

ASSEMBLY STATE AND LOCAL GOVERNMENT  
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5346

**STATE OF NEW JERSEY**

DATED: MAY 12, 2021

The Assembly State and Local Government Committee reports favorably Assembly Bill No. 5346.

This bill allows a member of the Prosecutors Part in the Public Employees' Retirement System (PERS) to purchase and establish credit in the Prosecutors Part in the same manner as credit may be purchased for the regular part of PERS, except that the amount paid by the member of the Prosecutors Part will be calculated to reflect the cost of the benefits of the Prosecutors Part.

Current law provides benefits to members of the Prosecutors Part in PERS superior to the benefits for regular PERS service credit and imposes a higher employee contribution rate. PERS members who were prosecutors on January 7, 2002, the effective date of P.L.2001, c.366 which established the Prosecutors Part, became members of the Prosecutors Part and regular PERS service credit established prior to January 7, 2002 was established in the Prosecutors Part without further assessment of cost to those prosecutors. Regular PERS credit purchased after January 7, 2002 by persons who became members of the Prosecutors Part on January 7, 2002 may not be established in the Part. Regular PERS credit, purchased or established by other PERS-covered service, of persons who become members of the Prosecutors Part after January 7, 2002 may not be established in the Part, except regular PERS credit of a constitutionally nominated and appointed county prosecutor may be credited in the Part.

The bill allows a member of the Prosecutors Part to establish credit in the Prosecutors Part through the regular PERS purchase process except that the member will pay the amount required by applying the factor, supplied by the actuary as being applicable to membership in the Prosecutors Part as well as to the member's age at the time of the purchase, to the member's salary at that time, or to the highest annual compensation for service in this State for which contributions were made during any fiscal year of membership, whichever is highest. In addition, a member of the Prosecutors Part may establish credit in the Prosecutors Part for credit previously purchased and established in the regular Public Employees' Retirement System by paying into the annuity savings fund the amount of the difference between the contribution that the member paid into the retirement system and the contribution that would have been required if the member had made the purchase to establish credit in the Prosecutors Part.