

**ASSEMBLY, No. 278**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblyman JOHN ARMATO**

**District 2 (Atlantic)**

**Assemblyman VINCENT MAZZEO**

**District 2 (Atlantic)**

**Assemblywoman CAROL A. MURPHY**

**District 7 (Burlington)**

**Co-Sponsored by:**

**Assemblywoman Swain, Assemblymen Tully and Benson**

**SYNOPSIS**

Extends certain benefits to veterans who received a badge, medal, or ribbon for serving in federal military campaign or expedition.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 3/16/2020)**

1 **AN ACT** extending certain benefits to certain veterans and amending  
2 various parts of the statutory law.

3

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

6

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

8 11A:5-1. As used in this chapter:

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

20 b. "Veteran" means any honorably discharged soldier, sailor,  
21 marine or nurse who served in any army or navy of the allies of the  
22 United States in World War I, between July 14, 1914 and November  
23 11, 1918, or who served in any army or navy of the allies of the  
24 United States in World War II, between September 1, 1939 and  
25 September 2, 1945 and who was inducted into that service through  
26 voluntary enlistment, and was a citizen of the United States at the  
27 time of the enlistment, and who did not renounce or lose his or her  
28 United States citizenship; or any soldier, sailor, marine, airman,  
29 nurse or army field clerk, who has served in the active military or  
30 naval service of the United States and has been discharged or  
31 released under other than dishonorable conditions from that service  
32 in any of the following wars or conflicts, or campaigns or  
33 expeditions, and who has presented to the Adjutant General of the  
34 Department of Military and Veterans' Affairs sufficient evidence of  
35 the record of service and received a determination of status no later  
36 than eight days prior to the issuance of an employment list, for  
37 which that individual received a passing score on an examination:

38 (1) World War I, between April 6, 1917 and November 11,  
39 1918;

40 (2) World War II, on or after September 16, 1940, who shall  
41 have served at least 90 days beginning on or before December 31,  
42 1946 in such active service, exclusive of any period of assignment  
43 for a course of education or training under the Army Specialized  
44 Training Program or the Navy College Training Program, which  
45 course was a continuation of a civilian course and was pursued to

**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 completion, or as a cadet or midshipman at one of the service  
2 academies; except that any person receiving an actual service-  
3 incurred injury or disability shall be classed a veteran whether or  
4 not that person has completed the 90-day service;

5 (3) Korean conflict, on or after June 23, 1950, who shall have  
6 served at least 90 days beginning on or before January 31, 1955, in  
7 active service, exclusive of any period of assignment for a course of  
8 education or training under the Army Specialized Training Program  
9 or the Navy College Training Program, which course was a  
10 continuation of a civilian course and was pursued to completion, or  
11 as a cadet or midshipman at one of the service academies; except  
12 that any person receiving an actual service-incurred injury or  
13 disability shall be classed as a veteran, whether or not that person  
14 has completed the 90-day service;

15 (4) Lebanon crisis, on or after July 1, 1958, who has served in  
16 Lebanon or on board any ship actively engaged in patrolling the  
17 territorial waters of that nation for a period, continuous or in the  
18 aggregate, of at least 14 days commencing on or before November  
19 1, 1958 or the date of termination of that conflict, as proclaimed by  
20 the President of the United States or Congress, whichever date of  
21 termination is the latest, in such active service; provided, that any  
22 person receiving an actual service-incurred injury or disability shall  
23 be classed as a veteran whether or not that person has completed the  
24 14 days' service as herein provided;

25 (5) Vietnam conflict, on or after December 31, 1960, who shall  
26 have served at least 90 days beginning on or before May 7, 1975, in  
27 active service, exclusive of any period of assignment for a course of  
28 education or training under the Army Specialized Training Program  
29 or the Navy College Training Program, which course was a  
30 continuation of a civilian course and was pursued to completion, or  
31 as a cadet or midshipman at one of the service academies, and  
32 exclusive of any service performed pursuant to the provisions of  
33 section 511(d) of Title 10, United States Code, or exclusive of any  
34 service performed pursuant to enlistment in the National Guard or  
35 the Army Reserve, Naval Reserve, Air Force Reserve, Marine  
36 Corps Reserve, or Coast Guard Reserve; except that any person  
37 receiving an actual service-incurred injury or disability shall be  
38 classed as a veteran, whether or not that person has completed the  
39 90-day service as provided;

40 (6) Lebanon peacekeeping mission, on or after September 26,  
41 1982, who has served in Lebanon or on board any ship actively  
42 engaged in patrolling the territorial waters of that nation for a  
43 period, continuous or in the aggregate, of at least 14 days  
44 commencing on or before December 1, 1987 or the date of  
45 termination of that mission, as proclaimed by the President of the  
46 United States or Congress, whichever date of termination is the  
47 latest, in such active service; provided, that any person receiving an  
48 actual service-incurred injury or disability shall be classed as a

1 veteran whether or not that person has completed the 14 days'  
2 service as herein provided;

3 (7) Grenada peacekeeping mission, on or after October 23,  
4 1983, who has served in Grenada 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 November 21, 1983 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 (8) Panama peacekeeping mission, on or after December 20,  
15 1989 or the date of inception of that mission, as proclaimed by the  
16 President of the United States or Congress, whichever date of  
17 inception is earliest, who has served in Panama or on board any ship  
18 actively engaged in patrolling the territorial waters of that nation for  
19 a period, continuous or in the aggregate, of at least 14 days  
20 commencing on or before January 31, 1990 or the date of  
21 termination of that mission, as proclaimed by the President of the  
22 United States or Congress, whichever date of termination is the  
23 latest, in such active service; provided, that any person receiving an  
24 actual service-incurred injury or disability shall be classed as a  
25 veteran whether or not that person has completed the 14 days'  
26 service as herein provided;

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

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

1 the President of the United States, Congress or United States  
2 Secretary of Defense, whichever date of termination is the latest;  
3 provided, that any person receiving an actual service-incurred injury  
4 or disability while engaged in such service shall be classed as a  
5 veteran whether or not that person has completed the 14 days'  
6 service as herein provided;

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

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

28 (13) Operation "Uphold Democracy" in Haiti, on or after  
29 September 19, 1994, who served in Haiti or on board any ship  
30 actively engaged in patrolling the territorial waters of that nation for  
31 a period, continuously or in the aggregate, of at least 14 days in  
32 such active service commencing on or before March 31, 1995, and  
33 who received an Armed Forces Expeditionary Medal for such  
34 service; provided, that any person receiving an actual service-  
35 incurred injury or disability shall be classed as a veteran whether or  
36 not that person has completed the 14 days' service as herein  
37 provided or received an Armed Forces Expeditionary Medal;

38 (14) Operation "Enduring Freedom", on or after September 11,  
39 2001, who served in a theater of operation and 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; **【and】**

1 (15) 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; and

13 (16) Campaign or expedition for which a service badge, medal,  
14 or ribbon has been authorized and awarded to the service member  
15 for serving in support of military combat operations;

16 c. "War service" means service by a veteran in any war or  
17 conflict described in this chapter during the periods specified.  
18 (cf: P.L.2007, c.115, s.1)

19

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

21 18A:66-2. As used in this article:

22 a. "Accumulated deductions" means the sum of all the  
23 amounts, deducted from the compensation of a member or  
24 contributed by or in behalf of the member, including interest  
25 credited to January 1, 1956, standing to the credit of the member's  
26 individual account in the annuity savings fund.

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

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

31 d. (1) "Compensation" means the contractual salary, for  
32 services as a teacher as defined in this article, which is in  
33 accordance with established salary policies of the member's  
34 employer for all employees in the same position but shall not  
35 include individual salary adjustments which are granted primarily in  
36 anticipation of the member's retirement or additional remuneration  
37 for performing temporary or extracurricular duties beyond the  
38 regular school day or the regular school year.

39 (2) In the case of a person who becomes a member of the  
40 retirement system on or after July 1, 2007, "compensation" means  
41 the amount of the contractual salary equivalent to the annual  
42 maximum wage contribution base for Social Security, pursuant to  
43 the Federal Insurance Contributions Act, for services as a teacher as  
44 defined in this article, which is in accordance with established  
45 salary policies of the member's employer for all employees in the  
46 same position but shall not include individual salary adjustments  
47 which are granted primarily in anticipation of the member's  
48 retirement or additional remuneration for performing temporary or

1 extracurricular duties beyond the regular school day or the regular  
2 school year. This paragraph shall not apply to a person who at the  
3 time of enrollment in the retirement system on or after July 1, 2007  
4 transfers service credit from another State-administered retirement  
5 system pursuant to N.J.S.18A:66-15.1, but shall apply to a former  
6 member of the retirement system who has been granted a retirement  
7 allowance and is reenrolled in the retirement system on or after July  
8 1, 2007 pursuant to N.J.S.18A:66-53.2 after becoming employed  
9 again in a position that makes the person eligible to be a member of  
10 the retirement system.

11 For the period of July 1, 2009 through June 30, 2011,  
12 "contractual salary" for State employees shall include wage  
13 increases under a collective negotiations agreement notwithstanding  
14 that, by amendment to that collective negotiations agreement, the  
15 effective date of the contractual increase has been deferred. For the  
16 purpose of this paragraph, "State employee" means an employee in  
17 the Executive Branch of State government of New Jersey.

18 e. "Employer" means the State, the board of education or any  
19 educational institution or agency of or within the State by which a  
20 teacher is paid.

21 f. (1) "Final compensation" means the average annual  
22 compensation for which contributions are made for the three years  
23 of creditable service in New Jersey immediately preceding the  
24 member's retirement or death, or it shall mean the average annual  
25 compensation for New Jersey service for which contributions are  
26 made during any three fiscal years of his or her membership  
27 providing the largest possible benefit to the member or the  
28 member's beneficiary.

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

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

40 h. "Pension" means payments for life derived from  
41 appropriations made by the State or employers to the Teachers'  
42 Pension and Annuity Fund.

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

- 1       j. "Pension reserve" means the present value of all payments to  
2 be made on account of any pension or benefit in lieu of a pension  
3 granted to a member from the Teachers' Pension and Annuity Fund,  
4 computed on the basis of such mortality tables recommended by the  
5 actuary as the board of trustees adopts, with regular interest.
- 6       k. "Present-entrant" means any member of the Teachers'  
7 Pension and Annuity Fund who had established status as a "present-  
8 entrant member" of said fund prior to January 1, 1956.
- 9       l. "Rate of contribution initially certified" means the rate of  
10 contribution certified by the retirement system in accordance with  
11 N.J.S.18A:66-29.
- 12       m. "Regular interest" shall mean interest as determined by the  
13 State Treasurer, after consultation with the Directors of the  
14 Divisions of Investment and Pensions, the board of trustees and the  
15 actuary. It shall bear a reasonable relationship to the percentage rate  
16 of earnings on investments based on the market value of assets but  
17 shall not exceed the assumed percentage rate of increase applied to  
18 salaries plus 3%, provided however that the board of trustees shall  
19 not set the average percentage rate of increase applied to salaries  
20 below 6%.
- 21       n. "Retirement allowance" means the pension plus the annuity.
- 22       o. "School service" means any service as a "teacher" as defined  
23 in this section.
- 24       p. "Teacher" means any regular teacher, special teacher,  
25 helping teacher, teacher clerk, principal, vice-principal, supervisor,  
26 supervising principal, director, superintendent, city superintendent,  
27 assistant city superintendent, county superintendent, State  
28 Commissioner or Assistant Commissioner of Education, members  
29 of the State Department of Education who are certificated,  
30 unclassified professional staff and other members of the teaching or  
31 professional staff of any class, public school, renaissance school  
32 project established pursuant to P.L.2011, c.176 (C.18A:36C-  
33 1 et seq.) upon commencement of employment, high school, normal  
34 school, model school, training school, vocational school, truant  
35 reformatory school, or parental school, and of any and all classes or  
36 schools within the State conducted under the order and  
37 superintendence, and wholly or partly at the expense of the State  
38 Board of Education, of a duly elected or appointed board of  
39 education, board of school directors, or board of trustees of the  
40 State or of any school district or normal school district thereof, and  
41 any persons under contract or engagement to perform one or more  
42 of these functions. It shall also mean any person who serves, while  
43 on an approved leave of absence from regular duties as a teacher, as  
44 an officer of a local, county or State labor organization which  
45 represents, or is affiliated with an organization which represents,  
46 teachers as defined in this subsection. No person shall be deemed a  
47 teacher within the meaning of this article who is a substitute

1 teacher. In all cases of doubt the board of trustees shall determine  
2 whether any person is a teacher as defined in this article.

3 q. "Teachers' Pension and Annuity Fund," hereinafter referred  
4 to as the "retirement system" or "system," is the corporate name of  
5 the arrangement for the payment of retirement allowances and other  
6 benefits under the provisions of this article, including the several  
7 funds placed under said system. By that name all its business shall  
8 be transacted, its funds invested, warrants for money drawn, and  
9 payments made and all of its cash and securities and other property  
10 held.

11 r. "Veteran" means any honorably discharged officer, soldier,  
12 sailor, airman, marine or nurse who served in any Army, Air Force  
13 or Navy of the Allies of the United States in World War I between  
14 July 14, 1914, and November 11, 1918, or who served in any Army,  
15 Air Force or Navy of the Allies of the United States in World War  
16 II, between September 1, 1939, and September 2, 1945, and who  
17 was inducted into such service through voluntary enlistment, and  
18 was a citizen of the United States at the time of such enlistment, and  
19 who did not, during or by reason of such service, renounce or lose  
20 United States citizenship, and any officer, soldier, sailor, marine,  
21 airman, nurse or army field clerk who has served in the active  
22 military or naval service of the United States and has or shall be  
23 discharged or released therefrom under conditions other than  
24 dishonorable, in any of the following wars, uprisings, insurrections,  
25 expeditions or emergencies, and who has presented to the retirement  
26 system evidence of such record of service in form and content  
27 satisfactory to said retirement system:

28 (1) The Indian wars and uprisings during any of the periods  
29 recognized by the War Department of the United States as periods  
30 of active hostility;

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

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

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

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

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

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

44 (8) The Mexican border patrol, having actually participated in  
45 engagements against Mexicans between April 12, 1911, and June  
46 16, 1919;

47 (9) World War I, between April 6, 1917, and November 11,  
48 1918;

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

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

27      (12) Lebanon crisis, on or after July 1, 1958, who has served in  
28      Lebanon or on board any ship actively engaged in patrolling the  
29      territorial waters of that nation for a period, continuous or in the  
30      aggregate, of at least 14 days commencing on or before November  
31      1, 1958 or the date of termination of that conflict, as proclaimed by  
32      the President of the United States or Congress, whichever date of  
33      termination is the latest, in such active service; provided, that any  
34      person receiving an actual service-incurred injury or disability shall  
35      be classed as a veteran whether or not that person has completed the  
36      14 days' service as herein provided;

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

1 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided  
2 that any person receiving an actual service-incurred injury or  
3 disability shall be classed as a veteran, whether or not that person  
4 has completed the 90-day service as herein provided;

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

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

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

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

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

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

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

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

41       (21) Operation "Enduring Freedom", on or after September 11,  
42   2001, who served in a theater of operation and in direct support of  
43   that operation for a period, continuously or in the aggregate, of at  
44   least 14 days in such active service commencing on or before the  
45   date the President of the United States or the United States  
46   Secretary of Defense designates as the termination date of that  
47   operation; provided, that any person receiving an actual service-  
48   incurred injury or disability while engaged in such service shall be

1 classed as a veteran whether or not that person has completed the 14  
2 days' service as herein provided; **【and】**

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

15 (23) Campaign or expedition for which a service badge, medal,  
16 or ribbon has been authorized and awarded to the service member  
17 for serving in support of military combat operations.

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  
30 to 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  
46 husband or wife, or domestic partner as defined in section 3 of  
47 P.L.2003, 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.2018, c.129, s.1)

9  
10 3. Section 6 of P.L.1954, c.84 (C.43:15A-6) is amended to read  
11 as follows:

12 6. As used in this act:

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

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

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

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

26 e. "Child" means a deceased member's unmarried child either  
27 (1) under the age of 18 or (2) of any age who, at the time of the  
28 member's death, is disabled because of an intellectual disability or  
29 physical incapacity, is unable to do any substantial, gainful work  
30 because of the impairment and the impairment has lasted or can be  
31 expected to last for a continuous period of not less than 12 months,  
32 as affirmed by the medical board.

33 f. "Parent" shall mean the parent of a member who was  
34 receiving at least 1/2 of the parent's support from the member in the  
35 12-month period immediately preceding the member's death or the  
36 accident which was the direct cause of the member's death. The  
37 dependency of such a parent will be considered terminated by  
38 marriage of the parent subsequent to the death of the member.

39 g. (1) "Widower," for employees of the State, means the man  
40 to whom a member was married, or a domestic partner as defined in  
41 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before  
42 the date of her death and to whom she continued to be married or a  
43 domestic partner until the date of her death and who was receiving  
44 at least 1/2 of his support from the member in the 12-month period  
45 immediately preceding the member's death or the accident which  
46 was the direct cause of the member's death. The dependency of such  
47 a widower will be considered terminated by marriage of, or  
48 establishment of a domestic partnership by, the widower subsequent

1 to the death of the member. In the event of the payment of an  
2 accidental death benefit, the five-year qualification shall be waived.

3 (2) Subject to the provisions of paragraph (3) of this subsection,  
4 "widower," for employees of public employers other than the State,  
5 means the man to whom a member was married at least five years  
6 before the date of her death and to whom she continued to be  
7 married until the date of her death and who was receiving at least  
8 1/2 of his support from the member in the 12-month period  
9 immediately preceding the member's death or the accident which  
10 was the direct cause of the member's death. The dependency of such  
11 a widower shall be considered terminated by marriage of the  
12 widower subsequent to the death of the member. In the event of the  
13 payment of an accidental death benefit, the five-year qualification  
14 shall be waived.

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

19 h. (1) "Final compensation" means the average annual  
20 compensation for which contributions are made for the three years  
21 of creditable service in New Jersey immediately preceding the  
22 member's retirement or death, or it shall mean the average annual  
23 compensation for New Jersey service for which contributions are  
24 made during any three fiscal years of his or her membership  
25 providing the largest possible benefit to the member or the  
26 member's beneficiary.

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

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

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

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

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

47 m. "Public Employees' Retirement System of New Jersey,"  
48 hereinafter referred to as the "retirement system" or "system," is the

1 corporate name of the arrangement for the payment of retirement  
2 allowances and other benefits under the provisions of this act  
3 including the several funds placed under said system. By that name  
4 all of its business shall be transacted, its funds invested, warrants  
5 for money drawn, and payments made and all of its cash and  
6 securities and other property held.

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

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

17 p. "Veteran" means any honorably discharged officer, soldier,  
18 sailor, airman, marine or nurse who served in any Army, Air Force  
19 or Navy of the Allies of the United States in World War I, between  
20 July 14, 1914, and November 11, 1918, or who served in any Army,  
21 Air Force or Navy of the Allies of the United States in World War  
22 II, between September 1, 1939, and September 2, 1945, and who  
23 was inducted into such service through voluntary enlistment, and  
24 was a citizen of the United States at the time of such enlistment, and  
25 who did not, during or by reason of such service, renounce or lose  
26 United States citizenship, and any officer, soldier, sailor, marine,  
27 airman, nurse or army field clerk, who has served in the active  
28 military or naval service of the United States and has or shall be  
29 discharged or released therefrom under conditions other than  
30 dishonorable, in any of the following wars, uprisings, insurrections,  
31 expeditions, or emergencies, and who has presented to the  
32 retirement system evidence of such record of service in form and  
33 content satisfactory to said retirement system:

34 (1) The Indian wars and uprisings during any of the periods  
35 recognized by the War Department of the United States as periods  
36 of active hostility;

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

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

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

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

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

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

3       (8) The Mexican border patrol, having actually participated in  
4       engagements against Mexicans between April 12, 1911, and June  
5       16, 1919;

6       (9) World War I, between April 6, 1917, and November 11,  
7       1918;

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

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

34      (12) Lebanon crisis, on or after July 1, 1958, who has served in  
35      Lebanon or on board any ship actively engaged in patrolling the  
36      territorial waters of that nation for a period, continuous or in the  
37      aggregate, of at least 14 days commencing on or before November  
38      1, 1958 or the date of termination of that conflict, as proclaimed by  
39      the President of the United States or Congress, whichever date of  
40      termination is the latest, in such active service; provided, that any  
41      person receiving an actual service-incurred injury or disability shall  
42      be classed as a veteran whether or not that person has completed the  
43      14 days' service as herein provided;

44      (13) Vietnam conflict on or after December 31, 1960, and on or  
45      prior to May 7, 1975, 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  
48      Training Program or the Navy College Training Program which

1 course was a continuation of a civilian course and was pursued to  
2 completion, or (2) as a cadet or midshipman at one of the service  
3 academies, any part of which 90 days was served between said  
4 dates; and exclusive of any service performed pursuant to the  
5 provisions of section 511(d) of Title 10, United States Code,  
6 pursuant to an enlistment in the Army National Guard or as a  
7 reserve for service in the Army Reserve, Naval Reserve, Air Force  
8 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided,  
9 that any person receiving an actual service-incurred injury or  
10 disability shall be classed as a veteran whether or not that person  
11 has completed the 90 days' service as herein provided;

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

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

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

47 (17) Operation "Desert Shield/Desert Storm" mission in the  
48 Arabian peninsula and the Persian Gulf, on or after August 2, 1990

1 or the date of inception of that operation, as proclaimed by the  
2 President of the United States or Congress, whichever date of  
3 inception is earliest, who has served in the Arabian peninsula or on  
4 board any ship actively engaged in patrolling the Persian Gulf for a  
5 period, continuous or in the aggregate, of at least 14 days  
6 commencing on or before the date of termination of that mission, as  
7 proclaimed by the President of the United States or Congress,  
8 whichever date of termination is the latest, in such active service;  
9 provided, that any person receiving an actual service-incurred injury  
10 or disability shall be classed as a veteran whether or not that person  
11 has completed the 14 days' service as herein provided;

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

27 (19) Operation "Restore Hope" in Somalia, on or after  
28 December 5, 1992, or the date of inception of that operation as  
29 proclaimed by the President of the United States or Congress,  
30 whichever date is earliest, who has served in Somalia or on board  
31 any ship actively engaged in patrolling the territorial waters of that  
32 nation for a period, continuously or in the aggregate, of at least 14  
33 days in such active service commencing on or before March 31,  
34 1994; provided that any person receiving an actual service-incurred  
35 injury or disability shall be classed as a veteran whether or not that  
36 person has completed the 14-day service as herein provided;

37 (20) Operations "Joint Endeavor" and "Joint Guard" in the  
38 Republic of Bosnia and Herzegovina, on or after November 20,  
39 1995, who served in such active service in direct support of one or  
40 both of the operations for at least 14 days, continuously or in the  
41 aggregate, commencing on or before June 20, 1998 and (1) was  
42 deployed in that nation or in another area in the region, or (2) was  
43 on board a United States naval vessel operating in the Adriatic Sea,  
44 or (3) operated in airspace above the Republic of Bosnia and  
45 Herzegovina; 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 completed the 14-day service requirement;

1 (21) 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 (22) Operation "Iraqi Freedom", on or after the date the  
12 President of the United States or the United States Secretary of  
13 Defense designates as the inception date of that operation, who  
14 served in Iraq or in another area in the region in direct support of  
15 that operation for a period, continuously or in the aggregate, of at  
16 least 14 days in such active service commencing on or before the  
17 date the President of the United States or the United States  
18 Secretary of Defense designates as the termination date of that  
19 operation; provided, that any person receiving an actual service-  
20 incurred injury or disability while engaged in such service shall be  
21 classed as a veteran whether or not that person has completed the 14  
22 days' service as herein provided; and

23 (23) Campaign or expedition for which a service badge, medal,  
24 or ribbon has been authorized and awarded to the service member  
25 for serving in support of military combat operations.

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

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

42 (2) Subject to the provisions of paragraph (3) of this subsection,  
43 "widow," for employees of public employers other than the State,  
44 means the woman to whom a member was married at least five  
45 years before the date of his death and to whom he continued to be  
46 married until the date of his death and who was receiving at least  
47 1/2 of her support from the member in the 12-month period  
48 immediately preceding the member's death or the accident which

1 was the direct cause of the member's death. The dependency of such  
2 a widow shall be considered terminated by the marriage of the  
3 widow subsequent to the member's death. In the event of the  
4 payment of an accidental death benefit, the five-year qualification  
5 shall be waived.

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

10 r. (1) "Compensation" means the base or contractual salary,  
11 for services as an employee, which is in accordance with  
12 established salary policies of the member's employer for all  
13 employees in the same position but shall not include individual  
14 salary adjustments which are granted primarily in anticipation of  
15 the member's retirement or additional remuneration for performing  
16 temporary or extracurricular duties beyond the regular workday or  
17 the regular work year.

18 (2) In the case of a person who becomes a member of the  
19 retirement system on or after July 1, 2007, "compensation" means  
20 the amount of base or contractual salary equivalent to the annual  
21 maximum wage contribution base for Social Security, pursuant to  
22 the Federal Insurance Contributions Act, for services as an  
23 employee, which is in accordance with established salary policies of  
24 the member's employer for all employees in the same position but  
25 shall not include individual salary adjustments which are granted  
26 primarily in anticipation of the member's retirement or additional  
27 remuneration for performing temporary or extracurricular duties  
28 beyond the regular workday or the regular work year. This  
29 paragraph shall not apply to a person who at the time of enrollment  
30 in the retirement system on or after July 1, 2007 transfers service  
31 credit from another State-administered retirement system pursuant  
32 to section 14 of P.L.1954, c.84 (C.43:15A-14), but shall apply to a  
33 former member of the retirement system who has been granted a  
34 retirement allowance and is reenrolled in the retirement system on  
35 or after July 1, 2007 pursuant to section 27 of P.L.1966, c.217  
36 (C.43:15A-57.2) after becoming employed again in a position that  
37 makes the person eligible to be a member of the retirement system.

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

41 For the period of July 1, 2009 through June 30, 2011,  
42 "contractual salary" for State employees shall include across the  
43 board negotiated wage increases under a collective negotiations  
44 agreement that were payable to all State employees covered by that  
45 agreement notwithstanding that, by amendment to that collective  
46 negotiations agreement, the effective date of the contractual  
47 increase has been deferred. For the purpose of this paragraph,  
48 "State employee" means an employee in the Executive Branch or

1 the Judicial Branch of State government of New Jersey or an  
2 employee of the State University authorized to participate in the  
3 system under subsection b. of section 73 of P.L.1954, c.84  
4 (C.43:15A-73), but shall not include employees of agencies  
5 authorized to participate in the system under subsections a., c., d.,  
6 e., f., and g. of section 73 of P.L.1954, c.84 (C.43:15A-73) or under  
7 P.L.1990, c.25 (C.43:15A-73.2 et al.).

8 For the period of July 1, 2009 through June 30, 2011,  
9 "contractual salary" for county and municipal employees shall  
10 include across the board negotiated wage increases under a  
11 collective negotiations agreement that were payable to all county or  
12 all municipal employees covered by that agreement notwithstanding  
13 that, by amendment to that collective negotiations agreement which  
14 has been filed with the Division of Pensions and Benefits, the  
15 effective date of the contractual increase has been deferred. For the  
16 purpose of this paragraph, "county and municipal employees"  
17 means all persons employed by a county or municipality in this  
18 State.

19 (cf: P.L.2010, c.50, s.71)  
20

21 4. Section 1 of P.L.1983, c.391 (C.43:16A-11.7) is amended to  
22 read as follows:

23 1. For purposes of this act "veteran" means any honorably  
24 discharged officer, soldier, sailor, airman, marine or nurse who  
25 served in any Army, Air Force or Navy of the Allies of the United  
26 States in World War I, between July 14, 1914, and November 11,  
27 1918, or who served in any Army, Air Force or Navy of the Allies  
28 of the United States in World War II, between September 1, 1939,  
29 and September 2, 1945, and who was inducted into such service  
30 through voluntary enlistment, and was a citizen of the United States  
31 at the time of such enlistment, and who did not, during or by reason  
32 of such service, renounce or lose United States citizenship, and any  
33 officer, soldier, sailor, marine, airman, nurse or army field clerk,  
34 who has served in the active military or naval service of the United  
35 States and has or shall be discharged or released therefrom under  
36 conditions other than dishonorable, in any of the following wars,  
37 uprisings, insurrections, expeditions, or emergencies, and who has  
38 presented to the retirement system evidence of such record of  
39 service in form and content satisfactory to said retirement system:

40 (1) The Indian wars and uprisings during any of the periods  
41 recognized by the War Department of the United States as periods  
42 of active hostility;

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

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

- 1       (4) The Peking relief expedition between June 20, 1900, and  
2       May 27, 1902;
- 3       (5) The army of Cuban occupation between July 18, 1898, and  
4       May 20, 1902;
- 5       (6) The army of Cuban pacification between October 6, 1906,  
6       and April 1, 1909;
- 7       (7) The Mexican punitive expedition between March 14, 1916,  
8       and February 7, 1917;
- 9       (8) The Mexican border patrol, having actually participated in  
10       engagements against Mexicans between April 12, 1911, and June  
11       16, 1919;
- 12       (9) World War I between April 6, 1917, and November 11,  
13       1918;
- 14       (10) World War II, between September 16, 1940, and  
15       December 31, 1946, who shall have served at least 90 days in such  
16       active service, exclusive of any period of assignment (1) for a  
17       course of education or training under the Army Specialized  
18       Training Program or the Navy College Training program which  
19       course was a continuation of a civilian course and was pursued to  
20       completion, or (2) as a cadet or midshipman at one of the service  
21       academies any part of which 90 days was served between said  
22       dates; provided, that any person receiving an actual service-incurred  
23       injury or disability shall be classed as a veteran whether or not that  
24       person has completed the 90-day service as herein provided;
- 25       (11) Korean conflict on or after June 23, 1950, and on or prior  
26       to January 31, 1955, who shall have served at least 90 days in such  
27       active service, exclusive of any period of assignment (1) for a  
28       course of education or training under the Army Specialized  
29       Training Program or the Navy College Training Program which  
30       course was a continuation of a civilian course and was pursued to  
31       completion, or (2) as a cadet or midshipman at one of the service  
32       academies, any part of which 90 days was served between said  
33       dates; provided, that any person receiving an actual service-incurred  
34       injury or disability shall be classed as a veteran whether or not that  
35       person has completed the 90-day service as herein provided; and  
36       provided further, that any member classed as a veteran pursuant to  
37       this subparagraph prior to August 1, 1966, shall continue to be  
38       classed as a veteran whether or not the member completed the 90-  
39       day service between said dates as herein provided;
- 40       (12) Lebanon crisis, on or after July 1, 1958, who has served in  
41       Lebanon or on board any ship actively engaged in patrolling the  
42       territorial waters of that nation for a period, continuous or in the  
43       aggregate, of at least 14 days commencing on or before November  
44       1, 1958 or the date of termination of that conflict, as proclaimed by  
45       the President of the United States or Congress, whichever date of  
46       termination is the latest, in such active service; provided, that any  
47       person receiving an actual service-incurred injury or disability shall

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

3 (13) Vietnam conflict on or after December 31, 1960, and on or  
4 prior to May 7, 1975, who shall have served at least 90 days in such  
5 active service, exclusive of any period of assignment (1) for a  
6 course of education or training under the Army Specialized  
7 Training Program or the Navy College Training Program which  
8 course was a continuation of a civilian course and was pursued to  
9 completion, or (2) as a cadet or midshipman at one of the service  
10 academies, any part of which 90 days was served between said  
11 dates; and exclusive of any service performed pursuant to the  
12 provisions of section 511 (d) of Title 10, United States Code,  
13 pursuant to an enlistment in the Army National Guard or as a  
14 reserve for service in the Army Reserve, Naval Reserve, Air Force  
15 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided,  
16 that any person receiving an actual service-incurred injury or  
17 disability shall be classed as a veteran whether or not that person  
18 has completed the 90 days' service as herein provided;

19 (14) Lebanon peacekeeping mission, on or after September 26,  
20 1982, who has served in Lebanon or on board any ship actively  
21 engaged in patrolling the territorial waters of that nation for a  
22 period, continuous or in the aggregate, of at least 14 days  
23 commencing on or before December 1, 1987 or the date of  
24 termination of that mission, as proclaimed by the President of the  
25 United States or Congress, whichever date of termination is the  
26 latest, in such active service; provided, that any person receiving an  
27 actual service-incurred injury or disability shall be classed as a  
28 veteran whether or not that person has completed the 14 days'  
29 service as herein provided;

30 (15) Grenada peacekeeping mission, on or after October 23,  
31 1983, who has served in Grenada or on board any ship actively  
32 engaged in patrolling the territorial waters of that nation for a  
33 period, continuous or in the aggregate, of at least 14 days  
34 commencing on or before November 21, 1983 or the date of  
35 termination of that mission, as proclaimed by the President of the  
36 United States or Congress, whichever date of termination is the  
37 latest, in such active service; provided, that any person receiving an  
38 actual service-incurred injury or disability shall be classed as a  
39 veteran whether or not that person has completed the 14 days'  
40 service as herein provided;

41 (16) Panama peacekeeping mission, on or after December 20,  
42 1989 or the date of inception of that mission, as proclaimed by the  
43 President of the United States or Congress, whichever date of  
44 inception is earliest, who has served in Panama or on board any ship  
45 actively engaged in patrolling the territorial waters of that nation for  
46 a period, continuous or in the aggregate, of at least 14 days  
47 commencing on or before January 31, 1990 or the date of  
48 termination of that mission, as proclaimed by the President of the

1 United States or Congress, whichever date of termination is the  
2 latest, in such active service; provided, that any person receiving an  
3 actual service-incurred injury or disability shall be classed as a  
4 veteran whether or not that person has completed the 14 days'  
5 service as herein provided;

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

19 (18) Operation Northern Watch and Operation Southern Watch,  
20 on or after August 27, 1992, or the date of inception of that  
21 operation, as proclaimed by the President of the United States,  
22 Congress or United States Secretary of Defense, whichever date of  
23 inception is earliest, who served in the theater of operation,  
24 including in the Arabian peninsula and the Persian Gulf, and in  
25 direct support of that operation for a period, continuously or in the  
26 aggregate, of at least 14 days in such active service, commencing on  
27 or before the date of termination of that operation, as proclaimed by  
28 the President of the United States, Congress or United States  
29 Secretary of Defense, whichever date of termination is the latest;  
30 provided, that any person receiving an actual service-incurred injury  
31 or disability while engaged in such service shall be classed as a  
32 veteran whether or not that person has completed the 14 days'  
33 service as herein provided;

34 (19) Operation "Restore Hope" in Somalia, on or after  
35 December 5, 1992, or the date of inception of that operation as  
36 proclaimed by the President of the United States or Congress,  
37 whichever date is earliest, who has served in Somalia or on board  
38 any ship actively engaged in patrolling the territorial waters of that  
39 nation for a period, continuously or in the aggregate, of at least 14  
40 days in such active service commencing on or before March 31,  
41 1994; provided that any person receiving an actual service-incurred  
42 injury or disability shall be classed as a veteran whether or not that  
43 person has completed the 14-day service as herein provided;

44 (20) Operations "Joint Endeavor" and "Joint Guard" in the  
45 Republic of Bosnia and Herzegovina, on or after November 20,  
46 1995, who served in such active service in direct support of one or  
47 both of the operations for at least 14 days, continuously or in the  
48 aggregate, commencing on or before June 20, 1998, and (1) was

1 deployed in that nation or in another area in the region, or (2) was  
2 on board a United States naval vessel operating in the Adriatic Sea,  
3 or (3) operated in airspace above the Republic of Bosnia and  
4 Herzegovina; provided that any person receiving an actual service-  
5 incurred injury or disability shall be classed as a veteran whether or  
6 not that person completed the 14-day service requirement;

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

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

29 (23) Campaign or expedition for which a service badge, medal,  
30 or ribbon has been authorized and awarded to the service member  
31 for serving in support of military combat operations.

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

36 (cf: P.L.2005, c.64, s.4)

37

38 5. Section 3 of P.L.1965, c.89 (C.53:5A-3) is amended to read  
39 as follows:

40 3. As used in this act:

41 a. "Aggregate contributions" means the sum of all the amounts,  
42 deducted from the salary of a member or contributed by him or on  
43 his behalf, standing to the credit of his individual account in the  
44 Annuity Savings Fund. Interest credited on contributions to the  
45 former "State Police Retirement and Benevolent Fund" shall be  
46 included in a member's aggregate contributions.

47 b. "Annuity" means payments for life derived from the  
48 aggregate contributions of a member.

- 1       c. "Annuity reserve" means the present value of all payments  
2 to be made on account of any annuity or benefit in lieu of an  
3 annuity, computed upon the basis of such mortality tables  
4 recommended by the actuary as the board of trustees adopts and  
5 regular interest.
- 6       d. "Beneficiary" means any person entitled to receive any  
7 benefit pursuant to the provisions of this act by reason of the death  
8 of a member or retirant.
- 9       e. "Board of trustees" or "board" means the board provided for  
10 in section 30 of this act.
- 11      f. "Child" means a deceased member's or retirant's unmarried  
12 child either (a) under the age of 18, or (b) 18 years of age or older  
13 and enrolled in a secondary school, or (c) under the age of 24 and  
14 enrolled in a degree program in an institution of higher education  
15 for at least 12 credit hours in each semester, provided that the  
16 member died in active service as a result of an accident met in the  
17 actual performance of duty at some definite time and place, and the  
18 death was not the result of the member's willful misconduct, or (d)  
19 of any age who, at the time of the member's or retirant's death, is  
20 disabled because of an intellectual disability or physical incapacity,  
21 is unable to do any substantial, gainful work because of the  
22 impairment and his impairment has lasted or can be expected to last  
23 for a continuous period of not less than 12 months, as affirmed by  
24 the medical board.
- 25      g. "Creditable service" means service rendered for which credit  
26 is allowed on the basis of contributions made by the member or the  
27 State.
- 28      h. "Parent" means the parent of a member who was receiving at  
29 least one-half of his support from the member in the 12-month  
30 period immediately preceding the member's death or the accident  
31 which was the direct cause of the member's death. The dependency  
32 of such a parent will be considered terminated by marriage of the  
33 parent subsequent to the death of the member.
- 34      i. (1) "Final compensation" means the average compensation  
35 received by the member in the last 12 months of creditable service  
36 preceding his retirement or death. Such term includes the value of  
37 the member's maintenance allowance for this same period.
- 38      (2) In the case of a person who becomes a member of the  
39 retirement system on or after the effective date of P.L.2010, c.1,  
40 "final compensation" means the average annual compensation for  
41 service for which contributions are made during any three fiscal  
42 years of membership providing the largest possible benefit to the  
43 member or the member's beneficiary. Such term includes the value  
44 of the member's maintenance allowance for this same period.
- 45      j. (1) "Final salary" means the average salary received by the  
46 member in the last 12 months of creditable service preceding his  
47 retirement or death. Such term shall not include the value of the  
48 member's maintenance allowance.

1 (2) In the case of a person who becomes a member of the  
2 retirement system on or after the effective date of P.L.2010, c.1,  
3 "final salary" means the average annual salary for service for which  
4 contributions are made during any three fiscal years of membership  
5 providing the largest possible benefit to the member or the  
6 member's beneficiary. Such term shall not include the value of the  
7 member's maintenance allowance.

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

10 l. "Medical board" means the board of physicians provided for  
11 in section 30 of this act.

12 m. "Member" means any full-time, commissioned officer, non-  
13 commissioned officer or trooper of the Division of State Police of  
14 the Department of Law and Public Safety of the State of New Jersey  
15 enrolled in the retirement system established by this act.

16 n. "Pension" means payment for life derived from contributions  
17 by the State.

18 o. "Pension reserve" means the present value of all payments to  
19 be made on account of any pension or benefit in lieu of any pension  
20 computed on the basis of such mortality tables recommended by the  
21 actuary as shall be adopted by the board of trustees and regular  
22 interest.

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

32 q. "Retirant" means any former member receiving a retirement  
33 allowance as provided by this act.

34 r. "Retirement allowance" means the pension plus the annuity.

35 s. "State Police Retirement System of New Jersey," herein also  
36 referred to as the "retirement system" or "system," is the corporate  
37 name of the arrangement for the payment of retirement allowances  
38 and of the benefits under the provisions of this act including the  
39 several funds placed under said system. By that name, all of its  
40 business shall be transacted, its funds invested, warrants for moneys  
41 drawn, and payments made and all of its cash and securities and  
42 other property held. All assets held in the name of the former  
43 "State Police Retirement and Benevolent Fund" shall be transferred  
44 to the retirement system established by this act.

45 t. "Surviving spouse" means the person to whom a member or  
46 a retirant was married, or a domestic partner as defined in section 3  
47 of P.L.2003, c.246 (C.26:8A-3), on the date of the death of the  
48 member or retirant. The dependency of such a surviving spouse will

1 be considered terminated by the marriage of, or establishment of a  
2 domestic partnership by, the surviving spouse subsequent to the  
3 member's or the retirant's death, except that in the event of the  
4 payment of accidental death benefits, pursuant to section 14 of  
5 P.L.1965, c.89 (C.53:5A-14), the dependency of such a surviving  
6 spouse or domestic partner will not be considered terminated by the  
7 marriage of, or establishment of a domestic partnership by, the  
8 surviving spouse subsequent to the member's death.

9 u. (1) "Compensation" for purposes of computing pension  
10 contributions means the base salary, for services as a member as  
11 defined in this act, which is in accordance with established salary  
12 policies of the State for all employees in the same position but shall  
13 not include individual salary adjustments which are granted  
14 primarily in anticipation of the member's retirement or additional  
15 remuneration for performing temporary duties beyond the regular  
16 workday or shift.

17 (2) In the case of a person who becomes a member of the  
18 retirement system on or after the effective date of P.L.2010, c.1,  
19 "compensation" means the amount of base salary equivalent to the  
20 annual maximum wage contribution base for Social Security,  
21 pursuant to the Federal Insurance Contributions Act, for services as  
22 a member as defined in this act, which is in accordance with  
23 established salary policies of the State for all employees in the same  
24 position but shall not include individual salary adjustments which  
25 are granted primarily in anticipation of the member's retirement or  
26 additional remuneration for performing temporary duties beyond  
27 the regular workday or shift.

28 v. "Veteran" means any person who has served in the United  
29 States Armed Forces and has or shall be discharged or released  
30 therefrom under conditions other than dishonorable, in any of the  
31 following wars or emergencies, or campaigns or expeditions, and  
32 who has presented to the retirement system evidence of such record  
33 of service in form and content satisfactory to the retirement system:

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

3 (2) 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 (3) 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 (4) 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 (5) 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 (6) 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 (7) 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 Congress, whichever date is  
21 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 (8) 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 (9) 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 (10) 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; and

13 (11) Campaign or expedition for which a service badge, medal,  
14 or ribbon has been authorized and awarded to the service member  
15 for serving in support of military combat operations.

16 (cf: P.L.2016, c.26, s.1)

17

18 6. Section 1 of P.L.1963, c.171 (C.54:4-8.10) is amended to  
19 read as follows:

20 1. (a) "Active service in time of war" means active service by  
21 a person, while in the United States Armed Forces, at some time  
22 during one of the following periods:

23 Campaign or expedition for which a service badge, medal, or  
24 ribbon has been authorized and awarded to the service member for  
25 serving in support of military combat operations;

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

38 The period of rescue and recovery of the victims of the terrorist  
39 attack on the World Trade Center in New York, New York, on  
40 September 11, 2001, who served on the pile of rubble that resulted  
41 from the attacks on the World Trade Center in direct support of that  
42 rescue and recovery effort for a period, continuously or in the  
43 aggregate, of at least 14 days in such active service commencing on  
44 September 11, 2001 and ending on May 30, 2002; provided, that  
45 any person receiving an actual service-incurred injury or disability  
46 while engaged in such service shall be classed as a veteran whether  
47 or not that person has completed the 14 days' service as herein  
48 provided;

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

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

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

32      Operation Northern Watch and Operation Southern Watch, on or  
33      after August 27, 1992, or the date of inception of that operation, as  
34      proclaimed by the President of the United States, Congress or  
35      United States Secretary of Defense, whichever date of inception is  
36      earliest, who served in the theater of operation, including in the  
37      Arabian peninsula and the Persian Gulf, and in direct support of that  
38      operation for a period, continuously or in the aggregate, of at least  
39      14 days in such active service, commencing on or before the date of  
40      termination as proclaimed by the President of the United States,  
41      Congress or United States Secretary of Defense, whichever date of  
42      termination is the latest; provided, that any person receiving an  
43      actual service-incurred injury or disability while engaged in such  
44      service shall be classed as a veteran whether or not that person has  
45      completed the 14 days' service as herein provided;

46      Operation "Desert Shield/Desert Storm" mission in the Arabian  
47      peninsula and the Persian Gulf, on or after August 2, 1990 or the  
48      date of inception of that operation, as proclaimed by the President

1 of the United States or Congress, whichever date of inception is  
2 earliest, who has served in the Arabian peninsula or on board any  
3 ship actively engaged in patrolling the Persian Gulf for a period,  
4 continuous or in the aggregate, of at least 14 days commencing on  
5 or before the date of termination of that mission, as proclaimed by  
6 the President of the United States or Congress, whichever date of  
7 termination is the latest, in such active service; provided, that any  
8 person receiving an actual service-incurred injury or disability shall  
9 be classed as a veteran whether or not that person has completed the  
10 14 days' service as herein provided;

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

24 The Grenada peacekeeping mission, on or after October 23,  
25 1983, who has served in Grenada or on board any ship actively  
26 engaged in patrolling the territorial waters of that nation for a  
27 period, continuous or in the aggregate, of at least 14 days  
28 commencing on or before November 21, 1983 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 Lebanon peacekeeping mission, on or after September 26,  
36 1982, who has served in Lebanon 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 December 1, 1987 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 Vietnam conflict, December 31, 1960, to May 7, 1975;

47 The Lebanon crisis, on or after July 1, 1958, who has served in  
48 Lebanon or on board any ship actively engaged in patrolling the

1 territorial waters of that nation for a period, continuous or in the  
2 aggregate, of at least 14 days commencing on or before November  
3 1, 1958 or the date of termination of that conflict, as proclaimed by  
4 the President of the United States or Congress, whichever date of  
5 termination is the latest, in such active service; provided, that any  
6 person receiving an actual service-incurred injury or disability shall  
7 be classed as a veteran whether or not that person has completed the  
8 14 days' service as herein provided;

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

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

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

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

15 Civil War, April 15, 1861 to May 26, 1865; or, as to any  
16 subsequent war, during the period from the date of declaration of  
17 war to the date on which actual hostilities shall cease.

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

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

24 (d) "Honorably discharged or released under honorable  
25 circumstances from active service in time of war," means and  
26 includes every form of separation from active, full-time duty with  
27 military or naval pay and allowances in some branch of the Armed  
28 Forces of the United States in time of war, other than those marked  
29 "dishonorable," "undesirable," "bad conduct," "by sentence of  
30 general court martial," "by sentence of summary court martial" or  
31 similar expression indicating that the discharge or release was not  
32 under honorable circumstances. A disenrollment certificate or other  
33 form of release terminating temporary service in a military or naval  
34 branch of the armed forces rendered on a voluntary and part-time  
35 basis without pay, or a release from or deferment of induction into  
36 the active military or naval service shall not be deemed to be  
37 included in the aforementioned phrase.

38 (e) "Pre-tax year" means the particular calendar year  
39 immediately preceding the "tax year."

40 (f) "Resident" means one legally domiciled within the State of  
41 New Jersey. Mere seasonal or temporary residence within the State,  
42 of whatever duration, shall not constitute domicile within the State  
43 for the purposes of this act. Absence from this State for a period of  
44 12 months shall be prima facie evidence of abandonment of  
45 domicile in this State. The burden of establishing legal domicile  
46 within the State shall be upon the claimant.

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

1 (h) "Veteran" means any citizen and resident of this State  
2 honorably discharged or released under honorable circumstances  
3 from active service in time of war in any branch of the Armed  
4 Forces of the United States.

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

7 (j) "Surviving spouse" means the surviving wife or husband of  
8 any of the following, while he or she is a resident of this State,  
9 during widowhood or widowerhood:

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

13 2. A citizen and resident of this State who has had or shall  
14 hereafter have active service in time of war in any branch of the  
15 Armed Forces of the United States and who died or shall die while  
16 on active duty in a branch of the Armed Forces of the United States;  
17 or

18 3. A citizen and resident of this State who has been or may  
19 hereafter be honorably discharged or released under honorable  
20 circumstances from active service in time of war in any branch of  
21 the Armed Forces of the United States.

22 (k) "Cooperative" means a housing corporation or association  
23 incorporated or organized under the laws of New Jersey which  
24 entitles a shareholder thereof to possess and occupy for dwelling  
25 purposes a house, apartment or other structure owned or leased by  
26 the corporation or association.

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

33 (cf: P.L.2017, c.134, s.1)

34  
35 7. This act shall take effect immediately, but sections 1 and 6  
36 shall remain inoperative until an authorizing State constitutional  
37 amendment is approved by the voters.

#### 40 STATEMENT

41  
42 This bill extends certain veterans benefits to persons who served  
43 in a campaign or expedition for which a service badge, medal, or  
44 ribbon has been authorized and awarded to the service member for  
45 serving in support of military combat operations.

46 The criteria for the badge, medal, or ribbon generally include,  
47 but are not limited to, service where the combat is actually

1 occurring, service in areas supporting major combat operations,  
2 service in military operations with active or potentially active  
3 opposing hostile forces, and performance under enemy fire with a  
4 risk of grave danger.

5 Under this bill, a veteran who received such a badge, medal, or  
6 ribbon, but did not serve in a theater of operation or for the  
7 specified period of time in a war or emergency, will be eligible for  
8 various State benefits. The benefits are: (1) a civil service hiring  
9 preference; (2) a veteran's retirement allowance under the Teachers'  
10 Pension and Annuity Fund (TPAF) or the Public Employees'  
11 Retirement System (PERS); (3) the purchase of additional military  
12 service credit in the Police and Firemen's Retirement System or the  
13 State Police Retirement System, TPAF and PERS; and (4) the  
14 property tax exemption or the \$250 property tax deduction.

15 Eligibility for the civil service and property tax benefits are  
16 contingent upon voter approval of an authorizing amendment to the