

[First Reprint]

SENATE, No. 3780

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MAY 13, 2021

Sponsored by:

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

Senator PAUL A. SARLO

District 36 (Bergen and Passaic)

Assemblyman VINCENT MAZZEO

District 2 (Atlantic)

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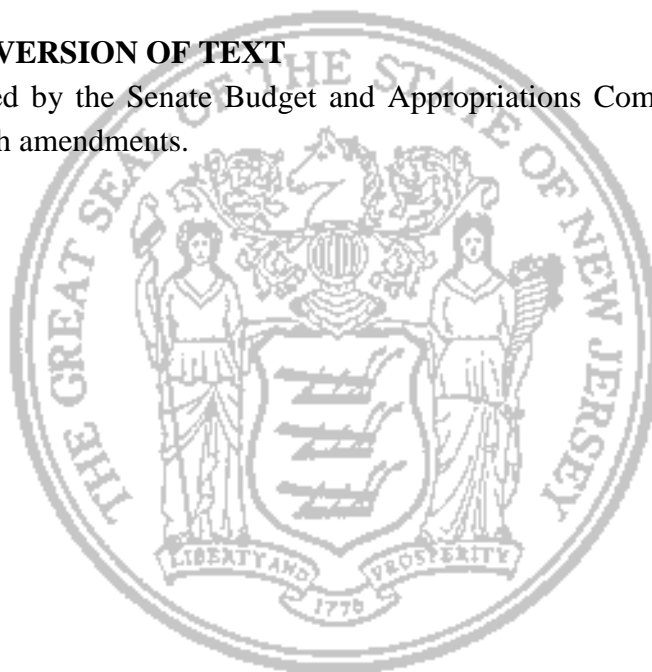
**Senators Gopal, Sacco, Assemblyman Caputo, Assemblywoman Murphy
and Assemblyman Giblin**

SYNOPSIS

Permits prosecutors to enroll in Prosecutors Part of PERS.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on June 17, 2021, with amendments.



(Sponsorship Updated As Of: 6/24/2021)

1 AN ACT concerning enrollment in the Prosecutors Part of the Public
 2 Employees' Retirement System and amending P.L.2001, c.366.

3
 4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
 5 *of New Jersey:*

6
 7 1. Section 2 of P.L.2001, c.366 (C.43:15A-156) is amended to
 8 read as follows:

9 2. a. Notwithstanding the provisions of any other law,
 10 prosecutors shall be members of the Prosecutors Part, established
 11 pursuant to P.L.2001, c.366 (C.43:15A-155 et seq.), of the Public
 12 Employees' Retirement System, established pursuant to P.L.1954,
 13 c.84 (C.43:15A-1 et seq.), **if enrolled in the part prior to the**
 14 **effective date of P.L.2010, c.1,** and shall be subject to the same
 15 membership and benefit provisions as State employees, except as
 16 provided by P.L.2001, c.366. Membership in the retirement system
 17 shall be a condition of employment for service as a prosecutor **for**
 18 **a prosecutor enrolled in the part prior to the effective date of**
 19 **P.L.2010, c.1**. Any service credit which has been established in
 20 the Public Employees' Retirement System **'by a prosecutor'** prior
 21 to the effective date of this act, P.L. , c. (pending before the
 22 Legislature as this bill), shall be established in the Prosecutors Part
 23 without further assessment of cost to the prosecutor; provided,
 24 however, any service credit which has been established in the
 25 Public Employees' Retirement System 'and the Judicial Retirement
 26 System not deferred pursuant to section 1 of P.L.2019, c.287
 27 (C.43:6A-11.1)' by a member of the retirement system in any
 28 position prior to service as a county prosecutor, nominated and
 29 appointed pursuant to Article VII, Section II, paragraph 1 of the
 30 New Jersey Constitution, shall be established in the Prosecutors
 31 Part without further assessment of cost to the prosecutor. ¹Any
 32 county prosecutor or acting county prosecutor enrolled in the
 33 Defined Contribution Retirement Program as a county prosecutor or
 34 acting county prosecutor shall be eligible for service credit in the
 35 Prosecutors Part, except that the county prosecutor or acting county
 36 prosecutor shall first pay the amount equivalent to that amount
 37 contributed pursuant to section 3 of P.L.2007, c.92 (C.43:15C-3)
 38 during each fiscal year of membership in the Defined Contribution
 39 Retirement Program to be credited.¹

40 **[A prosecutor who becomes a member of the retirement system**
 41 **on or after the effective date of P.L.2010, c.1 shall not be a member**
 42 **of the Prosecutors Part and the provisions of P.L.2001, c.366**
 43 **(C.43:15A-155 et seq.) shall not apply to such prosecutor or the**
 44 **prosecutor's beneficiary.]**

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

Matter enclosed in superscript numerals has been adopted as follows:

¹**Senate SBA committee amendments adopted June 17, 2021.**

1 b. All outstanding obligations, such as loans, purchases and
2 other arrearage, shall be satisfied by a prosecutor as previously
3 scheduled for payment to the Public Employees' Retirement
4 System.

5 (cf: P.L.2010, c.1, s.36)

6

7 2. This act shall take effect immediately.