

# SENATE, No. 3150

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED NOVEMBER 5, 2020

**Sponsored by:**

**Senator NELLIE POU**

**District 35 (Bergen and Passaic)**

### **SYNOPSIS**

Permits school nurse who is retired from TPAF to return to employment during public health emergency and state of emergency for COVID-19 pandemic, for up to two years without reenrollment in TPAF.

### **CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning a return to employment by a school nurse  
2 during the public health emergency and state of emergency for  
3 the COVID-19 pandemic after retirement from the Teachers'  
4 Pension and Annuity Fund.

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

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9 1. Notwithstanding the provisions of N.J.S.18A:66-53.2 to the  
10 contrary, the cancellation, reenrollment, and additional retirement  
11 allowance provisions of subsection a. of N.J.S.18A:66-53.2 shall not  
12 apply to a former member of the Teachers' Pension and Annuity Fund  
13 who is a certified school nurse and who, after having been granted a  
14 retirement allowance, becomes employed by a board of education as a  
15 certified school nurse on a contractual basis for a term of not more  
16 than one year; except that the cancellation, reenrollment, and  
17 additional retirement allowance provisions shall apply if the former  
18 member becomes employed as a certified school nurse within 60 days  
19 of retirement with the employer from which the member retired.  
20 Nothing herein shall preclude a former member so reemployed with a  
21 board of education from renewing a contract for one additional year;  
22 provided that the total period of employment with any individual board  
23 of education does not exceed a two-year period, unless so approved by  
24 the Commissioner of Education as being in the best interests of the  
25 school district; and provided that no such renewal shall provide the  
26 former member an election regarding whether or not to be reenrolled.

27 This section shall apply only with regard to a certified school nurse  
28 whose reemployment with any board of education commences during  
29 the public health emergency and state of emergency declared by the  
30 Governor in Executive Order No. 103 for the COVID-19 pandemic  
31 and during any extensions of that public health emergency and state of  
32 emergency.

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34 2. This act shall take effect immediately.

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#### STATEMENT

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39 This bill would permit a certified school nurse who retired from  
40 the Teachers' Pension and Annuity Fund (TPAF) to return to work  
41 full time as a certified school nurse with a board of education  
42 without being reenrolled in the TPAF if reemployment commences  
43 during the period of the public health emergency and state of  
44 emergency declared due to the COVID-19 pandemic. If the retired  
45 school nurse returns to work with the former employer, it must  
46 occur more than 60 days after the retirement. This bill will permit  
47 the school nurse to receive the TPAF retirement allowance as well  
48 as a salary. The bill permits the return to work under a contract for

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1 one year, which may be renewed only for one additional year. The  
2 total period of reemployment with any individual board of  
3 education is not exceed a two-year period, unless so approved by  
4 the Commissioner of Education as being in the best interests of the  
5 school district.

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

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