

ASSEMBLY, No. 5425

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 8, 2021

Sponsored by:

Assemblyman BRIAN BERGEN

District 25 (Morris and Somerset)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Co-Sponsored by:

**Assemblymen Thomson, DePhillips, Simonsen, McClellan, DiMaio,
Scharfenberger and S.Kean**

SYNOPSIS

Increases from \$750 to \$3,000 annual State payment made to certain veterans and their surviving spouses.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/15/2021)

1 AN ACT concerning the annual State payment made to certain
2 veterans and their surviving spouses and amending various parts
3 of the statutory law.

4

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

7

8 1. R.S.38:18-2 is amended to read as follows:

9 38:18-2. A soldier, who has sustained a total loss of sight as a
10 result of his service during any of the wars mentioned in **section 1**
11 of this chapter **R.S.38:18-1**, shall be paid for the term of his life, and
12 upon his death his surviving spouse shall be paid, provided that the
13 soldier or surviving spouse shall continue as a resident of this State,
14 the sum of \$750.00 annually, in monthly payments, and this sum shall
15 increase to \$3,000.00 annually, in monthly payments, commencing
16 January 1 next following the effective date of P.L. , c. (pending
17 before the Legislature as this bill). Such payments shall be due and
18 payable from the date of discharge or release of the soldier if
19 application therefor shall be made within one year from the date of
20 such discharge or release. If the application shall be made one year
21 from the date of discharge or release of the soldier such payments
22 shall be due and payable from the date of such application. Accrued
23 payments to the date of certification shall be paid in one lump sum.
24 (cf: P.L.1985, c.116, s.1)

25

26 2. R.S.38:18-3 is amended to read as follows:

27 38:18-3. Evidence of the service and disability mentioned in
28 **[this chapter] R.S.38:18-1** shall be furnished to the Department of
29 **[Economic Development] Military and Veterans Affairs**, which shall
30 examine the same and upon being satisfied that the service was
31 performed and the soldier has been rendered totally blind as a result
32 thereof, shall so certify to the **[State Comptroller] Director of the**
33 Division of Budget and Accounting in the Department of the
34 Treasury who shall, upon receipt thereof, draw his warrant on the
35 State Treasurer in favor of the applicant in a bulk sum for any accrued
36 payments and in the sum of \$750.00 annually, and this sum shall
37 increase to \$3,000.00 annually commencing January 1 next following
38 the effective date of P.L. , c. (pending before the Legislature as
39 this bill), which the State Treasurer shall pay out of the money
40 appropriated therefor by the Legislature.
41 (cf: P.L.1971, c.329, s.2)

42

43 3. Section 2 of P.L.1947, c.263 (C.38:18A-2) is amended to read
44 as follows:

45 2. A veteran who served in the active military or naval forces of
46 the United States and who has paraplegia and permanent paralysis of

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

Matter underlined thus is new matter.

1 both legs and lower parts of the body, or who has osteochondritis and
2 permanent loss of the use of both legs, or who has hemiplegia and
3 permanent paralysis of one leg and one arm or either side of the body,
4 resulting from injury to the spinal cord, skeletal structure, or brain,
5 or who has had both hands, both feet, or one hand and one foot
6 amputated, or who has lost the use of both feet or both legs, due to
7 multiple sclerosis, sustained through enemy action, or accident, or
8 resulting from disease contracted while in active military or naval
9 service, shall be paid for the term of the veteran's life, and upon the
10 veteran's death the surviving spouse, domestic partner, or partner in
11 civil union shall be paid, the sum of \$750 annually in monthly
12 payments, and this sum shall increase to \$3,000.00 annually, in
13 monthly payments, commencing January 1 next following the
14 effective date of P.L. , c. (pending before the Legislature as this
15 bill). Such payments shall be due and payable from the date of
16 discharge or release of the veteran if application therefor shall be
17 made within one year from the date of such discharge or release. If
18 the application shall be made after one year from the date of
19 discharge or release of the veteran, such payment shall be due and
20 payable from the date of such application. Accrued payments to the
21 date of certification shall be paid in one lump sum.

22 Nothing in P.L.1947, c.263 (C.38:18A-1 et seq.) shall be intended
23 to include paraplegia or hemiplegia resulting from locomotor ataxia
24 or other forms of syphilis of the central nervous system or from
25 chronic alcohol use disorder, or to include other forms of disease
26 resulting from the veteran's own misconduct which may produce
27 signs and symptoms similar to those resulting from paraplegia,
28 osteochondritis, hemiplegia, or multiple sclerosis.
29 (cf: P.L.2017, c.131, s.146)

30
31 4. Section 3 of P.L.1947, c.263 (C.38:18A-3) is amended to read
32 as follows:

33 3. Evidence of the service and disability mentioned in this act,
34 P.L.1947, c.263 (C.38:18A-1 et seq.), shall be furnished to the
35 **【Division of Veterans' Services of the】** Department of **【Human**
36 **Services】** Military and Veterans Affairs, which shall examine the
37 same and upon being satisfied that the service was performed and the
38 veteran has been rendered permanently paralyzed or has permanently
39 lost the use of both legs, or has suffered amputation, as defined in
40 section 2 of this act, shall so certify to the Director of the Division of
41 Budget and Accounting in the Department of the Treasury, who shall,
42 upon receipt thereof, draw his warrant on the State Treasurer in favor
43 of the applicant in the sum of \$750.00 annually, and this annual sum
44 shall increase to \$3,000.00 commencing January 1 next following the
45 effective date of P.L. , c. (pending before the Legislature as this
46 bill), which the State Treasurer shall pay out of the money
47 appropriated therefor by the Legislature.

48 (cf: P.L.1981, c.424, s.3)

1 5. This act shall take effect immediately.

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STATEMENT

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6 This bill increases the annual payment made by the State to a
7 veteran with certain specified service-connected injuries and the
8 surviving spouse of that veteran. The payment will increase from
9 \$750 to \$3,000 annually.

10 The amount is paid to a veteran who has sustained a total loss of
11 sight, or who has paraplegia and permanent paralysis of both legs and
12 lower parts of the body, or who has osteochondritis and permanent
13 loss of the use of both legs, or who has hemiplegia and permanent
14 paralysis of one leg and one arm or either side of the body, resulting
15 from injury to the spinal cord, skeletal structure, or brain, or who has
16 had hands or feet amputated, or who has lost the use of both feet or
17 both legs, due to multiple sclerosis, sustained through enemy action,
18 or accident, or resulting from disease contracted while in active
19 military service. The surviving spouse of the veteran continues to
20 receive the payment.

21 There are currently 207 persons receiving the benefit.