

SENATE STATE GOVERNMENT, WAGERING, TOURISM &
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 4544

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2020

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably and with committee amendments Assembly Bill No. 4544 (1R).

As amended by the committee, this bill would permit a certified school nurse who retired from the Teachers' Pension and Annuity Fund (TPAF) to return to work full time as a certified school nurse with a board of education without being reenrolled in the TPAF if reemployment commences during the period of the public health emergency and state of emergency declared due to the COVID-19 pandemic. If the retired school nurse returns to work with the former employer, it must occur more than 60 days after the retirement. This bill will permit the school nurse to receive the TPAF retirement allowance as well as a salary. The bill permits the return to work under a contract for one year, which may be renewed only for one additional year. The total period of reemployment with any individual board of education must not exceed a two-year period, unless so approved by the Commissioner of Education as being in the best interests of the school district. Under the bill, the former member's retirement must have been a bona fide retirement and any employment or reemployment under the bill must not be prearranged before retirement.

Current law has a substantially similar provision to permit certain TPAF retirees to return to work with a board of education in a TPAF position as a certificated superintendent or certificated administrator for a limited period of time, without reenrollment in the TPAF.

There may be additional requirements that would have to be met in certain circumstances for a return to work in order to comply with the laws and regulations of the federal Internal Revenue Code.

As amended, Assembly Bill No. 4544 (2R) is identical to Senate Bill No. 3150 (1R) of 2020-2021.

COMMITTEE AMENDMENTS

The committee amended the bill to clarify that the former member's retirement must have been a bona fide retirement and that any employment or reemployment under the bill must not be prearranged before retirement.