as extended;

17      the member dies as a result of COVID-19; and

18      the member's regular or assigned duties required the member to  
19      interact, and the member so interacted, with the public, other  
20      employees, students, or parents, or to directly supervise other  
21      personnel so interacting with the public, other employees, students,  
22      or parents, on any date during the public health emergency in the  
23      State declared by the Governor in Executive Order No. 103 of 2020  
24      and as extended within 14 calendar days prior to the appearance of  
25      symptoms consistent with COVID-19 that shall have been  
26      confirmed in writing by a licensed health care provider.

27      The filing of an accident report with the Teachers' Pension and  
28      Annuity Fund shall not be required for an accidental death benefit  
29      allowed pursuant to this section.

30      If a member dies during the public health emergency in the State  
31      declared by the Governor in Executive Order No. 103 of 2020 and  
32      as extended and a beneficiary has received approvals pursuant to a  
33      provision other than this section or N.J.S.18A:66-46 prior to the  
34      effective date of this act, P.L.      , c.      (pending before the  
35      Legislature as this bill), the beneficiary may apply for a benefit  
36      pursuant to this section and, if approved, the prior approvals shall  
37      be rescinded and the benefit pursuant to approval under this section  
38      shall be made retroactive to the date of the rescinded initial  
39      approvals.

40      A person approved pursuant to this section to receive a benefit  
41      under N.J.S.18A:66-46 shall be entitled to receive health care  
42      benefits coverage for that person and any dependents through the  
43      School Employees' Health Benefits Program and the full cost of the  
44      premium or periodic charges for such coverage shall be paid by the  
45      State for five years following the date of enrollment in the program.

46      This section shall not apply to any member who retired and  
47      subsequently returned to employment pursuant to a provision of

1 law, or pursuant to Executive Order No. 115 of 2020, permitting a  
2 retired member to return to employment without reenrollment.

3  
4 2. This act shall take effect immediately and be retroactive to  
5 March 9, 2020.

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8 STATEMENT

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10 This bill provides for an accidental death benefit when a member  
11 of the Teachers' Pension and Annuity Fund dies as a result of  
12 COVID -19. Under this bill, a member whose death is attributable  
13 to COVID-19, complications therefrom, or the aggravation or  
14 acceleration of a preexisting condition caused thereby will be  
15 deemed to have occurred as the result of an accident met in the  
16 actual performance of duty at some definite time and place if:

17 the member contracted COVID-19 during the public health  
18 emergency in the State declared by the Governor in Executive  
19 Order No. 103 of 2020 and as extended;

20 the member dies as a result of COVID-19; and

21 the member's regular or assigned duties required the member to  
22 interact, and the member so interacted, with the public, other  
23 employee, students, or parents, or to directly supervise other  
24 personnel so interacting with the public, other employees, students  
25 or parents, on any date during the public health emergency in the  
26 State declared by the Governor in Executive Order No. 103 of 2020  
27 and as extended within 14 calendar days prior to the appearance of  
28 symptoms consistent with COVID-19 that shall have been  
29 confirmed in writing by a licensed health care provider.

30 If a member dies during the public health emergency in the State  
31 declared by the Governor in Executive Order No. 103 of 2020 and  
32 as extended and a beneficiary has received approvals for a benefit  
33 prior to the effective date of this bill, the beneficiary may apply for  
34 a benefit pursuant to this bill and, if approved, the prior approvals  
35 will be rescinded and the benefit pursuant to this bill will be made  
36 retroactive to the date of the rescinded initial approvals.

37 A person approved pursuant to this bill to receive an accidental  
38 death benefit will be entitled to receive health care benefits  
39 coverage for that person and any dependents through the School  
40 Employees' Health Benefits Program and the full cost of such  
41 coverage will be paid by the State for five years following the date  
42 of enrollment in the program.

43 This section will not apply to any member who retired and  
44 subsequently returned to employment pursuant to a provision of  
45 law, or pursuant to Executive Order No. 115 of 2020, permitting a  
46 retired member to return to employment without reenrollment.