

**SENATE, No. 4297**

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**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

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INTRODUCED DECEMBER 9, 2019

**Sponsored by:**

**Senator JOSEPH A. LAGANA**

**District 38 (Bergen and Passaic)**

**Senator VIN GOPAL**

**District 11 (Monmouth)**

**SYNOPSIS**

Provides retirement allowance after 20 years of service regardless of age for members of Police and Firemen's Retirement System.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning retirement benefits for members of the Police  
2 and Firemen's Retirement System and amending P.L.1944,  
3 c.255.

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

7  
8 1. Section 5 of P.L.1944, c.255 (C.43:16A-5) is amended to  
9 read as follows:

10 5. (1) Any member in service who has attained age 55 years  
11 may retire on a service retirement allowance upon filing a written  
12 and duly executed application to the retirement system, setting forth  
13 at what time, not less than one month subsequent to the filing  
14 thereof, he desires to be retired. Any member in service who attains  
15 age 65 years shall be retired on a service retirement allowance  
16 forthwith on the first day of the next calendar month, except that a  
17 member hired prior to January 1, 1987 may remain a member of the  
18 system until the member attains age 68 years or 25 years of  
19 creditable service, whichever comes first.

20 (2) Upon retirement for service a member shall receive a service  
21 retirement allowance which shall consist of:

22 (a) An annuity which shall be the actuarial equivalent of his  
23 aggregate contributions and

24 (b) A pension in the amount which, when added to the member's  
25 annuity, will provide a total retirement allowance of one-sixtieth of  
26 his average final compensation multiplied by the number of years of  
27 his creditable service, or 2% of his average final compensation  
28 multiplied by the number of years of his creditable service up to 30  
29 plus 1% of his average final compensation multiplied by the number  
30 of years of creditable service over 30, or 50% of his final  
31 compensation if the member has established 20 or more years of  
32 creditable service, whichever is greater.

33 (3) (a) Any member of the retirement system as of the effective  
34 date of P.L.1999, c.428 who has 20 or more years of creditable  
35 service at the time of retirement shall be entitled to receive a  
36 retirement allowance equal to 50% of the member's final  
37 compensation plus, in the case of a member required to retire  
38 pursuant to the provisions of subsection (1) of this section, 3% of  
39 final compensation multiplied by the number of years of creditable  
40 service over 20 but not over 25.

41 (b) Any member of the retirement system enrolled prior to or on  
42 or after the effective date of P.L. , c. (pending before the  
43 legislature as this bill) may retire on or after the effective date of  
44 P.L. , c. (pending before the legislature as this bill) on a service  
45 retirement allowance, regardless of age, upon attaining 20 or more

**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 years of creditable service and shall be entitled to receive a service  
2 retirement allowance equal to 50% of the member's final  
3 compensation.

4 (4) Upon the receipt of proper proofs of the death of a member  
5 who has retired on a service retirement allowance, there shall be  
6 paid to his beneficiary an amount equal to one-half of the  
7 compensation upon which contributions by the member to the  
8 annuity savings fund were based in the last year of creditable  
9 service.

10 (cf: P.L.2005, c.381, s.1)

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12 2. This act shall take effect immediately.

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#### STATEMENT

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17 This bill provides an additional category of service retirement for  
18 a member of the Police and Firemen's Retirement System (PFRS).  
19 Under the bill, a member of the PFRS who is enrolled before or  
20 after the effective date of this bill may retire after the effective date,  
21 regardless of age, upon attaining 20 or more years of service credit  
22 and receive a retirement allowance equal to 50 percent of the  
23 member's final compensation.

24 Under current law, a member must be 55 years of age or older to  
25 retire on a service retirement allowance of 50 percent of final  
26 compensation upon attaining 20 years or more of service credit. In  
27 addition, a 1999 law permitted members, who were already enrolled  
28 in PFRS at that time, to retire at any age with 50 percent of final  
29 compensation upon attaining 20 or more years of service credit.  
30 This bill extends the annual retirement benefit of 50 percent of final  
31 compensation after 20 or more years of service to all PFRS  
32 members regardless of enrollment date and regardless of age at  
33 retirement.