

P.L. 2020, CHAPTER 151, *approved January 7, 2021*
Senate, No. 487 (*First Reprint*)

1 AN ACT ¹, designated as the “Dominick Marino PFRS Enhanced
2 Benefits for Surviving Spouses Act,”¹ concerning the accidental
3 death benefit of the Police and Firemen’s Retirement System and
4 amending P.L.1944, c.255.

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

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9 ¹1. This act shall be known as the “Dominick Marino PFRS
10 Enhanced Benefits for Surviving Spouses Act.”¹

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12 ¹**[1.]** ^{2.1} Section 10 of P.L.1944, c.255 (C.43:16A-10) is
13 amended to read as follows:

14 10. (1) Upon the death of a member in active service as a result
15 of:

16 (a) an accident met in the actual performance of duty at some
17 definite time and place, or

18 (b) service in the reserve component of the Armed Forces of the
19 United States or the National Guard in a federal active duty status,
20 and such death was not the result of the member's willful
21 negligence, an accidental death benefit shall be payable if a report
22 of the accident is filed in the office of the retirement system within
23 60 days next following the accident, but the board of trustees may
24 waive such time limit, for a reasonable period, if in the judgment of
25 the board the circumstances warrant such action. No such
26 application shall be valid or acted upon unless it is filed in the
27 office of the retirement system within five years of the date of such
28 death.

29 The provisions of this subsection shall also apply to a member
30 who is a fireman and who dies as a result of an accident met in the
31 actual performance of duty as a volunteer fireman in any
32 municipality in the State, provided the member's death was not the
33 result of the member's willful negligence.

34 (2) Upon the receipt of proper proofs of the death of a member
35 on account of which an accidental death benefit is payable, there
36 shall be paid to his widow or widower a pension of 70% of the
37 compensation**[.]** upon which contributions by the member to the
38 annuity savings fund were based in the last year of creditable
39 service, or a pension of \$50,000 ¹when death occurs on or after the
40 effective date of P.L. , c. (pending before the Legislature as this
41 bill)¹, whichever is greater, for the use of herself or himself and the

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly floor amendments adopted November 16, 2020.

1 children of the deceased member; if there is no surviving widow or
2 widower or in case the widow or widower dies, 70% of such
3 compensation will be payable to the member's surviving child or
4 surviving children in equal shares.

5 If there is no surviving widow, widower or child, 25% of the
6 compensation upon which contributions by the member to the
7 annuity savings fund were based in the last year of creditable
8 service, will be payable to one surviving dependent parent or 40%
9 of such compensation will be payable to two surviving parents in
10 equal shares.

11 In the event of accidental death occurring in the first year of
12 creditable service, the benefits, payable pursuant to this subsection,
13 shall be computed at the annual rate of compensation.

14 (3) If there is no surviving widow, widower, child or dependent
15 parent, there shall be paid to any other beneficiary of the deceased
16 member, his aggregate contributions at the time of death.

17 (4) In no case shall the death benefit provided in subsection (2)
18 be less than that provided under subsection (3).

19 (5) In addition to the foregoing benefits payable under
20 subsection (2) or (3), there shall also be paid in one sum to such
21 beneficiary, if living, as the member shall have nominated by
22 written designation duly executed and filed with the retirement
23 system, otherwise to the executor or administrator of the member's
24 estate, an amount equal to 3 1/2 times the compensation upon which
25 contributions by the member to the annuity savings fund were based
26 in the last year of creditable service.

27 (6) In addition to the foregoing benefits, the State shall pay to
28 the member's employer-sponsored health insurance program all
29 health insurance premiums for the coverage of the member's
30 surviving widow or widower and dependent children.

31 (cf: P.L.2016, c.26, s.4)

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33 ¹**[2.] 3.**¹ This act shall take effect immediately.

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38 "Dominick Marino PFRS Enhanced Benefits for Surviving
39 Spouses Act"; enhances PFRS accidental death benefit for surviving
40 spouse who becomes eligible after effective date by providing for
41 minimum of \$50,000 annually.