

P.L. 2021, CHAPTER 498, *approved January 18, 2022*
Assembly, No. 6262

1 **AN ACT** concerning a temporary return to employment by a former
2 employee of the Legislature after retirement from the Public
3 Employees' Retirement System.

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

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8 1. Notwithstanding any provision of P.L.1954, c.84 (C.43:15A-
9 1 et seq.) to the contrary, a former member of the Public Employees'
10 Retirement System who is a former employee of the Legislature and
11 who has been granted a retirement allowance prior to the effective
12 date of this act, P.L. , c. (pending before the Legislature as this
13 bill), or during calendar year 2022, for any cause other than
14 disability, may return to employment in the Legislature, without
15 cancellation of the retirement and reenrollment in the system, for a
16 term of not more than two years if: (1) the return commences no less
17 than 30 days after the retirement allowance becomes due and
18 payable; (2) the former member had attained the service retirement
19 age, applicable to that member, as of the date of retirement; and (3)
20 the former member is re-employed as a part-time employee and
21 works no more than 20 hours per week.

22 The former member's retirement shall have been a bona fide
23 retirement and any employment or reemployment under this section
24 shall not be prearranged before retirement.

25 This section shall be effective if the qualified status of the
26 retirement system under federal law can be maintained upon its
27 application, and such notifications to the system as may be available
28 shall be made to allow for its application.

29 A former member of the Legislature shall not be eligible to return
30 to employment or office with the Legislature under this section.

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32 2. This act shall take effect immediately.

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35 **STATEMENT**

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37 This bill permits a Public Employees' Retirement System (PERS)
38 retiree to return to employment in the Legislature after retirement
39 under certain circumstances.

40 This bill would provide that a former member of the PERS who is
41 a former employee of the Legislature and who has been granted a
42 retirement allowance prior to or on the effective date of this bill or
43 during calendar year 2022, for any cause other than disability, may
44 return to employment with the Legislature, without cancellation of

1 the retirement and reenrollment in the system, for a term of not more
2 than two years if:

3 (1) the return commences no less than 30 days after the retirement
4 allowance becomes due and payable;

5 (2) the former member had attained the service retirement age,
6 applicable to that member, as of the date of retirement; and

7 (3) the former member is re-employed as a part-time employee
8 and works no more than 20 hours per week.

9 The former member's retirement must have been a bona fide
10 retirement and any employment or reemployment under this bill must
11 not be prearranged before retirement.

12 This section will be effective if the qualified status of the
13 retirement system under federal law can be maintained upon its
14 application, and such notifications to the system as may be available
15 will be made to allow for its application.

16 This bill will not apply to a former member of the Legislature.

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21 Permits PERS retiree to return to employment in NJ Legislature
22 after retirement under certain circumstances.