

ASSEMBLY, No. 2492

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 7, 1996

By Assemblyman AUGUSTINE

1 AN ACT concerning the retirement of certain members of the Police  
2 and Firemen's Retirement System of New Jersey and amending  
3 P.L.1944, c.255.

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

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8 1. Section 5 of P.L.1944, c.255 (C.43:16A-5) is amended to read  
9 as follows:

10 5. (1) (a) Any member in service who has attained age 55 years  
11 may retire on a service retirement allowance upon filing a written and  
12 duly executed application to the retirement system, setting forth at  
13 what time, not less than 1 month subsequent to the filing thereof, he  
14 desires to be retired.

15 (b) Any member in service who attains age 65 years shall be retired  
16 on a service retirement allowance forthwith on the first day of the next  
17 calendar month.

18 Notwithstanding the foregoing provisions of this paragraph, an  
19 employer other than the State may authorize each member in service  
20 with that employer who shall have rendered active military service in  
21 the Armed Forces of the United States to continue employment with  
22 the employer and enrollment in the retirement system for a period of  
23 time following attainment of 65 years of age that shall not exceed the  
24 lesser of five years or the period of time spent in such active military  
25 service. Such authorization shall become effective upon adoption by  
26 the governing body of the employer of an appropriate ordinance or  
27 resolution, as the case may be, and the filing of a certified copy of that  
28 ordinance or resolution with the board of trustees of the retirement  
29 system, and upon such filing, the ordinance or resolution shall be  
30 irrevocable.

31 (2) Upon retirement for service a member shall receive a service  
32 retirement allowance which shall consist of:

33 (a) An annuity which shall be the actuarial equivalent of his  
34 aggregate contributions and

**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 (b) A pension in the amount which, when added to the member's  
2 annuity, will provide a total retirement allowance of one-sixtieth of his  
3 average final compensation multiplied by the number of years of his  
4 creditable service, or 2% of his average final compensation multiplied  
5 by the number of years of his creditable service up to 30 plus 1% of  
6 his average final compensation multiplied by the number of years of  
7 creditable service over 30, whichever is greater.

8 (3) Upon the receipt of proper proofs of the death of a member  
9 who has retired on a service retirement allowance, there shall be paid  
10 to his beneficiary an amount equal to one-half of the compensation  
11 upon which contributions by the member to the annuity savings fund  
12 were based in the last year of creditable service.

13 (cf: P.L.1973, c.109, s.1)

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15 2. This act shall take effect immediately.

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18 STATEMENT

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20 This bill permits a local government employer of public safety  
21 officers covered by the Police and Firemen's Retirement System  
22 (PFRS) to continue certain of those officers in service with the  
23 employer past the regular PFRS mandatory retirement age of 65.

24 Under the bill, an employer other than the State could authorize  
25 those of its PFRS-covered employees who rendered active military  
26 service in the Armed Forces of the United States to continue  
27 employment with the employer and enrollment in the PFRS past age  
28 65 for a period of time not to exceed the lesser of five years or the  
29 length of time spent in active military service. The authorization  
30 would take effect upon adoption by the governing body of the  
31 employer of an appropriate ordinance or resolution and the filing of a  
32 certified copy of that ordinance or resolution with the PFRS board of  
33 trustees. Once the ordinance or resolution was filed, the authorization  
34 would be irrevocable.

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40 Permits service in PFRS-covered employment beyond age 65 in certain  
cases.