

ASSEMBLY, No. 491

STATE OF NEW JERSEY

218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Assemblyman VINCENT PRIETO

District 32 (Bergen and Hudson)

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District 32 (Bergen and Hudson)

SYNOPSIS

Enhances PFRS accidental death pension for surviving spouse by providing for minimum of \$50,000 annually.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the accidental death benefit of the Police and
2 Firemen's Retirement System and amending P.L.1944, c.255.

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

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7 1. Section 10 of P.L.1944, c.255 (C.43:16A-10) is amended to
8 read as follows:

9 10. (1) Upon the death of a member in active service as a result
10 of:

11 (a) an accident met in the actual performance of duty at some
12 definite time and place, or

13 (b) service in the reserve component of the Armed Forces of the
14 United States or the National Guard in a federal active duty status,
15 and such death was not the result of the member's willful
16 negligence, an accidental death benefit shall be payable if a report
17 of the accident is filed in the office of the retirement system within
18 60 days next following the accident, but the board of trustees may
19 waive such time limit, for a reasonable period, if in the judgment of
20 the board the circumstances warrant such action. No such
21 application shall be valid or acted upon unless it is filed in the
22 office of the retirement system within five years of the date of such
23 death.

24 The provisions of this subsection shall also apply to a member
25 who is a fireman and who dies as a result of an accident met in the
26 actual performance of duty as a volunteer fireman in any
27 municipality in the State, provided the member's death was not the
28 result of the member's willful negligence.

29 (2) Upon the receipt of proper proofs of the death of a member
30 on account of which an accidental death benefit is payable, there
31 shall be paid to his widow or widower a pension of 70% of the
32 compensation **[,]** upon which contributions by the member to the
33 annuity savings fund were based in the last year of creditable
34 service, or a pension of \$50,000, whichever is greater, for the use of
35 herself or himself and the children of the deceased member; if there
36 is no surviving widow or widower or in case the widow or widower
37 dies, 20% of such compensation will be payable to one surviving
38 child, 35% of such compensation to two surviving children in equal
39 shares and if there be three or more children, 50% of such
40 compensation will be payable to such children in equal shares.

41 If there is no surviving widow, widower or child, 25% of the
42 compensation upon which contributions by the member to the
43 annuity savings fund were based in the last year of creditable
44 service, will be payable to one surviving dependent parent or 40%

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 of such compensation will be payable to two surviving parents in
2 equal shares.

3 In the event of accidental death occurring in the first year of
4 creditable service, the benefits, payable pursuant to this subsection,
5 shall be computed at the annual rate of compensation.

6 (3) If there is no surviving widow, widower, child or dependent
7 parent, there shall be paid to any other beneficiary of the deceased
8 member, his aggregate contributions at the time of death.

9 (4) In no case shall the death benefit provided in subsection (2)
10 be less than that provided under subsection (3).

11 (5) In addition to the foregoing benefits payable under
12 subsection (2) or (3), there shall also be paid in one sum to such
13 beneficiary, if living, as the member shall have nominated by
14 written designation duly executed and filed with the retirement
15 system, otherwise to the executor or administrator of the member's
16 estate, an amount equal to 3 1/2 times the compensation upon which
17 contributions by the member to the annuity savings fund were based
18 in the last year of creditable service.

19 (6) In addition to the foregoing benefits, the State shall pay to
20 the member's employer-sponsored health insurance program all
21 health insurance premiums for the coverage of the member's
22 surviving widow or widower and dependent children.

23 (cf: P.L.2009, c.23, s.1)

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25 2. This act shall take effect shall take effect immediately.

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STATEMENT

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30 This bill enhances the accidental death benefit of the Police and
31 Firemen's Retirement System (PFRS) for a member's surviving
32 spouse. Currently, that benefit is 70% of the compensation upon
33 which contributions by the member to PFRS were based in the last
34 year of creditable service. The bill provides an alternative benefit,
35 if larger, of \$50,000 annually.