

SENATE, No. 2320

STATE OF NEW JERSEY

INTRODUCED DECEMBER 11, 1997

By Senator SCHLUTER

1 AN ACT providing for payment by the Police and Firemen's Retirement
2 System of New Jersey of a survivor's pension in certain cases.

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

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7 1. If a member of the Police and Firemen's Retirement System was
8 employed by a township having a population of at least 45,000 and not
9 greater than 50,000, according to the federal decennial census most
10 recently preceding the effective date of this act, that is located in a
11 county of the first class having a population of at least 700,000 and
12 not greater than 800,000 according to that census, retired in 1971 with
13 at least 16 years of creditable service on a disability retirement
14 allowance, was legally separated from the member's first spouse for a
15 period of at least 25 years prior to divorce from that spouse, and
16 married the person to whom the member died espoused within 15
17 months of the date of that divorce, then notwithstanding the provisions
18 to the contrary of P.L.1944, c.255 (C.43:16A-1 et seq.) or any other
19 law concerning the minimum period of time that a surviving spouse is
20 required to have been married to a member of the retirement system
21 prior to the member's death in order to qualify for a benefit under the
22 retirement system, upon application by the surviving spouse of the
23 member to the board of trustees of the retirement system on or before
24 the 180th day following the effective date of this act, the board of
25 trustees is authorized and directed to pay to that surviving spouse the
26 pension prescribed under subsection a. of section 26 of P.L.1967,
27 c.250 (C.43:16A-12.1), beginning on the first day of the second
28 calendar month following receipt of the application by the board and
29 for so long as the surviving spouse continues to be qualified therefor,
30 together with any adjustments to that retirement allowance, computed
31 from the first day of that second calendar month, for which the
32 surviving spouse would be eligible under that computation pursuant to
33 the provisions of the "Pension Adjustment Act", P.L.1958, c.143
34 (C.43:3B-1 et seq.).

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36 2. This act shall take effect immediately.

STATEMENT

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This bill provides that, if a member of the Police and Firemen's Retirement System (PFRS) was employed by a township having a population of at least 45,000 and not greater than 50,000, according to the federal decennial census most recently preceding the effective date of the legislation, that is located in a county of the first class having a population of at least 700,000 and not greater than 800,000 according to that census, retired in 1971 with at least 16 years of creditable service on a disability retirement allowance, was legally separated from the member's first spouse for a period of at least 25 years prior to divorce from that spouse, and married the person to whom the member died espoused within 15 months of the date of that divorce, then notwithstanding the provisions to the contrary of the statute governing the PFRS or any other law concerning the minimum period of time that a surviving spouse is required to have been married to a member of the retirement system prior to the member's death in order to qualify for a benefit under PFRS, upon application by the surviving spouse of the member to the PFRS board of trustees within 180 days following the effective date of the legislation, the board of trustees is authorized and directed to pay to that surviving spouse the pension prescribed under subsection a. of section 26 of P.L.1967, c.250 (C.43:16A-12.1), beginning on the first day of the second calendar month following receipt of the application by the board and for so long as the surviving spouse continues to be qualified therefor, together with any adjustments to that retirement allowance, computed from the first day of that second calendar month, for which the surviving spouse would be eligible under that computation pursuant to the provisions of the "Pension Adjustment Act", P.L.1958, c.143 (C.43:3B-1 et seq.).

Provides for payment of PFRS widow's pension in certain cases.