

[First Reprint]

**SENATE, No. 3685**

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

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INTRODUCED APRIL 26, 2021

**Sponsored by:**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**Senator RICHARD J. CODEY**

**District 27 (Essex and Morris)**

**Co-Sponsored by:**

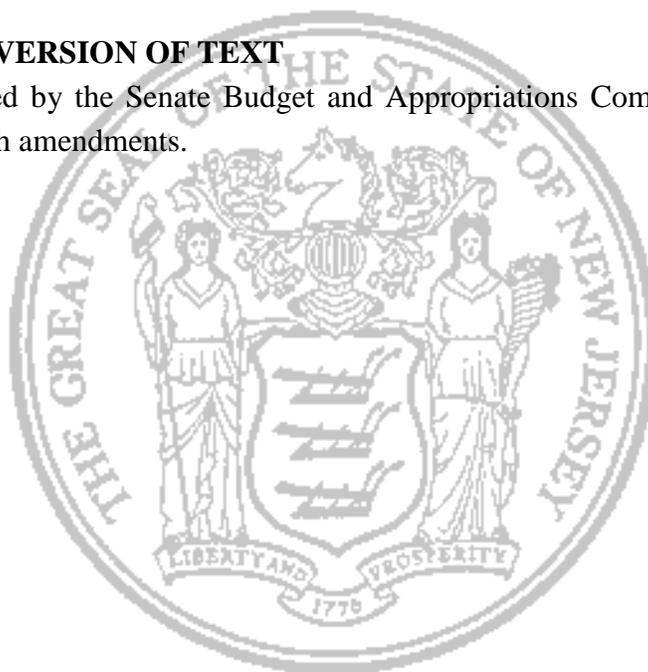
**Senators Diegnan, Pou, Gill and O'Scanlon**

**SYNOPSIS**

Permits teacher and professional staff member who provides special services retired from TPAF to return to employment for up to two years without reenrollment in TPAF if employment commences during state of emergency for COVID-19 pandemic.

**CURRENT VERSION OF TEXT**

As reported by the Senate Budget and Appropriations Committee on June 17, 2021, with amendments.



**(Sponsorship Updated As Of: 6/21/2021)**

1 AN ACT concerning a return to employment by a <sup>1</sup>**["school"]**<sup>1</sup>  
2 teacher <sup>1</sup>or a professional staff member who provides special  
3 services<sup>1</sup> during the <sup>1</sup>**["public health emergency and"]**<sup>1</sup> state of  
4 emergency for the COVID-19 pandemic after retirement from the  
5 Teachers' Pension and Annuity Fund.

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

9  
10 1. Notwithstanding the provisions of N.J.S.18A:66-53.2 to the  
11 contrary, the cancellation, reenrollment, and additional retirement  
12 allowance provisions of subsection a. of N.J.S.18A:66-53.2 shall not  
13 apply to a former member of the Teachers' Pension and Annuity Fund  
14 who is a <sup>1</sup>**["certificated"]**<sup>1</sup> teacher <sup>1</sup>or who is a professional staff  
15 member providing special services, including but not limited to a  
16 speech language specialist or a therapist,<sup>1</sup> and who, after having been  
17 granted a retirement allowance, becomes employed by a board of  
18 education in a position of critical need as determined by the State  
19 Commissioner of Education on a contractual basis for a term of not  
20 more than one year; except that the cancellation, reenrollment, and  
21 additional retirement allowance provisions shall apply if the former  
22 member becomes employed within 180 days with the employer from  
23 which the member retired. Nothing herein shall preclude a former  
24 member so reemployed with a board of education from renewing a  
25 contract for one additional year; provided that the total period of  
26 employment with any individual board of education does not exceed a  
27 two-year period, unless so approved by the Commissioner of  
28 Education as being in the best interests of the school district; and  
29 provided that no such renewal shall provide the former member an  
30 election regarding whether or not to be reenrolled.

31 The former member's retirement shall have been a bona fide  
32 retirement and any employment or reemployment under this section  
33 shall not be prearranged before retirement.

34 This section shall apply only with regard to a <sup>1</sup>**["certificated"]**<sup>1</sup>  
35 teacher <sup>1</sup>or a professional staff member who provides special services<sup>1</sup>  
36 whose reemployment with any board of election commences during  
37 the <sup>1</sup>**["public health emergency and"]**<sup>1</sup> state of emergency declared by  
38 the Governor <sup>1</sup>**["in Executive Order No. 103"]**<sup>1</sup> for the COVID-19  
39 pandemic <sup>1</sup>**["and during any extensions of that public health emergency**  
40 **and state of emergency"]**<sup>1</sup>.

41  
42 2. This act shall take effect immediately.

**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 SBA committee amendments adopted June 17, 2021.