

ASSEMBLY, No. 206

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

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District 36 (Bergen and Passaic)

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District 17 (Middlesex and Somerset)

Co-Sponsored by:

**Assemblyman Burzichelli, Assemblywoman Gove, Assemblyman Rumpf,
Assemblywoman N.Munoz, Assemblymen Benson, Coughlin, DeAngelo,
DiMaio, Giblin, Mazzeo, Armato, Dancer, Assemblywomen Reynolds-
Jackson, Dunn and Murphy**

SYNOPSIS

Broadens eligibility for certain veterans' benefits by eliminating requirement of service during specified dates or in specified locations.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 5/18/2021)

1 **AN ACT** concerning eligibility for certain veterans' benefits,
2 amending and repealing various parts of the statutory law and
3 supplementing Title 11A of the New Jersey Statutes and
4 P.L.1963, c.171 (C.54:4-8.10 et seq.).

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

8
9 1. N.J.S.11A:5-1 is amended to read as follows:

10 11A:5-1. Definitions. As used in this chapter:

11 a. "Disabled veteran" means any veteran who is eligible to be
12 compensated for a service-connected disability **【from war service】**
13 by the United States **【Veterans Administration】** Department of
14 Veterans' Affairs or who receives or is entitled to receive
15 equivalent compensation for a service-connected disability **【which**
16 **arises out of military or naval service as set forth in this chapter】**
17 and who has submitted sufficient evidence of the record of
18 disability **【incurred in the line of duty】** to the Adjutant General of
19 the Department of Military and Veterans' Affairs and received a
20 determination of status no later than eight days prior to the issuance
21 of an employment list, for which that individual received a passing
22 score on an examination;

23 b. "Veteran" means any **【honorably discharged soldier, sailor,**
24 **marine or nurse who served in any army or navy of the allies of the**
25 **United States in World War I, between July 14, 1914 and November**
26 **11, 1918, or who served in any army or navy of the allies of the**
27 **United States in World War II, between September 1, 1939 and**
28 **September 2, 1945 and who was inducted into that service through**
29 **voluntary enlistment, and was a citizen of the United States at the**
30 **time of the enlistment, and who did not renounce or lose his or her**
31 **United States citizenship; or any soldier, sailor, marine, airman,**
32 **nurse or army field clerk, who has served in the active military or**
33 **naval service of the United States】** person who (1) served at least
34 90 days of active service in the Armed Forces of the United States,
35 excluding any period of service for basic training or as a cadet or
36 midshipman at one of the service academies, or (2) served as a
37 member of a reserve component of the Armed Forces of the United
38 States for an entire period for which called to federal active service,
39 not including active duty for training, and has been discharged or
40 released therefrom under conditions other than dishonorable
41 **【conditions from that service in any of the following wars or**
42 **conflicts】** and who has presented to the Adjutant General of the
43 Department of Military and Veterans' Affairs sufficient evidence of
44 the record of service and received a determination of status no later

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 than eight days prior to the issuance of an employment list, for
2 which that individual received a passing score on an examination
3 **【**: (1) World War I, between April 6, 1917 and November 11,
4 1918;
5 (2) World War II, on or after September 16, 1940, who shall
6 have served at least 90 days beginning on or before December 31,
7 1946 in such active service, exclusive of any period of assignment
8 for a course of education or training under the Army Specialized
9 Training Program or the Navy College Training Program, which
10 course was a continuation of a civilian course and was pursued to
11 completion, or as a cadet or midshipman at one of the service
12 academies; except that any person receiving an actual service-
13 incurred injury or disability shall be classed a veteran whether or
14 not that person has completed the 90-day service;
15 (3) Korean conflict, on or after June 23, 1950, who shall have
16 served at least 90 days beginning on or before January 31, 1955, in
17 active service, exclusive of any period of assignment for a course of
18 education or training under the Army Specialized Training Program
19 or the Navy College Training Program, which course was a
20 continuation of a civilian course and was pursued to completion, or
21 as a cadet or midshipman at one of the service academies; except
22 that any person receiving an actual service-incurred injury or
23 disability shall be classed as a veteran, whether or not that person
24 has completed the 90-day service;
25 (4) Lebanon crisis, on or after July 1, 1958, who has served in
26 Lebanon or on board any ship actively engaged in patrolling the
27 territorial waters of that nation for a period, continuous or in the
28 aggregate, of at least 14 days commencing on or before November
29 1, 1958 or the date of termination of that conflict, as proclaimed by
30 the President of the United States or Congress, whichever date of
31 termination is the latest, in such active service; provided, that any
32 person receiving an actual service-incurred injury or disability shall
33 be classed as a veteran whether or not that person has completed the
34 14 days' service as herein provided;
35 (5) Vietnam conflict, on or after December 31, 1960, who shall
36 have served at least 90 days beginning on or before May 7, 1975, in
37 active service, exclusive of any period of assignment for a course of
38 education or training under the Army Specialized Training Program
39 or the Navy College Training Program, which course was a
40 continuation of a civilian course and was pursued to completion, or
41 as a cadet or midshipman at one of the service academies, and
42 exclusive of any service performed pursuant to the provisions of
43 section 511(d) of Title 10, United States Code, or exclusive of any
44 service performed pursuant to enlistment in the National Guard or
45 the Army Reserve, Naval Reserve, Air Force Reserve, Marine
46 Corps Reserve, or Coast Guard Reserve; except that any person
47 receiving an actual service-incurred injury or disability shall be

1 classed as a veteran, whether or not that person has completed the
2 90-day service as provided;

3 (6) Lebanon peacekeeping mission, on or after September 26,
4 1982, who has served in Lebanon or on board any ship actively
5 engaged in patrolling the territorial waters of that nation for a
6 period, continuous or in the aggregate, of at least 14 days
7 commencing on or before December 1, 1987 or the date of
8 termination of that mission, as proclaimed by the President of the
9 United States or Congress, whichever date of termination is the
10 latest, in such active service; provided, that any person receiving an
11 actual service-incurred injury or disability shall be classed as a
12 veteran whether or not that person has completed the 14 days'
13 service as herein provided;

14 (7) Grenada peacekeeping mission, on or after October 23,
15 1983, who has served in Grenada or on board any ship actively
16 engaged in patrolling the territorial waters of that nation for a
17 period, continuous or in the aggregate, of at least 14 days
18 commencing on or before November 21, 1983 or the date of
19 termination of that mission, as proclaimed by the President of the
20 United States or Congress, whichever date of termination is the
21 latest, in such active service; provided, that any person receiving an
22 actual service-incurred injury or disability shall be classed as a
23 veteran whether or not that person has completed the 14 days'
24 service as herein provided;

25 (8) Panama peacekeeping mission, on or after December 20,
26 1989 or the date of inception of that mission, as proclaimed by the
27 President of the United States or Congress, whichever date of
28 inception is earliest, who has served in Panama or on board any ship
29 actively engaged in patrolling the territorial waters of that nation for
30 a period, continuous or in the aggregate, of at least 14 days
31 commencing on or before January 31, 1990 or the date of
32 termination of that mission, as proclaimed by the President of the
33 United States or Congress, whichever date of termination is the
34 latest, in such active service; provided, that any person receiving an
35 actual service-incurred injury or disability shall be classed as a
36 veteran whether or not that person has completed the 14 days'
37 service as herein provided;

38 (9) Operation "Desert Shield/Desert Storm" mission in the
39 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
40 or the date of inception of that operation, as proclaimed by the
41 President of the United States or Congress, whichever date of
42 inception is earliest, who has served in the Arabian peninsula or on
43 board any ship actively engaged in patrolling the Persian Gulf for a
44 period, continuous or in the aggregate, of at least 14 days
45 commencing on or before the date of termination of that mission, as
46 proclaimed by the President of the United States or Congress,
47 whichever date of termination is the latest, in such active service;
48 provided, that any person receiving an actual service-incurred injury

1 or disability shall be classed as a veteran whether or not that person
2 has completed the 14 days' service as herein provided;

3 (10) Operation Northern Watch and Operation Southern Watch,
4 on or after August 27, 1992, or the date of inception of that
5 operation, as proclaimed by the President of the United States,
6 Congress or United States Secretary of Defense, whichever date of
7 inception is earliest, who served in the theater of operation,
8 including in the Arabian peninsula and the Persian Gulf, and in
9 direct support of that operation for a period, continuously or in the
10 aggregate, of at least 14 days in such active service commencing on
11 or before the date of termination of that operation, as proclaimed by
12 the President of the United States, Congress or United States
13 Secretary of Defense, whichever date of termination is the latest;
14 provided, that any person receiving an actual service-incurred injury
15 or disability while engaged in such service shall be classed as a
16 veteran whether or not that person has completed the 14 days'
17 service as herein provided;

18 (11) Operation "Restore Hope" in Somalia, on or after December
19 5, 1992, or the date of inception of that operation as proclaimed by
20 the President of the United States or the Congress, whichever date
21 is earliest, who has served in Somalia or on board any ship actively
22 engaged in patrolling the territorial waters of that nation for a
23 period, continuously or in the aggregate, of at least 14 days in such
24 active service commencing on or before March 31, 1994; provided
25 that any person receiving an actual service-incurred injury or
26 disability shall be classed as a veteran whether or not that person
27 has completed the 14-day service as herein provided;

28 (12) Operations "Joint Endeavor" and "Joint Guard" in the
29 Republic of Bosnia and Herzegovina, on or after November 20,
30 1995, who served in such active service in direct support of one or
31 both of the operations for at least 14 days, continuously or in the
32 aggregate, commencing on or before June 20, 1998, and (1) was
33 deployed in that nation or in another area in the region, or (2) was
34 on board a United States naval vessel operating in the Adriatic Sea,
35 or (3) operated in airspace above the Republic of Bosnia and
36 Herzegovina; provided that any person receiving an actual service-
37 incurred injury or disability shall be classed as a veteran whether or
38 not that person completed the 14-day service requirement;

39 (13) Operation "Uphold Democracy" in Haiti, on or after
40 September 19, 1994, who served in Haiti or on board any ship
41 actively engaged in patrolling the territorial waters of that nation for
42 a period, continuously or in the aggregate, of at least 14 days in
43 such active service commencing on or before March 31, 1995, and
44 who received an Armed Forces Expeditionary Medal for such
45 service; provided, that any person receiving an actual service-
46 incurred injury or disability shall be classed as a veteran whether or
47 not that person has completed the 14 days' service as herein
48 provided or received an Armed Forces Expeditionary Medal;

1 (14) Operation "Enduring Freedom", on or after September 11,
2 2001, who served in a theater of operation and in direct support of
3 that operation for a period, continuously or in the aggregate, of at
4 least 14 days in such active service commencing on or before the
5 date the President of the United States or the United States
6 Secretary of Defense designates as the termination date of that
7 operation; provided, that any person receiving an actual service-
8 incurred injury or disability while engaged in such service shall be
9 classed as a veteran whether or not that person has completed the 14
10 days' service as herein provided; and

11 (15) Operation "Iraqi Freedom", on or after the date the President
12 of the United States or the United States Secretary of Defense
13 designates as the inception date of that operation, who served in
14 Iraq or in another area in the region in direct support of that
15 operation for a period, continuously or in the aggregate, of at least
16 14 days in such active service commencing on or before the date the
17 President of the United States or the United States Secretary of
18 Defense designates as the termination date of that operation;
19 provided, that any person receiving an actual service-incurred injury
20 or disability while engaged in such service shall be classed as a
21 veteran whether or not that person has completed the 14 days'
22 service as herein provided;

23 c. "War service" means service by a veteran in any war or
24 conflict described in this chapter during the periods specified**1**.

25 A person who served fewer than 90 days of active service or who
26 served less than the entire period to which called to federal active
27 service shall be classed as a veteran if that person has been
28 discharged or released under conditions other than dishonorable as a
29 result of a service-connected disability incurred as a result of such
30 service.

31 (cf: P.L.2007, c.115, s.1)

32

33 2. N.J.S.11A:5-3 is amended to read as follows:

34 11A:5-3. Parent and spouse of veteran who has died in service.
35 A parent and spouse of any veteran who died while in, and as a
36 result of, federal active service and who would have qualified under
37 this chapter as a veteran, shall be entitled to a disabled veterans'
38 preference. Where both a parent and spouse survive, the exercise of
39 the preference by one shall suspend the right of any other so long as
40 the first individual who exercises preference remains in the employ
41 of the State or any political subdivision operating under the
42 provisions of this title.

43 (cf: N.J.S.11A:5-3)

44

45 3. N.J.S.11A:5-11 is amended to read as follows:

46 11A:5-11. Veterans not to be discriminated against because of
47 physical defects. Veterans suffering from any physical defect
48 caused by **1**wounds or injuries received in the line of duty in the

1 military or naval forces of the United States during war service set
2 forth in N.J.S.11A:5-1 an injury, disease or disability incurred as a
3 result of active service in the Armed Forces of the United States or
4 a reserve component thereof, shall not be discriminated against in
5 an examination, classification or appointment because of the defect,
6 unless this defect, in the opinion of the Civil Service Commission,
7 would incapacitate the veteran from properly performing the duties
8 of the office, position or employment for which applied.
9 (cf: P.L.2008, c.29, s.46)

10
11 4. N.J.S.18A:66-2 is amended to read as follows:

12 18A:66-2. As used in this article:

13 a. "Accumulated deductions" means the sum of all the
14 amounts, deducted from the compensation of a member or
15 contributed by or in behalf of the member, including interest
16 credited to January 1, 1956, standing to the credit of the member's
17 individual account in the annuity savings fund.

18 b. "Annuity" means payments for life derived from the
19 accumulated deductions of a member as provided in this article.

20 c. "Beneficiary" means any person receiving a retirement
21 allowance or other benefit as provided in this article.

22 d. (1) "Compensation" means the contractual salary, for
23 services as a teacher as defined in this article, which is in
24 accordance with established salary policies of the member's
25 employer for all employees in the same position but shall not
26 include individual salary adjustments which are granted primarily in
27 anticipation of the member's retirement or additional remuneration
28 for performing temporary or extracurricular duties beyond the
29 regular school day or the regular school year.

30 (2) In the case of a person who becomes a member of the
31 retirement system on or after July 1, 2007, "compensation" means
32 the amount of the contractual salary equivalent to the annual
33 maximum wage contribution base for Social Security, pursuant to
34 the Federal Insurance Contributions Act, for services as a teacher as
35 defined in this article, which is in accordance with established
36 salary policies of the member's employer for all employees in the
37 same position but shall not include individual salary adjustments
38 which are granted primarily in anticipation of the member's
39 retirement or additional remuneration for performing temporary or
40 extracurricular duties beyond the regular school day or the regular
41 school year. This paragraph shall not apply to a person who at the
42 time of enrollment in the retirement system on or after July 1, 2007
43 transfers service credit from another State-administered retirement
44 system pursuant to N.J.S.18A:66-15.1, but shall apply to a former
45 member of the retirement system who has been granted a retirement
46 allowance and is reenrolled in the retirement system on or after July
47 1, 2007 pursuant to N.J.S.18A:66-53.2 after becoming employed

1 again in a position that makes the person eligible to be a member of
2 the retirement system.

3 For the period of July 1, 2009 through June 30, 2011,
4 "contractual salary" for State employees shall include wage
5 increases under a collective negotiations agreement notwithstanding
6 that, by amendment to that collective negotiations agreement, the
7 effective date of the contractual increase has been deferred. For the
8 purpose of this paragraph, "State employee" means an employee in
9 the Executive Branch of State government of New Jersey.

10 e. "Employer" means the State, the board of education or any
11 educational institution or agency of or within the State by which a
12 teacher is paid.

13 f. (1) "Final compensation" means the average annual
14 compensation for which contributions are made for the three years
15 of creditable service in New Jersey immediately preceding the
16 member's retirement or death, or it shall mean the average annual
17 compensation for New Jersey service for which contributions are
18 made during any three fiscal years of his or her membership
19 providing the largest possible benefit to the member or the
20 member's beneficiary.

21 (2) In the case of a person who becomes a member of the
22 retirement system on or after the effective date of P.L.2010, c.1,
23 "final compensation" means the average annual compensation for
24 which contributions are made for the five years of creditable service
25 in New Jersey immediately preceding the member's retirement or
26 death, or it shall mean the average annual compensation for New
27 Jersey service for which contributions are made during any five
28 fiscal years of his or her membership providing the largest possible
29 benefit to the member or the member's beneficiary.

30 g. "Fiscal year" means any year commencing with July 1, and
31 ending with June 30, next following.

32 h. "Pension" means payments for life derived from
33 appropriations made by the State or employers to the Teachers'
34 Pension and Annuity Fund.

35 i. "Annuity reserve" means the present value of all payments
36 to be made on account of any annuity or benefit in lieu of an
37 annuity, granted under the provisions of this article, computed on
38 the basis of such mortality tables recommended by the actuary as
39 the board of trustees adopts, with regular interest.

40 j. "Pension reserve" means the present value of all payments to
41 be made on account of any pension or benefit in lieu of a pension
42 granted to a member from the Teachers' Pension and Annuity Fund,
43 computed on the basis of such mortality tables recommended by the
44 actuary as the board of trustees adopts, with regular interest.

45 k. "Present-entrant" means any member of the Teachers'
46 Pension and Annuity Fund who had established status as a "present-
47 entrant member" of said fund prior to January 1, 1956.

1 l. "Rate of contribution initially certified" means the rate of
2 contribution certified by the retirement system in accordance with
3 N.J.S.18A:66-29.

4 m. "Regular interest" shall mean interest as determined by the
5 State Treasurer, after consultation with the Directors of the
6 Divisions of Investment and Pensions, the board of trustees and the
7 actuary. It shall bear a reasonable relationship to the percentage rate
8 of earnings on investments based on the market value of assets but
9 shall not exceed the assumed percentage rate of increase applied to
10 salaries plus 3%, provided however that the board of trustees shall
11 not set the average percentage rate of increase applied to salaries
12 below 6%.

13 n. "Retirement allowance" means the pension plus the annuity.

14 o. "School service" means any service as a "teacher" as defined
15 in this section.

16 p. "Teacher" means any regular teacher, special teacher,
17 helping teacher, teacher clerk, principal, vice-principal, supervisor,
18 supervising principal, director, superintendent, city superintendent,
19 assistant city superintendent, county superintendent, State
20 Commissioner or Assistant Commissioner of Education, members
21 of the State Department of Education who are certificated,
22 unclassified professional staff and other members of the teaching or
23 professional staff of any class, public school, high school, normal
24 school, model school, training school, vocational school, truant
25 reformatory school, or parental school, and of any and all classes or
26 schools within the State conducted under the order and
27 superintendence, and wholly or partly at the expense of the State
28 Board of Education, of a duly elected or appointed board of
29 education, board of school directors, or board of trustees of the
30 State or of any school district or normal school district thereof, and
31 any persons under contract or engagement to perform one or more
32 of these functions. It shall also mean any person who serves, while
33 on an approved leave of absence from regular duties as a teacher, as
34 an officer of a local, county or State labor organization which
35 represents, or is affiliated with an organization which represents,
36 teachers as defined in this subsection. No person shall be deemed a
37 teacher within the meaning of this article who is a substitute
38 teacher. In all cases of doubt the board of trustees shall determine
39 whether any person is a teacher as defined in this article.

40 q. "Teachers' Pension and Annuity Fund," hereinafter referred
41 to as the "retirement system" or "system," is the corporate name of
42 the arrangement for the payment of retirement allowances and other
43 benefits under the provisions of this article, including the several
44 funds placed under said system. By that name all its business shall
45 be transacted, its funds invested, warrants for money drawn, and
46 payments made and all of its cash and securities and other property
47 held.

1 r. "Veteran" means any [honorably discharged officer, soldier,
2 sailor, airman, marine or nurse who served in any Army, Air Force
3 or Navy of the Allies of the United States in World War I between
4 July 14, 1914, and November 11, 1918, or who served in any Army,
5 Air Force or Navy of the Allies of the United States in World War
6 II, between September 1, 1939, and September 2, 1945, and who
7 was inducted into such service through voluntary enlistment, and
8 was a citizen of the United States at the time of such enlistment, and
9 who did not, during or by reason of such service, renounce or lose
10 United States citizenship, and any officer, soldier, sailor, marine,
11 airman, nurse or army field clerk who has served in the active
12 military or naval service of the United States] person who (1)
13 served at least 90 days of active service in the Armed Forces of the
14 United States, excluding any period of service for basic training or
15 as a cadet or midshipman at one of the service academies, or (2)
16 served as a member of a reserve component of the Armed Forces of
17 the United States for an entire period for which called to federal
18 active service, not including active duty for training, and has [or
19 shall be] been discharged or released therefrom under conditions
20 other than dishonorable[, in any of the following wars, uprisings,
21 insurrections, expeditions or emergencies,] and who has presented
22 to the [retirement system] Adjutant General of the Department of
23 Military and Veterans' Affairs evidence of such record of service in
24 form and content satisfactory to [said retirement system:
25 (1) The Indian wars and uprisings during any of the periods
26 recognized by the War Department of the United States as periods
27 of active hostility;
28 (2) The Spanish-American War between April 20, 1898, and
29 April 11, 1899;
30 (3) The Philippine insurrections and expeditions during the
31 periods recognized by the War Department of the United States as
32 of active hostility from February 4, 1899, to the end of 1913;
33 (4) The Peking relief expedition between June 20, 1900, and
34 May 27, 1902;
35 (5) The army of Cuban occupation between July 18, 1898, and
36 May 20, 1902;
37 (6) The army of Cuban pacification between October 6, 1906,
38 and April 1, 1909;
39 (7) The Mexican punitive expedition between March 14, 1916,
40 and February 7, 1917;
41 (8) The Mexican border patrol, having actually participated in
42 engagements against Mexicans between April 12, 1911, and June
43 16, 1919;
44 (9) World War I, between April 6, 1917, and November 11,
45 1918;
46 (10) World War II, between September 16, 1940, and December
47 31, 1946, who shall have served at least 90 days in such active

1 service, exclusive of any period of assignment (1) for a course of
2 education or training under the Army Specialized Training Program
3 or the Navy College Training Program, which course was a
4 continuation of a civilian course and was pursued to completion, or
5 (2) as a cadet or midshipman at one of the service academies, any
6 part of which 90 days was served between said dates; provided that
7 any person receiving an actual service-incurred injury or disability
8 shall be classed as a veteran, whether or not that person has
9 completed the 90-day service as herein provided;

10 (11) Korean conflict on or after June 23, 1950, and on or prior to
11 January 31, 1955, who shall have served at least 90 days in such
12 active service, exclusive of any period of assignment (1) for a
13 course of education or training under the Army Specialized
14 Training Program or the Navy College Training Program, which
15 course was a continuation of a civilian course and was pursued to
16 completion, or (2) as a cadet or midshipman at one of the service
17 academies, any part of which 90 days was served between said
18 dates; provided that any person receiving an actual service-incurred
19 injury or disability shall be classed as a veteran, whether or not that
20 person has completed the 90-day service as herein provided; and
21 provided further that any member classed as a veteran pursuant to
22 this subsection prior to August 1, 1966, shall continue to be classed
23 as a veteran, whether or not that person completed the 90-day
24 service between said dates as herein provided;

25 (12) Lebanon crisis, on or after July 1, 1958, who has served in
26 Lebanon or on board any ship actively engaged in patrolling the
27 territorial waters of that nation for a period, continuous or in the
28 aggregate, of at least 14 days commencing on or before November
29 1, 1958 or the date of termination of that conflict, as proclaimed by
30 the President of the United States or Congress, whichever date of
31 termination is the latest, in such active service; provided, that any
32 person receiving an actual service-incurred injury or disability shall
33 be classed as a veteran whether or not that person has completed the
34 14 days' service as herein provided;

35 (13) Vietnam conflict, on or after December 31, 1960, and on or
36 prior to May 7, 1975, who shall have served at least 90 days in such
37 active service, exclusive of any period of assignment (1) for a
38 course of education or training under the Army Specialized
39 Training Program or the Navy College Training Program, which
40 course was a continuation of a civilian course and was pursued to
41 completion, or (2) as a cadet or midshipman at one of the service
42 academies, any part of which 90 days was served between said
43 dates; and exclusive of any service performed pursuant to the
44 provisions of section 511(d) of Title 10, United States Code,
45 pursuant to an enlistment in the Army National Guard or as a
46 reserve for service in the Army Reserve, Naval Reserve, Air Force
47 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided
48 that any person receiving an actual service-incurred injury or

1 disability shall be classed as a veteran, whether or not that person
2 has completed the 90-day service as herein provided;

3 (14) Lebanon peacekeeping mission, on or after September 26,
4 1982, who has served in Lebanon or on board any ship actively
5 engaged in patrolling the territorial waters of that nation for a
6 period, continuous or in the aggregate, of at least 14 days
7 commencing on or before December 1, 1987 or the date of
8 termination of that mission, as proclaimed by the President of the
9 United States or Congress, whichever date of termination is the
10 latest, in such active service; provided, that any person receiving an
11 actual service-incurred injury or disability shall be classed as a
12 veteran whether or not that person has completed the 14 days'
13 service as herein provided;

14 (15) Grenada peacekeeping mission, on or after October 23,
15 1983, who has served in Grenada or on board any ship actively
16 engaged in patrolling the territorial waters of that nation for a
17 period, continuous or in the aggregate, of at least 14 days
18 commencing on or before November 21, 1983 or the date of
19 termination of that mission, as proclaimed by the President of the
20 United States or Congress, whichever date of termination is the
21 latest, in such active service; provided, that any person receiving an
22 actual service-incurred injury or disability shall be classed as a
23 veteran whether or not that person has completed the 14 days'
24 service as herein provided;

25 (16) Panama peacekeeping mission, on or after December 20,
26 1989 or the date of inception of that mission, as proclaimed by the
27 President of the United States or Congress, whichever date of
28 inception is earliest, who has served in Panama or on board any ship
29 actively engaged in patrolling the territorial waters of that nation for
30 a period, continuous or in the aggregate, of at least 14 days
31 commencing on or before January 31, 1990 or the date of
32 termination of that mission, as proclaimed by the President of the
33 United States or Congress, whichever date of termination is the
34 latest, in such active service; provided, that any person receiving an
35 actual service-incurred injury or disability shall be classed as a
36 veteran whether or not that person has completed the 14 days'
37 service as herein provided;

38 (17) Operation "Desert Shield/Desert Storm" mission in the
39 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
40 or the date of inception of that operation, as proclaimed by the
41 President of the United States or Congress, whichever date of
42 inception is earliest, who has served in the Arabian peninsula or on
43 board any ship actively engaged in patrolling the Persian Gulf for a
44 period, continuous or in the aggregate, of at least 14 days
45 commencing on or before the date of termination of that mission, as
46 proclaimed by the President of the United States or Congress,
47 whichever date of termination is the latest, in such active service;
48 provided, that any person receiving an actual service-incurred injury

1 or disability shall be classed as a veteran whether or not that person
2 has completed the 14 days' service as herein provided;

3 (18) Operation Northern Watch and Operation Southern Watch,
4 on or after August 27, 1992, or the date of inception of that
5 operation, as proclaimed by the President of the United States,
6 Congress or United States Secretary of Defense, whichever date of
7 inception is earliest, who served in the theater of operation,
8 including in the Arabian peninsula and the Persian Gulf, and in
9 direct support of that operation for a period, continuously or in the
10 aggregate, of at least 14 days in such active service, commencing on
11 or before the date of termination of the operation, as proclaimed by
12 the President of the United States, Congress or United States
13 Secretary of Defense, whichever date of termination is latest;
14 provided, that any person receiving an actual service-incurred injury
15 or disability while engaged in such service shall be classed as a
16 veteran whether or not that person has completed the 14 days'
17 service as herein provided;

18 (19) Operation "Restore Hope" in Somalia, on or after
19 December 5, 1992, or the date of inception of that operation as
20 proclaimed by the President of the United States or Congress,
21 whichever date is earliest, who has served in Somalia or on board
22 any ship actively engaged in patrolling the territorial waters of that
23 nation for a period, continuously or in the aggregate, of at least 14
24 days in such active service commencing on or before March 31,
25 1994; provided that any person receiving an actual service-incurred
26 injury or disability shall be classed as a veteran whether or not that
27 person has completed the 14-day service as herein provided;

28 (20) Operations "Joint Endeavor" and "Joint Guard" in the
29 Republic of Bosnia and Herzegovina, on or after November 20,
30 1995, who served in such active service in direct support of one or
31 both of the operations for at least 14 days, continuously or in the
32 aggregate, commencing on or before June 20, 1998, and (1) was
33 deployed in that nation or in another area in the region, or (2) was
34 on board a United States naval vessel operating in the Adriatic Sea,
35 or (3) operated in airspace above the Republic of Bosnia and
36 Herzegovina; provided that any person receiving an actual service-
37 incurred injury or disability shall be classed as a veteran whether or
38 not that person completed the 14-day service requirement;

39 (21) Operation "Enduring Freedom", on or after September 11,
40 2001, who served in a theater of operation and in direct support of
41 that operation for a period, continuously or in the aggregate, of at
42 least 14 days in such active service commencing on or before the
43 date the President of the United States or the United States
44 Secretary of Defense designates as the termination date of that
45 operation; provided, that any person receiving an actual service-
46 incurred injury or disability while engaged in such service shall be
47 classed as a veteran whether or not that person has completed the 14
48 days' service as herein provided; and

1 (22) Operation "Iraqi Freedom", on or after the date the
2 President of the United States or the United States Secretary of
3 Defense designates as the inception date of that operation, who
4 served in Iraq or in another area in the region in direct support of
5 that operation for a period, continuously or in the aggregate, of at
6 least 14 days in such active service commencing on or before the
7 date the President of the United States or the United States
8 Secretary of Defense designates as the termination date of that
9 operation; provided, that any person receiving an actual service-
10 incurred injury or disability while engaged in such service shall be
11 classed as a veteran whether or not that person has completed the 14
12 days' service as herein provided the Adjutant General.

13 A person who served fewer than 90 days of active service or who
14 served less than the entire period to which called to active service
15 shall be classed as a veteran if that person has been discharged or
16 released under conditions other than dishonorable as a result of a
17 service-connected disability incurred a result of such service.

18 "Veteran" also means any honorably discharged member of the
19 American Merchant Marine who served during World War II and is
20 declared by the United States Department of Defense to be eligible
21 for federal veterans' benefits.

22 s. "Child" means a deceased member's unmarried child either
23 (a) under the age of 18 or (b) of any age who, at the time of the
24 member's death, is disabled because of mental retardation or
25 physical incapacity, is unable to do any substantial, gainful work
26 because of the impairment and the impairment has lasted or can be
27 expected to last for a continuous period of not less than 12 months,
28 as affirmed by the medical board.

29 t. (1) "Widower," for employees of the State, means the man to
30 whom a member was married, or a domestic partner as defined in
31 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
32 the date of her death and to whom she continued to be married or a
33 domestic partner until the date of her death and who was receiving
34 at least one-half of his support from the member in the 12-month
35 period immediately preceding the member's death or the accident
36 which was the direct cause of the member's death. The dependency
37 of such a widower will be considered terminated by marriage of, or
38 establishment of a domestic partnership by, the widower subsequent
39 to the death of the member. In the event of the payment of an
40 accidental death benefit, the five-year qualification shall be waived.

41 (2) Subject to the provisions of paragraph (3) of this subsection,
42 "widower," for employees of public employers other than the State,
43 means the man to whom a member was married at least five years
44 before the date of her death and to whom she continued to be
45 married until the date of her death and who was receiving at least
46 one-half of his support from the member in the 12-month period
47 immediately preceding the member's death or the accident which
48 was the direct cause of the member's death. The dependency of such

1 a widower shall be considered terminated by marriage of the
2 widower subsequent to the death of the member. In the event of the
3 payment of an accidental death benefit, the five-year qualification
4 shall be waived.

5 (3) A public employer other than the State may adopt a
6 resolution providing that the term "widower" as defined in
7 paragraph (2) of this subsection shall include domestic partners as
8 provided in paragraph (1) of this subsection.

9 u. (1) "Widow," for employees of the State, means the woman
10 to whom a member was married, or a domestic partner as defined in
11 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
12 the date of his death and to whom he continued to be married or a
13 domestic partner until the date of his death and who was receiving
14 at least one-half of her support from the member in the 12-month
15 period immediately preceding the member's death or the accident
16 which was the direct cause of the member's death. The dependency
17 of such a widow will be considered terminated by the marriage of,
18 or establishment of a domestic partnership by, the widow
19 subsequent to the member's death. In the event of the payment of an
20 accidental death benefit, the five-year qualification shall be waived.

21 (2) Subject to the provisions of paragraph (3) of this subsection,
22 "widow," for employees of public employers other than the State,
23 means the woman to whom a member was married at least five
24 years before the date of his death and to whom he continued to be
25 married until the date of his death and who was receiving at least
26 one-half of her support from the member in the 12-month period
27 immediately preceding the member's death or the accident which
28 was the direct cause of the member's death. The dependency of such
29 a widow shall be considered terminated by the marriage of the
30 widow subsequent to the member's death. In the event of the
31 payment of an accidental death benefit, the five-year qualification
32 shall be waived.

33 (3) A public employer other than the State may adopt a
34 resolution providing that the term "widower" as defined in
35 paragraph (2) of this subsection shall include domestic partners as
36 provided in paragraph (1) of this subsection.

37 v. "Parent" means the parent of a member who was receiving at
38 least one-half of the parent's support from the member in the 12-
39 month period immediately preceding the member's death or the
40 accident which was the direct cause of the member's death. The
41 dependency of such a parent will be considered terminated by
42 marriage of the parent subsequent to the death of the member.

43 w. "Medical board" means the board of physicians provided for
44 in N.J.S.18A:66-56.

45 x. (1) "Spouse," for employees of the State, means the husband
46 or wife, or domestic partner as defined in section 3 of P.L.2003,
47 c.246 (C.26:8A-3), of a member.

1 (2) Subject to the provisions of paragraph (1) of this subsection,
2 "spouse," for employees of public employers other than the State,
3 means the husband or wife of a member.

4 (3) A public employer other than the State may adopt a
5 resolution providing that the term "spouse" as defined in paragraph
6 (2) of this subsection shall include domestic partners as provided in
7 paragraph (1) of this subsection.
8 (cf: P.L.2010, c.1, s.20)

9
10 5. N.J.S.18A:66-13 is amended to read as follows:

11 18A:66-13. Prior service credit. A member may file a detailed
12 statement of: a. school service and service in a similar capacity in
13 other states and in schools within and outside the United States
14 operated by a department of the United States Government for the
15 instruction of the children of United States Government officers and
16 employees, or b. other public employment in other states or with the
17 United States Government which would be eligible for credit in a
18 State-administered retirement system if the employment was with a
19 public employer in this State, or c. **【military service】** active service
20 in the Armed Forces of the United States or in a reserve component
21 thereof, rendered prior to becoming a member, for which the
22 member desires credit, and of such other facts as the retirement
23 system may require. The member may purchase credit for all or a
24 portion of the service evidenced in the statement up to the nearest
25 number of years and months, but not exceeding 10 years, provided
26 however, that a member purchasing that maximum credit may
27 purchase up to five additional years **【for additional military】** of
28 active service 【qualifying the member as a veteran as defined in
29 N.J.S.18A:66-2】 in the Armed Forces of the United States or a
30 reserve component thereof. No application shall be accepted for the
31 purchase of credit for **【such】**: (1) a period of service if, at the time
32 of application, the member has a vested right to retirement benefits
33 in another retirement system based in whole or in part upon that
34 service; or (2) a period of active service in a reserve component of
35 the Armed Forces of the United States that is concurrent with other
36 service described in subsections a. and b. of this section.

37 The member may purchase credit for the service by paying into
38 the annuity savings fund the amount required by applying the
39 factor, supplied by the actuary as being applicable to the member's
40 age at the time of the purchase, to the member's salary at that time,
41 or to the highest annual compensation for service in this State for
42 which contributions were made during any prior fiscal year of
43 membership, whichever is greater. The purchase may be made in
44 regular installments, equal to at least one-half the full normal
45 contribution to the retirement system, over a maximum period of 10
46 years. Neither the State nor the employer of a member who applies
47 to purchase credit for public employment with the United States
48 Government pursuant to subsection b. of this section or for military

1 service pursuant to subsection c. of this section shall be liable for
2 any payment to the retirement system on behalf of the member for
3 the purchase of this credit.

4 Notwithstanding any provision of this act to the contrary, a
5 member shall not be liable for any costs associated with the
6 financing of pension adjustment benefits and health care benefits
7 for retirees when purchasing credit for school service, public
8 employment in other states or with the United States Government,
9 or **【military】** active service in the Armed Forces of the United
10 States or a reserve component thereof.

11 Any member electing to purchase the service who retires prior to
12 completing payments as agreed with the retirement system will
13 receive pro rata credit for service purchased prior to the date of
14 retirement, but if the member so elects at the time of retirement, the
15 member may make the additional lump sum payment required at
16 that time to provide full credit.

17 Notwithstanding any other provision of law to the contrary,
18 service credit established in the retirement system by a member
19 through purchase in accordance with this section, which purchase
20 was made by an application submitted on or after the effective date
21 of P.L.2008, c.89, except a purchase for **【military】** active service in
22 the Armed Forces of the United States or a reserve component
23 thereof, shall not be eligible for consideration when service is used
24 to determine the qualification of the member for any health care
25 benefits coverage paid, in whole or in part, by a public employer
26 after the member's retirement.

27 (cf: P.L.2008, c.89, s.3)

28

29 6. Section 6 of P.L.1954, c.84 (C.43:15A-6) is amended to read
30 as follows:

31 6. As used in this act:

32 a. "Accumulated deductions" means the sum of all the
33 amounts, deducted from the compensation of a member or
34 contributed by or on behalf of the member, standing to the credit of
35 the member's individual account in the annuity savings fund.

36 b. "Annuity" means payments for life derived from the
37 accumulated deductions of a member as provided in this act.

38 c. "Annuity reserve" means the present value of all payments
39 to be made on account of any annuity or benefit in lieu of an
40 annuity, granted under the provisions of this act, computed on the
41 basis of such mortality tables recommended by the actuary as the
42 board of trustees adopts, with regular interest.

43 d. "Beneficiary" means any person receiving a retirement
44 allowance or other benefit as provided in this act.

45 e. "Child" means a deceased member's unmarried child either
46 (1) under the age of 18 or (2) of any age who, at the time of the
47 member's death, is disabled because of an intellectual disability or
48 physical incapacity, is unable to do any substantial, gainful work

1 because of the impairment and the impairment has lasted or can be
2 expected to last for a continuous period of not less than 12 months,
3 as affirmed by the medical board.

4 f. "Parent" shall mean the parent of a member who was
5 receiving at least 1/2 of the parent's support from the member in the
6 12-month period immediately preceding the member's death or the
7 accident which was the direct cause of the member's death. The
8 dependency of such a parent will be considered terminated by
9 marriage of the parent subsequent to the death of the member.

10 g. (1) "Widower," for employees of the State, means the man
11 to whom a member was married, or a domestic partner as defined in
12 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
13 the date of her death and to whom she continued to be married or a
14 domestic partner until the date of her death and who was receiving
15 at least 1/2 of his support from the member in the 12-month period
16 immediately preceding the member's death or the accident which
17 was the direct cause of the member's death. The dependency of
18 such a widower will be considered terminated by marriage of, or
19 establishment of a domestic partnership by, the widower subsequent
20 to the death of the member. In the event of the payment of an
21 accidental death benefit, the five-year qualification shall be waived.

22 (2) Subject to the provisions of paragraph (3) of this subsection,
23 "widower," for employees of public employers other than the State,
24 means the man to whom a member was married at least five years
25 before the date of her death and to whom she continued to be
26 married until the date of her death and who was receiving at least
27 1/2 of his support from the member in the 12-month period
28 immediately preceding the member's death or the accident which
29 was the direct cause of the member's death. The dependency of such
30 a widower shall be considered terminated by marriage of the
31 widower subsequent to the death of the member. In the event of the
32 payment of an accidental death benefit, the five-year qualification
33 shall be waived.

34 (3) A public employer other than the State may adopt a
35 resolution providing that the term "widower" as defined in
36 paragraph (2) of this subsection shall include domestic partners as
37 provided in paragraph (1) of this subsection.

38 h. (1) "Final compensation" means the average annual
39 compensation for which contributions are made for the three years
40 of creditable service in New Jersey immediately preceding the
41 member's retirement or death, or it shall mean the average annual
42 compensation for New Jersey service for which contributions are
43 made during any three fiscal years of his or her membership
44 providing the largest possible benefit to the member or the
45 member's beneficiary.

46 (2) In the case of a person who becomes a member of the
47 retirement system on or after the effective date of P.L.2010, c.1,
48 "final compensation" means the average annual compensation for

1 which contributions are made for the five years of creditable service
2 in New Jersey immediately preceding the member's retirement or
3 death, or it shall mean the average annual compensation for New
4 Jersey service for which contributions are made during any five
5 fiscal years of his or her membership providing the largest possible
6 benefit to the member or the member's beneficiary.

7 i. "Fiscal year" means any year commencing with July 1 and
8 ending with June 30 next following.

9 j. "Medical board" shall mean the board of physicians
10 provided for in section 17 of P.L.1954, c.84 (C.43:15A-17).

11 k. "Pension" means payments for life derived from
12 appropriations made by the employer as provided in this act.

13 l. "Pension reserve" means the present value of all payments to
14 be made on account of any pension or benefit in lieu of a pension
15 granted under the provisions of this act, computed on the basis of
16 such mortality tables recommended by the actuary as the board of
17 trustees adopts, with regular interest.

18 m. "Public Employees' Retirement System of New Jersey,"
19 hereinafter referred to as the "retirement system" or "system," is the
20 corporate name of the arrangement for the payment of retirement
21 allowances and other benefits under the provisions of this act
22 including the several funds placed under said system. By that name
23 all of its business shall be transacted, its funds invested, warrants
24 for money drawn, and payments made and all of its cash and
25 securities and other property held.

26 n. "Regular interest" shall mean interest as determined by the
27 State Treasurer, after consultation with the Directors of the
28 Divisions of Investment and Pensions, the board of trustees and the
29 actuary. It shall bear a reasonable relationship to the percentage rate
30 of earnings on investments based on the market value of the assets
31 but shall not exceed the assumed percentage rate of increase applied
32 to salaries plus 3%, provided however that the board of trustees
33 shall not set the average percentage rate of increase applied to
34 salaries below 6%.

35 o. "Retirement allowance" means the pension plus the annuity.

36 p. "Veteran" means any [honorably discharged officer, soldier,
37 sailor, airman, marine or nurse who served in any Army, Air Force
38 or Navy of the Allies of the United States in World War I, between
39 July 14, 1914, and November 11, 1918, or who served in any Army,
40 Air Force or Navy of the Allies of the United States in World War
41 II, between September 1, 1939, and September 2, 1945, and who
42 was inducted into such service through voluntary enlistment, and
43 was a citizen of the United States at the time of such enlistment, and
44 who did not, during or by reason of such service, renounce or lose
45 United States citizenship, and any officer, soldier, sailor, marine,
46 airman, nurse or army field clerk, who has served in the active
47 military or naval service of the United States] person who (1)
48 served at least 90 days of active service in the Armed Forces of the

1 United States, excluding any period of service for basic training or
2 as a cadet or midshipman at one of the service academies, or (2)
3 served as a member of a reserve component of the Armed Forces of
4 the United States for an entire period for which called to federal
5 active service, not including active duty for training, and has [or
6 shall be] been discharged or released therefrom under conditions
7 other than dishonorable[, in any of the following wars, uprisings,
8 insurrections, expeditions, or emergencies,] and who has presented
9 to the [retirement system] Adjutant General of the Department of
10 Military and Veterans' Affairs evidence of such record of service in
11 form and content satisfactory to [said retirement system]:

12 (1) The Indian wars and uprisings during any of the periods
13 recognized by the War Department of the United States as periods
14 of active hostility;

15 (2) The Spanish-American War between April 20, 1898, and
16 April 11, 1899;

17 (3) The Philippine insurrections and expeditions during the
18 periods recognized by the War Department of the United States as
19 of active hostility from February 4, 1899, to the end of 1913;

20 (4) The Peking relief expedition between June 20, 1900, and
21 May 27, 1902;

22 (5) The army of Cuban occupation between July 18, 1898, and
23 May 20, 1902;

24 (6) The army of Cuban pacification between October 6, 1906,
25 and April 1, 1909;

26 (7) The Mexican punitive expedition between March 14, 1916,
27 and February 7, 1917;

28 (8) The Mexican border patrol, having actually participated in
29 engagements against Mexicans between April 12, 1911, and June
30 16, 1919;

31 (9) World War I, between April 6, 1917, and November 11,
32 1918;

33 (10) World War II, between September 16, 1940, and December
34 31, 1946, who shall have served at least 90 days in such active
35 service, exclusive of any period of assignment (1) for a course of
36 education or training under the Army Specialized Training Program
37 or the Navy College Training Program which course was a
38 continuation of a civilian course and was pursued to completion, or
39 (2) as a cadet or midshipman at one of the service academies any
40 part of which 90 days was served between said dates; provided, that
41 any person receiving an actual service-incurred injury or disability
42 shall be classed as a veteran whether or not that person has
43 completed the 90-day service as herein provided;

44 (11) Korean conflict on or after June 23, 1950, and on or prior to
45 January 31, 1955, who shall have served at least 90 days in such
46 active service, exclusive of any period of assignment (1) for a
47 course of education or training under the Army Specialized

1 Training Program or the Navy College Training Program which
2 course was a continuation of a civilian course and was pursued to
3 completion, or (2) as a cadet or midshipman at one of the service
4 academies, any part of which 90 days was served between said
5 dates; provided, that any person receiving an actual service-incurred
6 injury or disability shall be classed as a veteran whether or not that
7 person has completed the 90-day service as herein provided; and
8 provided further, that any member classed as a veteran pursuant to
9 this paragraph prior to August 1, 1966, shall continue to be classed
10 as a veteran whether or not that person completed the 90-day
11 service between said dates as herein provided;

12 (12) Lebanon crisis, on or after July 1, 1958, who has served in
13 Lebanon or on board any ship actively engaged in patrolling the
14 territorial waters of that nation for a period, continuous or in the
15 aggregate, of at least 14 days commencing on or before November
16 1, 1958 or the date of termination of that conflict, as proclaimed by
17 the President of the United States or Congress, whichever date of
18 termination is the latest, in such active service; provided, that any
19 person receiving an actual service-incurred injury or disability shall
20 be classed as a veteran whether or not that person has completed the
21 14 days' service as herein provided;

22 (13) Vietnam conflict on or after December 31, 1960, and on or
23 prior to May 7, 1975, who shall have served at least 90 days in such
24 active service, exclusive of any period of assignment (1) for a
25 course of education or training under the Army Specialized
26 Training Program or the Navy College Training Program which
27 course was a continuation of a civilian course and was pursued to
28 completion, or (2) as a cadet or midshipman at one of the service
29 academies, any part of which 90 days was served between said
30 dates; and exclusive of any service performed pursuant to the
31 provisions of section 511(d) of Title 10, United States Code,
32 pursuant to an enlistment in the Army National Guard or as a
33 reserve for service in the Army Reserve, Naval Reserve, Air Force
34 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided,
35 that any person receiving an actual service-incurred injury or
36 disability shall be classed as a veteran whether or not that person
37 has completed the 90 days' service as herein provided;

38 (14) Lebanon peacekeeping mission, on or after September 26,
39 1982, who has served in Lebanon or on board any ship actively
40 engaged in patrolling the territorial waters of that nation for a
41 period, continuous or in the aggregate, of at least 14 days
42 commencing on or before December 1, 1987 or the date of
43 termination of that mission, as proclaimed by the President of the
44 United States or Congress, whichever date of termination is the
45 latest, in such active service; provided, that any person receiving an
46 actual service-incurred injury or disability shall be classed as a
47 veteran whether or not that person has completed the 14 days'
48 service as herein provided;

1 (15) Grenada peacekeeping mission, on or after October 23,
2 1983, who has served in Grenada or on board any ship actively
3 engaged in patrolling the territorial waters of that nation for a
4 period, continuous or in the aggregate, of at least 14 days
5 commencing on or before November 21, 1983 or the date of
6 termination of that mission, as proclaimed by the President of the
7 United States or Congress, whichever date of termination is the
8 latest, in such active service; provided, that any person receiving an
9 actual service-incurred injury or disability shall be classed as a
10 veteran whether or not that person has completed the 14 days'
11 service as herein provided;

12 (16) Panama peacekeeping mission, on or after December 20,
13 1989 or the date of inception of that mission, as proclaimed by the
14 President of the United States or Congress, whichever date of
15 inception is earliest, who has served in Panama or on board any ship
16 actively engaged in patrolling the territorial waters of that nation for
17 a period, continuous or in the aggregate, of at least 14 days
18 commencing on or before January 31, 1990 or the date of
19 termination of that mission, as proclaimed by the President of the
20 United States or Congress, whichever date of termination is the
21 latest, in such active service; provided, that any person receiving an
22 actual service-incurred injury or disability shall be classed as a
23 veteran whether or not that person has completed the 14 days'
24 service as herein provided;

25 (17) Operation "Desert Shield/Desert Storm" mission in the
26 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
27 or the date of inception of that operation, as proclaimed by the
28 President of the United States or Congress, whichever date of
29 inception is earliest, who has served in the Arabian peninsula or on
30 board any ship actively engaged in patrolling the Persian Gulf for a
31 period, continuous or in the aggregate, of at least 14 days
32 commencing on or before the date of termination of that mission, as
33 proclaimed by the President of the United States or Congress,
34 whichever date of termination is the latest, in such active service;
35 provided, that any person receiving an actual service-incurred injury
36 or disability shall be classed as a veteran whether or not that person
37 has completed the 14 days' service as herein provided;

38 (18) Operation Northern Watch and Operation Southern Watch,
39 on or after August 27, 1992, or the date of inception of that
40 operation, as proclaimed by the President of the United States,
41 Congress or United States Secretary of Defense, whichever date of
42 inception is earliest, who served in the theater of operation,
43 including in the Arabian peninsula and the Persian Gulf, and in
44 direct support of that operation for a period, continuously or in the
45 aggregate, of at least 14 days in such active service, commencing on
46 or before the date of termination of that operation, as proclaimed by
47 the President of the United States, Congress or United States
48 Secretary of Defense, whichever date of termination is the latest;

1 provided, that any person receiving an actual service-incurred injury
2 or disability while engaged in such service shall be classed as a
3 veteran whether or not that person has completed the 14 days'
4 service as herein provided;

5 (19) Operation "Restore Hope" in Somalia, on or after
6 December 5, 1992, or the date of inception of that operation as
7 proclaimed by the President of the United States or Congress,
8 whichever date is earliest, who has served in Somalia or on board
9 any ship actively engaged in patrolling the territorial waters of that
10 nation for a period, continuously or in the aggregate, of at least 14
11 days in such active service commencing on or before March 31,
12 1994; provided that any person receiving an actual service-incurred
13 injury or disability shall be classed as a veteran whether or not that
14 person has completed the 14-day service as herein provided;

15 (20) Operations "Joint Endeavor" and "Joint Guard" in the
16 Republic of Bosnia and Herzegovina, on or after November 20,
17 1995, who served in such active service in direct support of one or
18 both of the operations for at least 14 days, continuously or in the
19 aggregate, commencing on or before June 20, 1998 and (1) was
20 deployed in that nation or in another area in the region, or (2) was
21 on board a United States naval vessel operating in the Adriatic Sea,
22 or (3) operated in airspace above the Republic of Bosnia and
23 Herzegovina; provided that any person receiving an actual service-
24 incurred injury or disability shall be classed as a veteran whether or
25 not that person completed the 14-day service requirement;

26 (21) Operation "Enduring Freedom", on or after September 11,
27 2001, who served in a theater of operation and in direct support of
28 that operation for a period, continuously or in the aggregate, of at
29 least 14 days in such active service commencing on or before the
30 date the President of the United States or the United States
31 Secretary of Defense designates as the termination date of that
32 operation; provided, that any person receiving an actual service-
33 incurred injury or disability while engaged in such service shall be
34 classed as a veteran whether or not that person has completed the 14
35 days' service as herein provided; and

36 (22) Operation "Iraqi Freedom", on or after the date the
37 President of the United States or the United States Secretary of
38 Defense designates as the inception date of that operation, who
39 served in Iraq or in another area in the region in direct support of
40 that operation for a period, continuously or in the aggregate, of at
41 least 14 days in such active service commencing on or before the
42 date the President of the United States or the United States
43 Secretary of Defense designates as the termination date of that
44 operation; provided, that any person receiving an actual service-
45 incurred injury or disability while engaged in such service shall be
46 classed as a veteran whether or not that person has completed the 14
47 days' service as herein provided.

1 "Veteran" also means any honorably discharged member of the
2 American Merchant Marine who served during World War II and is
3 declared by the United States Department of Defense to be eligible
4 for federal veterans' benefits **】** the Adjutant General.

5 A person who served fewer than 90 days of active service or who
6 served less than the entire period to which called to active service
7 shall be classed as a veteran if that person has been discharged or
8 released under conditions other than dishonorable as a result of a
9 service-connected disability incurred as a result of such service.

10 q. (1) "Widow," for employees of the State, means the woman
11 to whom a member was married, or a domestic partner as defined in
12 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
13 the date of his death and to whom he continued to be married or a
14 domestic partner until the date of his death and who was receiving
15 at least 1/2 of her support from the member in the 12-month period
16 immediately preceding the member's death or the accident which
17 was the direct cause of the member's death. The dependency of such
18 a widow will be considered terminated by the marriage of, or
19 establishment of a domestic partnership by, the widow subsequent
20 to the member's death. In the event of the payment of an accidental
21 death benefit, the five-year qualification shall be waived.

22 (2) Subject to the provisions of paragraph (3) of this subsection,
23 "widow," for employees of public employers other than the State,
24 means the woman to whom a member was married at least five
25 years before the date of his death and to whom he continued to be
26 married until the date of his death and who was receiving at least
27 1/2 of her support from the member in the 12-month period
28 immediately preceding the member's death or the accident which
29 was the direct cause of the member's death. The dependency of
30 such a widow shall be considered terminated by the marriage of the
31 widow subsequent to the member's death. In the event of the
32 payment of an accidental death benefit, the five-year qualification
33 shall be waived.

34 (3) A public employer other than the State may adopt a
35 resolution providing that the term "widow" as defined in paragraph
36 (2) of this subsection shall include domestic partners as provided in
37 paragraph (1) of this subsection.

38 r. (1) "Compensation" means the base or contractual salary,
39 for services as an employee, which is in accordance with
40 established salary policies of the member's employer for all
41 employees in the same position but shall not include individual
42 salary adjustments which are granted primarily in anticipation of
43 the member's retirement or additional remuneration for performing
44 temporary or extracurricular duties beyond the regular workday or
45 the regular work year.

46 (2) In the case of a person who becomes a member of the
47 retirement system on or after July 1, 2007, "compensation" means
48 the amount of base or contractual salary equivalent to the annual

1 maximum wage contribution base for Social Security, pursuant to
2 the Federal Insurance Contributions Act, for services as an
3 employee, which is in accordance with established salary policies of
4 the member's employer for all employees in the same position but
5 shall not include individual salary adjustments which are granted
6 primarily in anticipation of the member's retirement or additional
7 remuneration for performing temporary or extracurricular duties
8 beyond the regular workday or the regular work year. This
9 paragraph shall not apply to a person who at the time of enrollment
10 in the retirement system on or after July 1, 2007 transfers service
11 credit from another State-administered retirement system pursuant
12 to section 14 of P.L.1954, c.84 (C.43:15A-14), but shall apply to a
13 former member of the retirement system who has been granted a
14 retirement allowance and is reenrolled in the retirement system on
15 or after July 1, 2007 pursuant to section 27 of P.L.1966, c.217
16 (C.43:15A-57.2) after becoming employed again in a position that
17 makes the person eligible to be a member of the retirement system.

18 In cases where salary includes maintenance, the retirement
19 system shall fix the value of that part of the salary not paid in
20 money which shall be considered under this act.

21 For the period of July 1, 2009 through June 30, 2011,
22 "contractual salary" for State employees shall include across the
23 board negotiated wage increases under a collective negotiations
24 agreement that were payable to all State employees covered by that
25 agreement notwithstanding that, by amendment to that collective
26 negotiations agreement, the effective date of the contractual
27 increase has been deferred. For the purpose of this paragraph,
28 "State employee" means an employee in the Executive Branch or
29 the Judicial Branch of State government of New Jersey or an
30 employee of the State University authorized to participate in the
31 system under subsection b. of section 73 of P.L.1954, c.84
32 (C.43:15A-73), but shall not include employees of agencies
33 authorized to participate in the system under subsections a., c., d.,
34 e., f., and g. of section 73 of P.L.1954, c.84 (C.43:15A-73) or under
35 P.L.1990, c.25 (C.43:15A-73.2 et al.).

36 For the period of July 1, 2009 through June 30, 2011,
37 "contractual salary" for county and municipal employees shall
38 include across the board negotiated wage increases under a
39 collective negotiations agreement that were payable to all county or
40 all municipal employees covered by that agreement notwithstanding
41 that, by amendment to that collective negotiations agreement which
42 has been filed with the Division of Pensions and Benefits, the
43 effective date of the contractual increase has been deferred. For the
44 purpose of this paragraph, "county and municipal employees"
45 means all persons employed by a county or municipality in this
46 State.

47 (cf: P.L.2010, c.50, s.71)

1 7. Section 4 of P.L.2001, c.127 (C.43:15A-24a) is amended to
2 read as follows:

3 4. The State shall be liable for any increased cost to local
4 government employers participating in the **【Public Employees'**
5 Retirement System, established pursuant to P.L.1954, c.84
6 (C.43:15A-1 et seq.),**】** retirement system as a result of the
7 provisions of **【this act, P.L.2001, c.127】** P.L. , c. (pending
8 before the Legislature as this bill).
9 (cf: P.L.2001, c.127, s.4)

10

11 8. Section 2 of P.L.1963, c.19 (C.43:15A-73.1) is amended to
12 read as follows:

13 2. A member may file a detailed statement of public
14 employment in other states or with the United States Government
15 which would be eligible for credit in a State-administered
16 retirement system if the employment was with a public employer in
17 this State, or of **【military】** active service in the Armed Forces of the
18 United States or in a reserve component thereof, or of service
19 resulting from initial appointment or employment on or after
20 January 1, 2002 with a bi-state or multi-state agency established
21 pursuant to an interstate compact to which the State is a party which
22 would be eligible for credit in a State-administered retirement
23 system if the employment was with a public employer in this State,
24 rendered prior to becoming a member, for which the member
25 desires credit, and of such other facts as the retirement system may
26 require. The member may purchase credit for all or a portion of the
27 service evidenced in the statement up to the nearest number of years
28 and months, but not exceeding 10 years, provided however, that a
29 member purchasing that maximum credit may purchase up to five
30 additional years **【for additional military】** of active service
31 **【qualifying the member as a veteran as defined in section 6 of**
32 **P.L.1954, c.84 (C.43:15A-6)】** in the Armed Forces of the United
33 States or a reserve component thereof. No application shall be
34 accepted for the purchase of credit for **【the】**: (1) a period of service
35 if, at the time of application, the member has a vested right to
36 retirement benefits in another retirement system based in whole or
37 in part upon that service; or (2) a period of active service in a
38 reserve component of the Armed Forces of the United States that is
39 concurrent with other service described in the preceding paragraph.
40 The member may purchase credit for the service by paying into the
41 annuity savings fund the amount required by applying the factor,
42 supplied by the actuary as being applicable to the member's age at
43 the time of the purchase, to the member's salary at that time, or to
44 the highest annual compensation for service in this State for which
45 contributions were made during any prior fiscal year of
46 membership, whichever is greater. The purchase may be made in
47 regular installments, equal to at least 1/2 of the full normal

1 contribution to the retirement system, over a maximum period of 10
2 years. The employer of a member who applies, pursuant to this
3 section, to purchase credit for public employment with the United
4 States Government or for **【military】** active service in the Armed
5 Forces of the United States or a reserve component thereof shall not
6 be liable for any payment to the retirement system on behalf of the
7 member for the purchase of this credit.

8 Notwithstanding any provision of this act to the contrary, a
9 member shall not be liable for any costs associated with the
10 financing of pension adjustment benefits and health care benefits
11 for retirees when purchasing credit for public employment in other
12 states or with the United States Government or **【military】** active
13 service in the Armed Forces of the United States or a reserve
14 component thereof or with a bi-state or multi-state agency.

15 Any member electing to make a purchase pursuant to this section
16 who retires prior to completing payments as agreed with the
17 retirement system will receive pro rata credit for the purchase prior
18 to the date of retirement, but if the member so elects at the time of
19 retirement, the member may make the additional lump sum payment
20 required at that time to provide full credit.

21 Notwithstanding any other provision of law to the contrary,
22 service credit established in the retirement system by a member
23 through purchase in accordance with this section, which purchase
24 was made by an application submitted on or after the effective date
25 of P.L.2008, c.89, except a purchase for **【military】** active service in
26 the Armed Forces of the United States or a reserve component
27 thereof, shall not be eligible for consideration when service is used
28 to determine the qualification of the member for any health care
29 benefits coverage paid, in whole or in part, by a public employer
30 after the member's retirement.

31 (cf: P.L.2008, c.89, s.4)

32
33 9. Section 3 of P.L.1991, c.153 (C.43:16A-11.11) is amended
34 to read as follows:

35 3. A member of the Police and Firemen's Retirement System
36 may file a detailed statement of public employment in other states
37 or with the United States Government which would be eligible for
38 credit in a State-administered retirement system if the employment
39 was with a public employer in this State, or of **【military service】**
40 active service in the Armed Forces of the United States or in a
41 reserve component thereof, rendered prior to becoming a member,
42 for which the member desires credit, and of such other facts as the
43 retirement system may require. The member may purchase credit
44 for all or a portion of the service evidenced in the statement up to
45 the nearest number of years and months, but not exceeding 10
46 years, provided however, that a member purchasing that maximum
47 credit may purchase up to five additional years **【for additional**

1 military】 of active service 【qualifying the member as a veteran as
2 defined in section 1 of P.L.1983, c.391 (C.43:16A-11.7)】 in the
3 Armed Forces of the United States or a reserve component thereof.
4 No application shall be accepted for the purchase of credit for
5 【the】: (1) a period of service if, at the time of application, the
6 member has a vested right to retirement benefits in another
7 retirement system based in whole or in part upon that service; or (2)
8 a period of active service in a reserve component of the Armed
9 Forces of the United States that is concurrent with other service
10 described in the preceding paragraph.

11 The member may purchase credit for the service by paying into
12 the annuity savings fund the amount required by applying the
13 factor, supplied by the actuary as being applicable to the member's
14 age at the time of the purchase, to the member's salary at that time,
15 or to the highest annual compensation for service in this State for
16 which contributions were made during any prior fiscal year of
17 membership, whichever is greater. The purchase may be made in
18 regular installments equal to at least 1/2 of the full normal
19 contribution to the retirement system, over a maximum period of 10
20 years. The employer of a member who applies, pursuant to this
21 section, to purchase credit for public employment with the United
22 States Government or for military service in the Armed Forces of
23 the United States shall not be liable for any payment to the
24 retirement system on behalf of the member for the purchase of this
25 credit.

26 Notwithstanding any provision of this act to the contrary, a
27 member shall not be liable for any costs associated with the
28 financing of pension adjustment benefits and health care benefits
29 for retirees when purchasing credit for public employment in other
30 states or with the United States Government or 【military】 active
31 service in the Armed Forces of the United States or a reserve
32 component thereof.

33 Any member electing to purchase the service who retires prior to
34 completing payments as agreed with the retirement system will
35 receive pro rata credit for service purchased prior to the date of
36 retirement, but if the member so elects at the time of retirement, the
37 member may make the additional lump sum payment required at
38 that time to provide full credit.

39 (cf: P.L.1991, c.153, s.3)

40

41 10. Section 1 of P.L.1948, c.259 (C.54:4-3.30) is amended to
42 read as follows:

43 1. a. The dwelling house and the lot or curtilage whereon the
44 same is erected, of any 【citizen and】 resident of this State, 【now or
45 hereafter】 honorably discharged or released under honorable
46 circumstances 【,】 from 【active service, in time of war, in any
47 branch of】 the Armed Forces of the United States or a reserve

1 component thereof, who has been **【or shall be】** declared by the
2 United States **【Veterans Administration】** Department of Veterans'
3 Affairs or its successor to have a service-connected **【disability from**
4 paraplegia, sarcoidosis, osteochondritis resulting in permanent loss
5 of the use of both legs, or permanent paralysis of both legs and
6 lower parts of the body, or from hemiplegia and has permanent
7 paralysis of one leg and one arm or either side of the body, resulting
8 from injury to the spinal cord, skeletal structure, or brain or from
9 disease of the spinal cord not resulting from any form of syphilis; or
10 from total blindness; or from amputation of both arms or both legs,
11 or both hands or both feet, or the combination of a hand and a foot;
12 or from other service-connected disability declared by the United
13 States Veterans Administration or its successor to be a total or**】**
14 100% total and permanent disability **【**, and not so evaluated solely
15 because of hospitalization or surgery and recuperation, sustained
16 through enemy action, or accident, or resulting from disease
17 contracted while in such active service,**】** shall be exempt from
18 taxation, on proper claim made therefor **【**, and such**】**. An exemption
19 under this act, P.L.1948, c.259 (C.54:4-3.30 et seq.), shall be in
20 addition to any other exemption of such person's real **【and**
21 **personal】** property which **【now】** is **【or hereafter shall be】**
22 prescribed or allowed by the Constitution or by law but no taxpayer
23 shall be allowed more than one exemption under this act.

24 b. (1) The surviving spouse of any such **【citizen and】** resident
25 of this State, who at the time of death was entitled to the exemption
26 provided under this act, shall be entitled, on proper claim made
27 therefor, to the same exemption **【as the deceased had】**, during the
28 surviving spouse's widowhood or widowerhood **【**, as the case may
29 be,**】** and while a resident of this State, **【for the time】** provided that
30 the surviving spouse is the legal owner **【thereof and actually**
31 **occupies the said】** and occupant of the dwelling house **【or any other**
32 **dwelling house thereafter acquired】** for which the exemption is
33 claimed.

34 (2) The surviving spouse of any **【citizen and】** resident of this
35 State who was honorably discharged and, after the **【citizen and】**
36 resident's death, is declared to have suffered a service-connected
37 disability as provided in subsection a. of this section, shall be
38 entitled, on proper claim made therefor, to the same exemption the
39 deceased would have become eligible for. The exemption shall
40 continue during the surviving spouse's widowhood or widowerhood
41 **【**, as the case may be,**】** and while a resident of this State, **【for the**
42 **time】** provided that the surviving spouse is the legal owner **【thereof**
43 **and actually occupies】** and occupant of the dwelling house **【or any**
44 **other dwelling house thereafter acquired】** for which the exemption
45 is claimed.

1 c. The surviving spouse of any **【citizen and】** resident of this
2 State, who died in active service in **【time of war in any branch of】**
3 the Armed Forces of the United States or a reserve component
4 thereof as a result of a service-connected injury or disease, shall be
5 entitled, on proper claim made therefor, to an exemption from
6 taxation on the dwelling house and lot or curtilage whereon the
7 same is erected, during the surviving spouse's widowhood or
8 widowerhood **【, as the case may be,】** and while a resident of this
9 State, **【for the time】** provided that the surviving spouse is the legal
10 owner **【thereof and actually occupies the said dwelling or any**
11 **other】** and occupant of the dwelling house 【thereafter acquired】 for
12 which the exemption is claimed.

13 d. The surviving spouse of any citizen and resident of this State
14 who died prior to **【January 10, 1972, that being】** the effective date
15 of **【P.L.1971, c.398】** P.L. __, c. __ (C. __) (pending before the
16 Legislature as this bill), and whose circumstances were such that,
17 had said law become effective during the deceased's lifetime, the
18 deceased would have become eligible for the exemption granted
19 under this section as amended by said law, shall be entitled, on
20 proper claim made therefor, to the same exemption **【as the deceased**
21 **would have become eligible for upon the dwelling house and lot or**
22 **curtilage occupied by the deceased at the time of death,】** during the
23 surviving spouse's widowhood or widowerhood **【, as the case may**
24 **be,】** and while a resident of this State, **【for the time】** provided that
25 the surviving spouse is the legal owner **【thereof and actually**
26 **occupies the said】** and occupant of the dwelling house 【on the
27 premises to be exempted】 for which the exemption is claimed.

28 e. **【Nothing in this act shall be intended to include paraplegia**
29 **or hemiplegia resulting from locomotor ataxia or other forms of**
30 **syphilis of the central nervous system, or from chronic alcoholism,**
31 **or to include other forms of disease resulting from the veteran's own**
32 **misconduct which may produce signs and symptoms similar to**
33 **those resulting from paraplegia, osteochondritis, or hemiplegia】**
34 (Deleted by amendment, P.L. __, c. __) (pending before the
35 Legislature as this bill).
36 (cf: P.L.2007, c.317, s.1)

37
38 11. Section 2 of P.L.1948, c.259 (C.54:4-3.31) is amended to
39 read as follows:

40 2. **【All exemptions from taxation under P.L.1948, c.259**
41 **(C.54:4-3.30 et seq.) shall be allowed by the assessor upon the**
42 **filing with him of a claim in writing under oath, made by or on**
43 **behalf of the person claiming the same, showing the right to the**
44 **exemption, briefly describing】** A municipal tax assessor shall allow
45 an exemption under section 1 of P.L.1948, c.259 (C.54:4-3.30) to a
46 claimant when the claimant, or a person acting on behalf of the

1 claimant, files with the assessor a claim in writing under oath that
2 contains: (1) a brief description of the property for which exemption
3 is claimed [and having annexed thereto] ; (2) a certificate of the
4 claimant's honorable discharge or release under honorable
5 circumstances [.] from active service [, in time of war,] in [any
6 branch of the armed forces] the Armed Forces of the United States
7 or a reserve component thereof; and (3) a certificate from the
8 United States [Veterans Administration] Department of Veterans'
9 Affairs or its successor, certifying to a service-connected disability
10 of [such] the claimant of the character described in section 1 of
11 P.L.1948, c.259 (C.54:4-3.30). In the case of a claim by a surviving
12 spouse of such veteran, the claimant shall establish in writing under
13 oath that (1) the claimant is the owner of the legal title to the
14 premises on which exemption is claimed; (2) that the claimant
15 occupies the dwelling house on said premises as the claimant's legal
16 residence in this State; (3) that the veteran [shall have been] was
17 declared, either during the veteran's lifetime or after the veteran's
18 death, by the United States [Veterans Administration] Department
19 of Veterans' Affairs to have or to have had a service-connected
20 disability of a character described in [this act] section 1 of
21 P.L.1948, c.259 (C.54:4-3.30), or, in the case of a claim for an
22 exemption under subsection c. of [section 1 of P.L.1948, c.259
23 (C.54:4-3.30)] that section, that the veteran [shall have been] was
24 declared to have died in active service [in time of war]; (4) that the
25 veteran was entitled to an exemption provided [for in this act]
26 under section 1 of P.L.1948, c.259 (C.54:4-3.30), except for an
27 exemption under paragraph (2) of subsection b. and subsection c. or
28 d. of section 1 [hereof] of that section, at the time of death; and (5)
29 that the claimant is a resident of this State and has not remarried.
30 [Such exemptions] Exemptions provided for under section 1 of
31 P.L.1948, c.259 (C.54:4-3.30 et seq.) shall be allowed and prorated
32 by the assessor for the remainder of any taxable year from the date
33 the claimant shall have acquired title to the real property intended to
34 be exempt by this act. Where a portion of a multiple-family
35 building or structure occupied by the claimant is the subject of such
36 exemption, the assessor shall aggregate the assessment on the lot or
37 curtilage and building or structure and allow an exemption of that
38 percentage of the aggregate assessment as the value of the portion
39 of the building or structure occupied by the claimant bears to the
40 value of the entire building or structure.
41 (cf: P.L.2007, c.317, s.2)

42
43 12. Section 1 of P.L.1963, c.171 (C.54:4-8.10) is amended to
44 read as follows:

45 1. (a) ["Active service in time of war" means active service at
46 some time during one of the following periods:

47 Operation "Iraqi Freedom", on or after the date the President of

1 the United States or the United States Secretary of Defense
2 designates as the inception date of that operation, who served in
3 Iraq or in another area in the region in direct support of that
4 operation for a period, continuously or in the aggregate, of at least
5 14 days in such active service commencing on or before the date the
6 President of the United States or the United States Secretary of
7 Defense designates as the termination date of that operation;
8 provided, that any person receiving an actual service-incurred injury
9 or disability while engaged in such service shall be classed as a
10 veteran whether or not that person has completed the 14 days'
11 service as herein provided;

12 Operation "Enduring Freedom", on or after September 11, 2001,
13 who served in a theater of operation and in direct support of that
14 operation for a period, continuously or in the aggregate, of at least
15 14 days in such active service commencing on or before the date the
16 President of the United States or the United States Secretary of
17 Defense designates as the termination date of that operation;
18 provided, that any person receiving an actual service-incurred injury
19 or disability while engaged in such service shall be classed as a
20 veteran whether or not that person has completed the 14 days'
21 service as herein provided;

22 Operation "Restore Hope" in Somalia, on or after December 5,
23 1992, or the date of inception of that operation as proclaimed by the
24 President of the United States or Congress, whichever date is
25 earliest, who has served in Somalia or on board any ship actively
26 engaged in patrolling the territorial waters of that nation for a
27 period, continuously or in the aggregate, of at least 14 days in such
28 active service commencing on or before March 31, 1994; provided
29 that any person receiving an actual service-incurred injury or
30 disability shall be classed as a veteran whether or not that person
31 has completed the 14-day service as herein provided;

32 Operations "Joint Endeavor" and "Joint Guard" in the Republic
33 of Bosnia and Herzegovina, on or after November 20, 1995, who
34 served in such active service in direct support of one or both of the
35 operations for at least 14 days, continuously or in the aggregate,
36 commencing on or before June 20, 1998, and (1) was deployed in
37 that nation or in another area in the region, or (2) was on board a
38 United States naval vessel operating in the Adriatic Sea, or (3)
39 operated in airspace above the Republic of Bosnia and
40 Herzegovina; provided that any person receiving an actual service-
41 incurred injury or disability shall be classed as a veteran whether or
42 not that person completed the 14-day service requirement;

43 Operation Northern Watch and Operation Southern Watch, on or
44 after August 27, 1992, or the date of inception of that operation, as
45 proclaimed by the President of the United States, Congress or
46 United States Secretary of Defense, whichever date of inception is
47 earliest, who served in the theater of operation, including in the
48 Arabian peninsula and the Persian Gulf, and in direct support of that

1 operation for a period, continuously or in the aggregate, of at least
2 14 days in such active service, commencing on or before the date of
3 termination as proclaimed by the President of the United States,
4 Congress or United States Secretary of Defense, whichever date of
5 termination is the latest; provided, that any person receiving an
6 actual service-incurred injury or disability while engaged in such
7 service shall be classed as a veteran whether or not that person has
8 completed the 14 days' service as herein provided;

9 Operation "Desert Shield/Desert Storm" mission in the Arabian
10 peninsula and the Persian Gulf, on or after August 2, 1990 or the
11 date of inception of that operation, as proclaimed by the President
12 of the United States or Congress, whichever date of inception is
13 earliest, who has served in the Arabian peninsula or on board any
14 ship actively engaged in patrolling the Persian Gulf for a period,
15 continuous or in the aggregate, of at least 14 days commencing on
16 or before the date of termination of that mission, as proclaimed by
17 the President of the United States or Congress, whichever date of
18 termination is the latest, in such active service; provided, that any
19 person receiving an actual service-incurred injury or disability shall
20 be classed as a veteran whether or not that person has completed the
21 14 days' service as herein provided;

22 The Panama peacekeeping mission, on or after December 20,
23 1989 or the date of inception of that mission, as proclaimed by the
24 President of the United States or Congress, whichever date of
25 inception is earliest, who has served in Panama or on board any ship
26 actively engaged in patrolling the territorial waters of that nation for
27 a period, continuous or in the aggregate, of at least 14 days
28 commencing on or before January 31, 1990 or the date of
29 termination of that mission, as proclaimed by the President of the
30 United States or Congress, whichever date of termination is the
31 latest, in such active service; provided, that any person receiving an
32 actual service-incurred injury or disability shall be classed as a
33 veteran whether or not that person has completed the 14 days'
34 service as herein provided;

35 The Grenada peacekeeping mission, on or after October 23,
36 1983, who has served in Grenada or on board any ship actively
37 engaged in patrolling the territorial waters of that nation for a
38 period, continuous or in the aggregate, of at least 14 days
39 commencing on or before November 21, 1983 or the date of
40 termination of that mission as proclaimed by the President of the
41 United States or Congress, whichever date of termination is the
42 latest, in such active service; provided, that any person receiving an
43 actual service-incurred injury or disability shall be classed as a
44 veteran whether or not that person has completed the 14 days'
45 service as herein provided;

46 The Lebanon peacekeeping mission, on or after September 26,
47 1982, who has served in Lebanon or on board any ship actively
48 engaged in patrolling the territorial waters of that nation for a

1 period, continuous or in the aggregate, of at least 14 days
2 commencing on or before December 1, 1987 or the date of
3 termination of that mission, as proclaimed by the President of the
4 United States or Congress, whichever date of termination is the
5 latest, in such active service; provided, that any person receiving an
6 actual service-incurred injury or disability shall be classed as a
7 veteran whether or not that person has completed the 14 days'
8 service as herein provided;

9 The Vietnam conflict, December 31, 1960, to May 7, 1975;

10 The Lebanon crisis, on or after July 1, 1958, who has served in
11 Lebanon or on board any ship actively engaged in patrolling the
12 territorial waters of that nation for a period, continuous or in the
13 aggregate, of at least 14 days commencing on or before November
14 1, 1958 or the date of termination of that conflict, as proclaimed by
15 the President of the United States or Congress, whichever date of
16 termination is the latest, in such active service; provided, that any
17 person receiving an actual service-incurred injury or disability shall
18 be classed as a veteran whether or not that person has completed the
19 14 days' service as herein provided;

20 The Korean conflict, June 23, 1950 to January 31, 1955;

21 World War II, September 16, 1940 to December 31, 1946;

22 World War I, April 6, 1917 to November 11, 1918, and in the
23 case of service with the United States military forces in Russia,
24 April 6, 1917 to April 1, 1920;

25 Spanish-American War, April 21, 1898 to August 13, 1898;

26 Civil War, April 15, 1861 to May 26, 1865; or, as to any
27 subsequent war, during the period from the date of declaration of
28 war to the date on which actual hostilities shall cease】 (Deleted by
29 amendment, P.L. , c.) (pending before the Legislature as this
30 bill).

31 (b) "Assessor" means the assessor, board of assessors or any
32 other official or body of a taxing district charged with the duty of
33 assessing real and personal property for the purpose of general
34 taxation.

35 (c) "Collector" means the collector or receiver of taxes of a
36 taxing district.

37 (d) "Honorably discharged or released under honorable
38 circumstances 【from active service in time of war,】" means 【and
39 includes】 every form of separation from active 【, full-time duty
40 with military or naval pay and allowances in some branch of the】
41 service in the Armed Forces of the United States 【in time of war】
42 or from military service in a reserve component thereof, other than
43 those marked "dishonorable," "undesirable," "bad conduct," "by
44 sentence of general court martial," "by sentence of summary court
45 martial" or similar expression indicating that the discharge or
46 release was not under honorable circumstances. 【A】 "Honorably
47 discharged or released under honorable circumstances" shall not

1 include a disenrollment certificate or other form of release
2 terminating temporary service in [a military or naval branch of the
3 armed forces] the Armed Forces of the United States or a reserve
4 component thereof rendered on a voluntary and part-time basis
5 without pay, or a release from or deferment of induction into [the]
6 active [military or naval] service [shall not be deemed to be
7 included in the aforementioned phrase] of the Armed Forces of the
8 United States, or military service in a reserve component thereof.

9 (e) "Pre-tax year" means the particular calendar year
10 immediately preceding the "tax year."

11 (f) "Resident" means one legally domiciled within the State of
12 New Jersey. Mere seasonal or temporary residence within the State,
13 of whatever duration, shall not constitute domicile within the State
14 for the purposes of this act. Absence from this State for a period of
15 12 months shall be prima facie evidence of abandonment of
16 domicile in this State. The burden of establishing legal domicile
17 within the State shall be upon the claimant.

18 (g) "Tax year" means the particular calendar year in which the
19 general property tax is due and payable.

20 (h) "Veteran" means any [citizen and] resident of this State
21 who served at least 90 days of active service in the Armed Forces of
22 the United States, excluding any period of service for basic training
23 or as a cadet or midshipman at one of the service academies, or
24 served as a member of a reserve component of the Armed Forces of
25 the United States for an entire period for which called to federal
26 active service, not including active duty for training, and was
27 honorably discharged or released therefrom under honorable
28 circumstances [from active service in time of war in any branch of
29 the Armed Forces of the United States]. A person who served
30 fewer than 90 days of active service or who served less than the
31 entire period to which called to active service shall be classed as a
32 veteran if that person has been honorably discharged or released
33 under honorable circumstances from active service as a result of a
34 service-connected disability incurred as a result of such service.

35 (i) "Veteran's deduction" means the deduction against the taxes
36 payable by any person, allowable pursuant to this act.

37 (j) "Surviving spouse" means the surviving wife or husband of
38 [any of the following,] a veteran, or of a resident of this State who
39 died in active service in the Armed Forces of the United States or a
40 reserve component thereof, while [he or she] the surviving wife or
41 husband is a resident of this State, during widowhood or
42 widowerhood [:

43 1. A citizen and resident of this State who has died or shall die
44 while on active duty in time of war in any branch of the Armed
45 Forces of the United States; or

46 2. A citizen and resident of this State who has had or shall
47 hereafter have active service in time of war in any branch of the

1 Armed Forces of the United States and who died or shall die while
2 on active duty in a branch of the Armed Forces of the United States;
3 or

4 3. A citizen and resident of this State who has been or may
5 hereafter be honorably discharged or released under honorable
6 circumstances from active service in time of war in any branch of
7 the Armed Forces of the United States**】**.

8 (k) "Cooperative" means a housing corporation or association
9 incorporated or organized under the laws of New Jersey which
10 entitles a shareholder thereof to possess and occupy for dwelling
11 purposes a house, apartment or other structure owned or leased by
12 the corporation or association.

13 (l) "Mutual housing corporation" means a corporation not-for-
14 profit incorporated under the laws of New Jersey on a mutual or
15 cooperative basis within the scope of section 607 of the "National
16 Defense Housing Act," Pub.L.76-849 (42 U.S.C.s.1521 et seq.),
17 which acquired a National Defense Housing Project pursuant to that
18 act.

19 (cf: P.L.2005, c.64, s.5)

20

21 13. Section 2 of P.L.1963, c.171 (C.54:4-8.11) is amended to
22 read as follows:

23 2. Every **【**person a citizen and resident of this State now or
24 hereafter honorably discharged or released under honorable
25 circumstances from active service in time of war in any branch of
26 the Armed Forces of the United States**】** veteran and **【a】** surviving
27 spouse **【**as defined herein, during her widowhood or his
28 widowerhood, and while a resident of this State,**】** shall be entitled,
29 annually, on proper claim **【being made】** therefor, to a deduction
30 from the amount of any tax bill for taxes on real **【or personal】**
31 property **【or both】** in the sum of \$100 in tax year 2000, \$150 in tax
32 year 2001, \$200 in tax year 2002, and \$250 in each subsequent tax
33 year, or if the amount of any such tax shall be less than \$100 in tax
34 year 2000, \$150 in tax year 2001, \$200 in tax year 2002, and \$250
35 in each subsequent tax year, to a cancellation thereof.

36 (cf: P.L.2000, c.9, s.1)

37

38 14. Section 3 of P.L.1963, c.171 (C.54:4-8.12) is amended to
39 read as follows:

40 3. No veteran's deduction from taxes assessed against real **【and**
41 **personal】** property, as provided herein, shall be allowed except
42 upon written application therefor, which application shall be on a
43 form prescribed by the Director of the Division of Taxation, in the
44 Department of the Treasury, and provided for the use of claimants
45 hereunder by the governing body of the municipality constituting
46 the taxing district in which such claim is to be filed and the
47 application has been approved as provided in this act.

1 【An assessor shall not require the filing of an application for a
2 veteran's deduction under this act of any person who has filed, or
3 shall file, a claim for an exemption from taxation under chapter 184
4 of the laws of 1951, on or before December 31, 1963, but shall
5 approve a veteran's deduction for such person, if it appears from
6 such claim for exemption that such person meets all the other
7 prerequisites required by law for the approval of a claim for a
8 veteran's deduction.】

9 Each assessor may at any time inquire into the right of a claimant
10 to the continuance of a veteran's deduction 【hereunder】 and for that
11 purpose he or she may require the filing of a new application or the
12 submission of such proof as 【he】 shall 【deem】 be deemed
13 necessary to determine the right of the claimant to continuance of
14 such deduction. No application for a veteran's deduction based
15 upon active service in the Armed Forces of the United States or a
16 reserve component thereof shall be allowed unless there is annexed
17 thereto a copy 【, which may be photostatic,】 of the claimant's
18 certificate of honorable discharge or 【of his certificate of】 release
19 under honorable circumstances from 【active service in time of war
20 in a branch of】 the Armed Forces of the United States or a reserve
21 component thereof.

22 In the case of an application by a surviving spouse said
23 application shall not be allowed unless it clearly establishes that:

24 (a) Claimant's spouse died while on active 【duty】 service in 【a
25 branch of】 the Armed Forces of the United States 【, having had
26 active service in time of war, as herein defined, in a branch of the
27 Armed Forces of the United States】 or a reserve component thereof,
28 or in the case of a surviving spouse of a veteran, claimant shall
29 establish that the veteran was honorably discharged or released
30 under honorable circumstances from 【active service in time of war
31 in any branch of】 the Armed Forces of the United States, or a
32 reserve component thereof; (b) claimant's spouse was a 【citizen
33 and】 resident of this State at the time of death【,】; (c) claimant was
34 the spouse of the veteran at the time of the veteran's death【,】; and
35 (d) claimant is a resident of this State and has not remarried.

36 (cf: P.L.1997, c.30, s.1)

37

38 15. Section 4 of P.L.1963, c.171 (C.54:4-8.13) is amended to
39 read as follows:

40 4. An application for a veteran's deduction 【hereunder】 may be
41 filed with the assessor of the taxing district at any time on or before
42 December 31 of the pretax year. If so filed and approved by the
43 assessor, he or she shall allow a veteran's deduction from taxes on
44 the real 【or personal】 property 【, or both,】 assessed to the claimant
45 in the amount 【of the claim approved by him and】 prescribed by
46 section 2 of P.L.1963, c.171 (C.54:4-8.11). The assessor shall

1 indicate, upon the assessment list and duplicates, (1) the veteran's
2 deduction application approval **【thereof】** in such manner as shall be
3 prescribed by rules of the Director of the Division of Taxation **【,**
4 together with **】** ; and (2) the proportionate share of 【such】 property
5 deemed to be owned by the claimant for the purposes of **【this act】**
6 establishing a claim to a veteran's deduction, if the claimant is not
7 the sole owner thereof. **【The】** If the application 【, if】 is not filed
8 with the assessor **【within the time aforementioned,】** on or before
9 December 31 of the pretax year, it may be filed with the collector
10 during the tax year 【and upon approval by】 for review. If the
11 collector **【of such】** approves the application he or she shall
12 determine the amount of the reduction in tax to which the claimant
13 is entitled and shall allow said amount as an offset against the tax
14 then remaining unpaid. If the amount allowable as an offset **【shall**
15 **exceed】** exceeds the amount of the tax then unpaid for that tax year,
16 or if the application for a veteran's deduction is not filed with the
17 collector until after all taxes for the tax year have been fully paid,
18 the claimant may make application to the governing body of the
19 municipality constituting the taxing district for the refund of any tax
20 overpaid, but without interest, and the governing body may, in its
21 discretion, direct the return of any tax **【deemed by it】** it deems to
22 have been overpaid by reason of claimant's failure to make timely
23 application for a veteran's deduction; provided, however, that an
24 assessor, collector or governing body shall not allow an 【no】
25 application for a veteran's deduction for any previous tax year
26 **【shall be allowed by any assessor, collector or governing body】**.

27 Where an application for a veteran's deduction is filed with and
28 allowed by a collector **【he】**, the collector shall promptly transmit
29 such application and all exhibits attached thereto, or a **【photostatic】**
30 copy thereof, to the assessor of the taxing district. Upon receipt
31 thereof the assessor shall review the application and if approved by
32 **【him】** the assessor it shall have the same force as if originally filed
33 with him or her.

34 (cf: P.L.1985, c.515, s.9)

35

36 16. Section 8 of P.L.1963, c.171 (C.54:4-8.17) is amended to
37 read as follows:

38 8. No person shall be allowed a veteran's deduction from the
39 tax assessed against real **【and personal】** property of more than \$100
40 in the aggregate in tax year 2000, \$150 in the aggregate in tax year
41 2001, \$200 in the aggregate in tax year 2002 and \$250 in the
42 aggregate in any subsequent tax year, but a veteran's deduction may
43 be claimed in any taxing district in which the claimant has taxable
44 property and may be apportioned, at the claimant's option, between
45 two or more taxing districts; provided such claims shall not exceed
46 \$100 in the aggregate in tax year 2000, \$150 in the aggregate in tax

1 year 2001, \$200 in the aggregate in tax year 2002 and \$250 in the
2 aggregate in any subsequent tax year. If a surviving spouse [, as
3 herein defined, shall _have been honorably discharged or released
4 under honorable circumstances from active service in time of war in
5 any branch of the Armed Forces of the United States,] is also a
6 veteran, the surviving spouse shall be entitled to a veteran's
7 deduction for each status.

8 The veteran's deductions herein provided shall be in addition to
9 any exemptions now or hereafter provided by any other statute for
10 disabled veterans or surviving spouses [, as herein defined,] and in
11 addition to any deductions provided under P.L.1963, c.172 (C.54:4-
12 8.40 et seq.) for senior citizens and the permanently and totally
13 disabled, and certain surviving spouses thereof, to which the
14 claimant is entitled. In addition, a claimant may receive any
15 homestead rebate or credit provided by law.

16 (cf: P.L.2000, c.9, s.2)

17
18 17. (New section) Notwithstanding any other law to the
19 contrary, a resident of this State who is in active service in the
20 Armed Forces of the United States or is a member of a reserve
21 component thereof, and has not been discharged or released
22 therefrom, but who otherwise qualifies as a veteran, shall be eligible
23 for a civil service preference on the same basis as a veteran. Instead
24 of the certificate of honorable discharge or release under honorable
25 circumstances required to be provided to the Adjutant General of
26 the Department of Military and Veterans' Affairs pursuant to
27 N.J.S.11A:5-1, the claimant shall provide to the Adjutant General,
28 in a form and content the Adjutant General shall deem appropriate,
29 evidence of his or her status as an active service member of the
30 Armed Forces of the United States or as a member of a reserve
31 component thereof.

32
33 18. (New section) Notwithstanding any other law to the
34 contrary, a resident of this State who is in active service in the
35 Armed Forces of the United States or is a member of a reserve
36 component thereof, and has not been discharged or released
37 therefrom, but who otherwise qualifies as a veteran, shall be eligible
38 for a veterans' deduction on the same basis as a veteran. Instead of
39 the certificate of honorable discharge or release under honorable
40 circumstances required to be provided to the assessor pursuant to
41 section 3 of P.L.1963, c.171 (C.54:4-8.12), the claimant shall
42 provide to the assessor, in a form and content the Adjutant General
43 shall deem appropriate, evidence of his or her status as an active
44 service member of the Armed Forces of the United States or as a
45 member of a reserve component thereof.

46
47 19. N.J.S.11A:5-13, section 3 of P.L.2001, c.128 (C.43:15A-
48 24b) and section 1 of P.L.1983, c.391 (C.43:16A-11.7) are repealed.

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1 United States Armed Forces or a current member of a reserve
2 component thereof (including the National Guard) who has not been
3 discharged from service is eligible for the civil service preference
4 and the property tax deduction provided that he or she otherwise
5 qualifies as a veteran.

6 Eligibility for the property tax benefits and civil service benefits
7 are contingent upon voter approval of an authorizing amendment to
8 the State Constitution.