

ASSEMBLY, No. 4376

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JULY 2, 2020

Sponsored by:

Assemblyman JOHN J. BURZICHELLI

District 3 (Cumberland, Gloucester and Salem)

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Clarifies PERS membership restoration includes unclassified employees.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 7/6/2020)

1 AN ACT concerning the return to service by unclassified employees
2 in the Public Employees' Retirement System and amending
3 P.L.1954, c.84.

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

7
8 1. Section 8 of P.L.1954, c.84 (C.43:15A-8) is amended to read
9 as follows:

10 8. a. If a member of the retirement system, including a member
11 who is an employee in the unclassified service of the civil service,
12 has been discontinued from service without personal fault or through
13 leave of absence granted by an employer or permitted by any law of
14 this State and has not withdrawn the accumulated member's
15 contributions from the retirement system, the membership of that
16 member may continue, notwithstanding any provisions of this act if
17 the member returns to service within a period of 10 years from the
18 date of discontinuance from service.

19 No credit for pension purposes shall be allowed to the member
20 covering the period of the discontinuance, unless leave of absence
21 shall have been granted by the employer and the board, as provided
22 for in section 39 of **[this act]** P.L.1954, c.84 (C.43:15A-39).

23 b. If an employee who has withdrawn the accumulated member's
24 contributions from the former "State Employees' Retirement System"
25 or the retirement system as provided in section 41 of **[this act]**
26 P.L.1954, c.84 (C.43:15A-41) is re-enrolled as a member of the
27 retirement system, that member may purchase credit for all of the
28 previous membership service by paying into the annuity savings fund
29 the amount required by applying the factor, supplied by the actuary
30 as being applicable to the member's age at the time of the purchase,
31 to the member's salary at that time, or to the highest annual
32 compensation for service in this State for which contributions shall
33 have been made during any fiscal year of membership or to the
34 highest annual compensation for service in this State during any
35 fiscal year for which credit is purchased, whichever is highest. The
36 purchase may be made in regular installments, equal to at least one-
37 half the full normal contribution to the retirement system, over a
38 maximum period of 10 years.

39 Any member electing to purchase service credit hereunder who
40 retires prior to completing the payments as agreed with the retirement
41 system will receive pro rata credit for service purchased prior to the
42 date of retirement, but if the member so elects at the time of
43 retirement, the member may make the additional lump-sum payment
44 required at that time to provide full credit.

45 (cf: P.L.1991, c.138, s.6)

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.

