

ASSEMBLY, No. 873

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman BLEE

1 AN ACT concerning accidental death benefits for survivors of certain
2 police officers and amending P.L.1954, c.84.

3

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

6

7 1. Section 49 of P.L.1954, c.84 (C.43:15A-49) is amended to read
8 as follows:

9 49. a. Upon the death of a member in active service as a result of
10 an accident met in the actual performance of duty at some definite time
11 and place and not as the result of his willful negligence, an accidental
12 death benefit shall be payable, if a report of the accident is filed in the
13 office of the retirement system within 60 days next following the
14 accident, but the board of trustees may waive such time limit, for a
15 reasonable period, if in the judgment of the board the circumstances
16 warrant such action.

17 No such application shall be valid or acted upon unless it is filed in
18 the office of the retirement system within five years of the date of such
19 death.

20 b. Upon the receipt of proper proofs of the death of a member on
21 account of which an accidental death benefit is payable, there shall be
22 paid to his widow or widower a pension of 50% of the compensation,
23 upon which contributions by the member to the annuity savings fund
24 were based in the last year of creditable service, for the use of herself
25 or himself and the children of the deceased member, to continue during
26 her or his widowhood; if there is no surviving widow or widower or
27 in case the widow or widower dies or remarries, 20% of such
28 compensation will be payable to one surviving child, 35% of such
29 compensation to two surviving children in equal shares and if there be
30 three or more children, 50% of such compensation will be payable to
31 such children in equal shares. If there is no surviving widow, widower
32 or child, 25% of the compensation upon which contributions by the

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 member to the annuity savings fund were based in the last year of
2 creditable service, will be payable to one surviving parent or 40% of
3 such compensation will be payable to two surviving parents in equal
4 shares. In the event of accidental death occurring in the first year of
5 creditable service, the benefits payable pursuant to this subsection shall
6 be computed at the annual rate of compensation.

7 c. If there is no surviving widow, widower, child or parent, there
8 shall be paid to any other beneficiary of the deceased member his
9 accumulated deductions at the time of death.

10 d. In no case shall the death benefit provided in subsection b. be
11 less than that provided under subsection c.

12 e. In addition to the foregoing benefits payable under subsection b.
13 or c., there shall also be paid in one sum to such member's beneficiary
14 an amount equal to one and one-half times the compensation upon
15 which contributions by the member to the annuity savings fund were
16 based in the last year of creditable service.

17 f. In addition to the foregoing benefits, the State shall pay to the
18 employer-sponsored health insurance program of a member who meets
19 the definition of policeman, as set forth in section 1 of P.L.1944, c.255
20 (C.43:16A-1), all health insurance premiums for the coverage of the
21 member's surviving widow, widower or children.

22 (cf: P.L.1987, c.1, s.2)

23

24 2. This act shall take effect immediately and shall apply to the
25 payment of health insurance premiums of the surviving widow,
26 widower or children of any member who meets the definition of
27 policeman, as set forth in section 1 of P.L.1944, c.255 (C.43:16A-1),
28 on whose behalf an accidental death benefit is payable pursuant to
29 section 49 of P.L.1954, c.84 (C.43:15A-49).

30

31

32

STATEMENT

33

34 This bill enhances the benefits payable to the survivors of certain
35 members of the Public Employees' Retirement System (PERS) who die
36 as the result of a service-connected accident.

37 Under present law, the accidental death benefit payable under PERS
38 consists of (1) a pension payable to the deceased member's surviving
39 spouse, child(ren), or parent(s), and (2) a lump sum payment to the
40 member's beneficiary in an amount equal to one and one-half times the
41 member's compensation in the last year of creditable service.

42 Under the bill, in addition to these benefits, the accidental death
43 benefit applicable to a PERS member who meets the definition of
44 "policeman" under the statute governing the Police and Firemen's
45 Retirement System (PFRS) is to include payment by the State to the
46 member's employer-sponsored health insurance program of all health

1 insurance premiums for coverage of the member's surviving widow,
2 widower or children.

3

4

5

6

7 Provides that the State shall pay health insurance premiums for
8 survivors of certain police officers in PERS.