

ASSEMBLY, No. 910

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

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SYNOPSIS

Requires State to reimburse counties and municipalities for salary and fringe benefit costs of employee on official leave of absence for military service in war on terror; makes an appropriation.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning county and municipal employees on leave of
2 absence for military service in the war on terror and
3 supplementing chapter 23 of Title 38 of the Revised Statutes, and
4 making an appropriation.

5

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

8

9 1. a. The State shall reimburse a county or municipality, or any
10 board, bureau, agency, commission, authority or instrumentality
11 thereof, for the costs of salary and fringe benefits paid to, or on
12 behalf of, a member of the Reserve Component of the Armed
13 Forces of the United States, including a member of the State
14 National Guard, who is on an official leave of absence due to
15 having been called to active duty by the President of the United
16 States or the Secretary of the United States Department of Defense
17 in Operation "Enduring Freedom" or Operation "Iraqi Freedom."
18 The provision of this section shall apply only if the employee
19 served (1) in the theater of Operation "Enduring Freedom" or in
20 direct support of the operation for a period, continuously or in the
21 aggregate, of at least 14 days, or (1) in Iraq for Operation "Iraqi
22 Freedom" or in another area in the region in direct support of that
23 operation for a period, continuously or in the aggregate, of at least
24 14 days.

25 Reimbursement shall be made only for costs incurred by the
26 employer on or after the effective date of this act,
27 P.L. , c. (C.)(pending before the Legislature as this bill),
28 but before the termination date of the operation as that date is
29 designated by the President of the United States or the United States
30 Secretary of Defense

31 b. Reimbursement pursuant to subsection a. of this section shall
32 be made by the State only upon application submitted by a county
33 or municipality, or a board, bureau, agency, commission, authority
34 or instrumentality thereof, to the State Treasurer in a form and
35 manner as may be required by the State Treasurer. The application
36 shall contain sufficient detail to identify the employee, the dates of
37 the leave of absence, the nature of the absence, and the itemized
38 costs incurred by the employer.

39 c. For the purposes of this section, "fringe benefits" means
40 payments made by the employer for an employee's retirement,
41 social security, health and dental insurance, workers compensation,
42 and unemployment, disability and survivor's insurance.

43 d. The provision of this section shall apply in the event no
44 other provision of law provides for the State payment or
45 reimbursement of such costs. If another provision of law so
46 provides, that other law shall supersede the provision of this
47 section.

2. There is appropriated from the State General Fund to the Department of the Treasury such sums as may be necessary to provide the reimbursements required by section 1 of this act, P.L. , c. (C.) (pending before the Legislature as this bill), as that amount is approved by the State Treasurer and certified by the Director of the Division of Budget and Accounting.

3. This act shall take effect immediately.

STATEMENT

This bill requires the State to reimburse a county or municipality, or any board, bureau, agency, commission, authority or instrumentality thereof, for the costs of salary and fringe benefits paid to, or on behalf of, a member of the Reserve Component of the Armed Forces of the United States, including a member of the State National Guard, who is on an official leave of absence due to having been called to active duty by the President of the United States or the Secretary of the United States Department of Defense in Operation "Enduring Freedom" or Operation "Iraqi Freedom." The reimbursement will apply only if the employee served in the theater of Operation "Enduring Freedom" or in direct support of the operation for a period, continuously or in the aggregate, of at least 14 days, or in Iraq for Operation "Iraqi Freedom" or in another area in the region in direct support of that operation for a period, continuously or in the aggregate, of at least 14 days.

Reimbursement will be made only for costs incurred by the employer on or after the date this bill is enacted but before the termination date of the operation as that date is designated by the President of the United States or the United States Secretary of Defense

The bill defines "fringe benefits" to mean payments made by the employer for an employee's retirement, social security, health and dental insurance, workers compensation, and unemployment, disability and survivor's insurance.

The provision of this bill will apply in the event no other provision of law requires the State payment or reimbursement of such costs. If another provision of law so requires, that other law will supersede the provision of this bill.

The bill appropriates from the State General Fund to the Department of the Treasury such sums as may be necessary to provide the reimbursements required by this bill.