

ASSEMBLY, No. 4460

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JULY 27, 2020

Sponsored by:

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblyman ADAM J. TALIAFERRO

District 3 (Cumberland, Gloucester and Salem)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Co-Sponsored by:

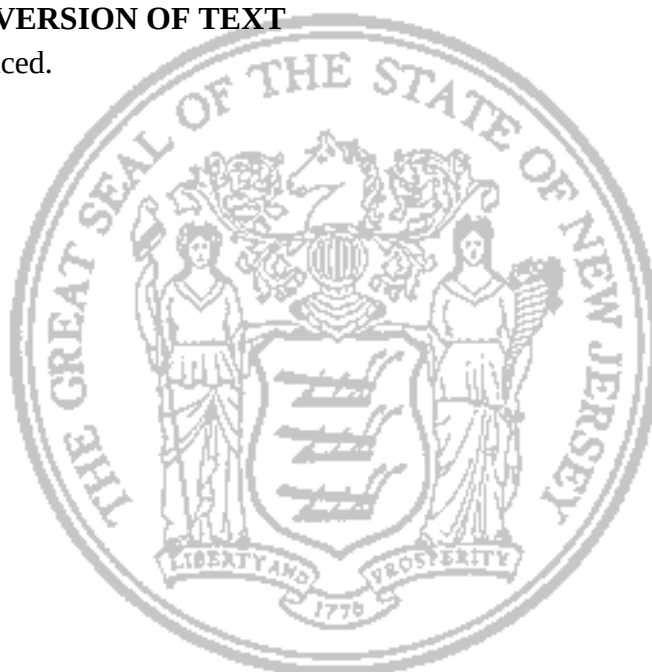
Assemblymen Benson, Caputo and Verrelli

SYNOPSIS

Extends from six to 12 months compensation program for injured law enforcement officers and other employees; revises type of injury needed to qualify for program.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 8/10/2020)

1 AN ACT concerning injured law enforcement officers and certain
2 other employees and amending P.L.2017, c.93.

3

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

6

7 1. Section 1 of P.L.2017, c.93 (C.34:15-37.1) is amended to
8 read as follows:

9 1. Any State **corrections** correctional police officer, juvenile
10 corrections officer, or juvenile detention officer who, in the course
11 of performing the officer's official duties, suffers **serious** bodily
12 injury as the direct result of an assault by the inmates or detainees
13 under the officer's custody or charge shall continue to receive full
14 wages for up to **six** 12 months or until the officer begins
15 receiving compensation for that injury under R.S.34:15-1 et seq.,
16 whichever comes first.

17 In addition to the compensation received under R.S.34:15-1 et
18 seq., the injured officer shall receive regular supplemental payments
19 from the officer's employer in an amount that is sufficient, when
20 added to the compensation received under R.S.34:15-1 et seq., to
21 equal the net wage of the injured officer at the time of the injury.
22 The supplemental payments authorized under this section shall
23 continue for up to **six** 12 months so long as the injured officer
24 remains a State corrections officer, juvenile corrections officer, or
25 juvenile detention officer and continues to be compensated under
26 R.S.34:15-1 et seq.

27 The fringe benefits afforded an injured officer under the terms of
28 a collective bargaining agreement, contract, or statute shall not be
29 negated or impaired in any way and shall remain in full force and
30 effect during the time that officer is receiving supplemental
31 payments pursuant to this section.

32 (cf: P.L.2017, c.93, s.1)

33

34 2. Section 2 of P.L.2017, c.93 (C.34:15-37.2) is amended to
35 read as follows

36 2. Any parole officer who, while in the course of performing
37 the officer's official duties, suffers **serious** bodily injury as the
38 direct result of an assault by an adult or juvenile parolee under the
39 officer's supervision shall continue to receive full wages for up to
40 **six** 12 months or until the parole officer begins receiving
41 compensation for that injury under R.S.34:15-1 et seq., whichever
42 comes first.

43 In addition to the compensation received under R.S.34:15-1 et
44 seq., the injured officer shall receive regular supplemental payments
45 from the officer's employer in an amount that is sufficient, when

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 added to the compensation received under R.S.34:15-1 et seq., to
2 equal the net wage of the injured officer at the time of the injury.
3 The supplemental payments authorized under this section shall
4 continue for up to **【six】 12** months so long as the injured officer
5 remains a parole officer and continues to be compensated under
6 R.S.34:15-1 et seq.

7 The fringe benefits afforded an injured officer under the terms of
8 a collective bargaining agreement, contract, or statute shall not be
9 negated or impaired in any way and shall remain in full force and
10 effect during the time that officer is receiving supplemental
11 payments pursuant to this section.

12 (cf: P.L.2017, c.93, s.2)

13
14 3. Section 3 of P.L.2017, c.93 (C.34:15-37.3) is amended to
15 read as follows:

16 3. Any State Human Services police officer, State conservation
17 police officer, State park police officer, Palisades Interstate Park
18 officer appointed pursuant to R.S.32:14-21, or full-time campus
19 police officer appointed by a county college or four-year public
20 institution of higher education pursuant to P.L.1970, c.211
21 (C.18A:6-4.2 et seq.) who, while in the course of performing the
22 officer's official duties, suffers **【serious】** bodily injury as the direct
23 result of an assault during the arrest or transportation of a suspect or
24 other person in the officer's custody shall continue to receive full
25 wages for up to **【six】 12** months or until the officer begins
26 receiving compensation for that injury under R.S.34:15-1 et seq.,
27 whichever comes first.

28 Any senior, recruit, or assistant supervising medical security
29 officer working under the authority of the Department of Human
30 Services who, in the course of performing the officer's official
31 duties, suffers serious bodily injury as the direct result of an assault
32 by a patient or resident who requires medical security shall continue
33 to receive full wages for up to **【six】 12** months or until the officer
34 begins receiving compensation for that injury under R.S.34:15-1 et
35 seq., whichever comes first.

36 In addition to the compensation received under R.S.34:15-1 et
37 seq., the injured officer shall receive regular supplemental payments
38 from the officer's employer in an amount that is sufficient, when
39 added to the compensation received under R.S.34:15-1 et seq., to
40 equal the net wage of the injured officer at the time of the injury.
41 The supplemental payments authorized under this section shall
42 continue for up to **【six】 12** months so long as the injured officer
43 remains a State Human Services police officer, State conservation
44 police officer, State park police officer, Palisades Interstate Park
45 officer, campus police officer, or medical security officer and
46 continues to be compensated under R.S.34:15-1 et seq.

1 The fringe benefits afforded an injured officer under the terms of
2 a collective bargaining agreement, contract, or statute shall not be
3 negated or impaired in any way and shall remain in full force and
4 effect during the time that officer is receiving supplemental
5 payments pursuant to this section.

6 (cf: P.L.2019, c.407, s.17)
7

8 4. Section 4 of P.L.2017, c.93 (C.34:15-37.4) is amended to
9 read as follows:

10 4. Any civilian employee who directly works with or teaches
11 inmates or detainees in a State correctional facility, juvenile
12 correctional facility, or juvenile detention center who, in the course
13 of performing the employee's official duties, suffers **【serious】**
14 bodily injury as the direct result of an assault by the inmates or
15 detainees with whom the employee works or teaches shall continue
16 to receive full wages for up to **【six】** 12 months or until the
17 employee begins receiving compensation for that injury under
18 R.S.34:15-1 et seq., whichever comes first.

19 In addition to the compensation received under R.S.34:15-1 et
20 seq., the injured employee shall receive regular supplemental
21 payments from the employer in an amount that is sufficient, when
22 added to the compensation received under R.S.34:15-1 et seq., to
23 equal the net wage of the injured employee at the time of the injury.
24 The supplemental payments authorized under this section shall
25 continue for up to **【six】** 12 months so long as the injured employee
26 remains employed by the State correctional facility, juvenile
27 correctional facility, or juvenile detention center and continues to
28 be compensated under R.S.34:15-1 et seq.

29 The fringe benefits afforded an injured employee under the terms
30 of a collective bargaining agreement, contract, or statute shall not
31 be negated or impaired in any way and shall remain in full force and
32 effect during the time that employee is receiving supplemental
33 payments pursuant to this section.

34 (cf: P.L.2017, c.93, s.4)
35

36 5. Section 5 of P.L.2017, c.93 (C.34:15-37.5) is amended to
37 read as follows:

38 5. Any probation officer who, while in the course of
39 performing the officer's official duties, suffers **【serious】** bodily
40 injury as the direct result of an assault by a person placed on
41 probation who is under the officer's supervision shall continue to
42 receive full wages for up to **【six】** 12 months or until the probation
43 officer begins receiving compensation for that injury under
44 R.S.34:15-1 et seq., whichever comes first.

45 In addition to the compensation received under R.S.34:15-1 et
46 seq., the injured officer shall receive regular supplemental payments
47 from the officer's employer in an amount that is sufficient, when

1 added to the compensation received under R.S.34:15-1 et seq., to
2 equal the net wage of the injured officer at the time of the injury.
3 The supplemental payments authorized under this section shall
4 continue for up to **【six】** 12 months so long as the injured officer
5 remains a probation officer and continues to be compensated under
6 R.S.34:15-1 et seq.

7 The fringe benefits afforded an injured officer under the terms of
8 a collective bargaining agreement, contract, or statute shall not be
9 negated or impaired in any way and shall remain in full force and
10 effect during the time that officer is receiving supplemental
11 payments pursuant to this section.

12 (cf: P.L.2017, c.93, s.5)

13
14 6. Section 6 of P.L.2017, c.93 (C.34:15-37.6) is amended to
15 read as follows:

16 6. As used in P.L.2017, c.93 (C.34:15-37.1 et seq.), "**【serious】**
17 **bodily injury**" means **【bodily injury which creates a substantial risk**
18 **of death or which causes serious, permanent disfigurement, or**
19 **protracted loss or impairment of the function of any bodily member**
20 **or organ】** physical pain, illness, or any impairment of physical
21 condition.

22 (cf: P.L.2017, c.93, s.6)

23
24 7. This act shall take effect immediately.

25 26 27 STATEMENT

28
29 This bill extends from six to 12 months a compensation program
30 for law enforcement officers and certain civilian employees who
31 suffer an injury as direct result of an assault by the inmates,
32 detainees, or certain other individuals under their custody, care, or
33 supervision. In addition, the bill revises the standard required to
34 qualify for the compensation program from "serious bodily injury"
35 to "bodily injury."

36 P.L.2017, c.93 (C.34:15-37.1 et seq.) established a compensation
37 program for State correctional police officers, juvenile corrections
38 officers, juvenile detention officers, State conservation officers,
39 State park police officers, State Human Services police officers,
40 probation officers, and civilian employees who suffer serious bodily
41 injury as the result of a riot or assault by the inmates or detainees
42 under their custody and care. The program also is available to
43 parole officers who suffer serious bodily injury as the result of an
44 assault committed by an adult or juvenile parolee under their
45 supervision. Under the program, injured officers and employees are
46 entitled to their full salary from their employer for up to six months
47 or until the start of their workers' compensation payments,
48 whichever occurs first. Once their workers' compensation payments

1 begin, the injured officers and employees are entitled to regular
2 supplemental payments from their employer for up to six months.
3 Under the bill, injured officers and employees would be entitled
4 to their full salary from their employer for up to 12 months or until
5 workers' compensation payments begin. An injured officer or
6 employee would then receive supplemental payments for 12
7 months. The bill also revises the legal standard necessary to receive
8 compensation payments from serious bodily injury to bodily injury.
9 Under current law, serious bodily injury is defined as "bodily injury
10 which creates a substantial risk of death or which causes serious,
11 permanent disfigurement, or protracted loss or impairment of the
12 function of any bodily member or organ." Bodily injury is defined as
13 "physical pain, illness, or any impairment of physical condition."