

[First Reprint]

SENATE, No. 3685

STATE OF NEW JERSEY
219th LEGISLATURE

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:

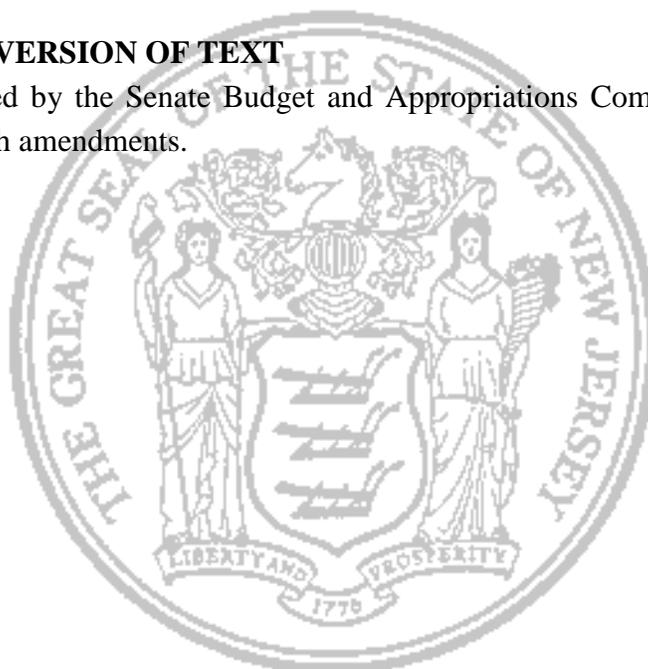
Senators Diegnan, Pou, Gill and O'Scanlon

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 ¹**["school"]**¹
2 teacher ¹or a professional staff member who provides special
3 services¹ during the ¹**["public health emergency and"]**¹ 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 ¹**["certificated"]**¹ teacher ¹or who is a professional staff
15 member providing special services, including but not limited to a
16 speech language specialist or a therapist,¹ 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 ¹**["certificated"]**¹
35 teacher ¹or a professional staff member who provides special services¹
36 whose reemployment with any board of election commences during
37 the ¹**["public health emergency and"]**¹ state of emergency declared by
38 the Governor ¹**["in Executive Order No. 103"]**¹ for the COVID-19
39 pandemic ¹**["and during any extensions of that public health emergency**
40 **and state of emergency"]**¹.

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:

¹Senate SBA committee amendments adopted June 17, 2021.