

SENATE, No. 198

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator CHRISTOPHER J. CONNORS
District 9 (Atlantic, Burlington and Ocean)

Co-Sponsored by:

**Senators Bateman, Singer, Weinberg, Madden, Beach, Sweeney, Vitale,
Rice, Doherty, Pennacchio, Cardinale, Pou, Cruz-Perez and Singleton**

SYNOPSIS

Broadens eligibility for certain veterans' benefits by eliminating requirement of service during specified dates or in specified locations.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 6/10/2021)

1 **AN ACT** concerning eligibility for certain veterans' benefits,
 2 amending and repealing various parts of the statutory law and
 3 supplementing Title 11A of the New Jersey Statutes and
 4 P.L.1963, c.171 (C.54:4-8.10 et seq.).

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

8
 9 1. N.J.S.11A:5-1 is amended to read as follows:

10 11A:5-1. As used in this chapter:

11 a. "Disabled veteran" means any veteran who is eligible to be
 12 compensated for a service-connected disability **【from war service】**
 13 by the United States **【Veterans Administration】** Department of
 14 Veterans' Affairs or who receives or is entitled to receive
 15 equivalent compensation for a service-connected disability **【which**
 16 **arises out of military or naval service as set forth in this chapter】**
 17 and who has submitted sufficient evidence of the record of
 18 disability **【incurred in the line of duty】** to the Adjutant General of
 19 the Department of Military and Veterans' Affairs and received a
 20 determination of status no later than eight days prior to the issuance
 21 of an employment list, for which that individual received a passing
 22 score on an examination;

23 b. "Veteran" means any **【honorably discharged soldier, sailor,**
 24 **marine or nurse who served in any army or navy of the allies of the**
 25 **United States in World War I, between July 14, 1914 and November**
 26 **11, 1918, or who served in any army or navy of the allies of the**
 27 **United States in World War II, between September 1, 1939 and**
 28 **September 2, 1945 and who was inducted into that service through**
 29 **voluntary enlistment, and was a citizen of the United States at the**
 30 **time of the enlistment, and who did not renounce or lose his or her**
 31 **United States citizenship; or any soldier, sailor, marine, airman,**
 32 **nurse or army field clerk, who has served in the active military or**
 33 **naval service of the United States】** person who (1) served at least
 34 90 days of active service in the Armed Forces of the United States,
 35 excluding any period of service for basic training or as a cadet or
 36 midshipman at one of the service academies, or (2) served as a
 37 member of a reserve component of the Armed Forces of the United
 38 States for an entire period for which called to federal active service,
 39 not including active duty for training, and has been discharged or
 40 released therefrom under conditions other than dishonorable
 41 **【conditions from that service in any of the following wars or**
 42 **conflicts】** and who has presented to the Adjutant General of the
 43 Department of Military and Veterans' Affairs sufficient evidence of
 44 the record of service and received a determination of status no later

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 than eight days prior to the issuance of an employment list, for
2 which that individual received a passing score on an examination【:

3 (1) World War I, between April 6, 1917 and November 11,
4 1918;

5 (2) World War II, on or after September 16, 1940, who shall
6 have served at least 90 days beginning on or before December 31,
7 1946 in such active service, exclusive of any period of assignment
8 for a course of education or training under the Army Specialized
9 Training Program or the Navy College Training Program, which
10 course was a continuation of a civilian course and was pursued to
11 completion, or as a cadet or midshipman at one of the service
12 academies; except that any person receiving an actual service-
13 incurred injury or disability shall be classed a veteran whether or
14 not that person has completed the 90-day service;

15 (3) Korean conflict, on or after June 23, 1950, who shall have
16 served at least 90 days beginning on or before January 31, 1955, in
17 active service, exclusive of any period of assignment for a course of
18 education or training under the Army Specialized Training Program
19 or the Navy College Training Program, which course was a
20 continuation of a civilian course and was pursued to completion, or
21 as a cadet or midshipman at one of the service academies; except
22 that any person receiving an actual service-incurred injury or
23 disability shall be classed as a veteran, whether or not that person
24 has completed the 90-day service;

25 (4) Lebanon crisis, on or after July 1, 1958, who has served in
26 Lebanon or on board any ship actively engaged in patrolling the
27 territorial waters of that nation for a period, continuous or in the
28 aggregate, of at least 14 days commencing on or before November
29 1, 1958 or the date of termination of that conflict, as proclaimed by
30 the President of the United States or Congress, whichever date of
31 termination is the latest, in such active service; provided, that any
32 person receiving an actual service-incurred injury or disability shall
33 be classed as a veteran whether or not that person has completed the
34 14 days' service as herein provided;

35 (5) Vietnam conflict, on or after December 31, 1960, who shall
36 have served at least 90 days beginning on or before May 7, 1975, in
37 active service, exclusive of any period of assignment for a course of
38 education or training under the Army Specialized Training Program
39 or the Navy College Training Program, which course was a
40 continuation of a civilian course and was pursued to completion, or
41 as a cadet or midshipman at one of the service academies, and
42 exclusive of any service performed pursuant to the provisions of
43 section 511(d) of Title 10, United States Code, or exclusive of any
44 service performed pursuant to enlistment in the National Guard or
45 the Army Reserve, Naval Reserve, Air Force Reserve, Marine
46 Corps Reserve, or Coast Guard Reserve; except that any person
47 receiving an actual service-incurred injury or disability shall be

1 classed as a veteran, whether or not that person has completed the
2 90-day service as provided;

3 (6) Lebanon peacekeeping mission, on or after September 26,
4 1982, who has served in Lebanon or on board any ship actively
5 engaged in patrolling the territorial waters of that nation for a
6 period, continuous or in the aggregate, of at least 14 days
7 commencing on or before December 1, 1987 or the date of
8 termination of that mission, as proclaimed by the President of the
9 United States or Congress, whichever date of termination is the
10 latest, in such active service; provided, that any person receiving an
11 actual service-incurred injury or disability shall be classed as a
12 veteran whether or not that person has completed the 14 days'
13 service as herein provided;

14 (7) Grenada peacekeeping mission, on or after October 23,
15 1983, who has served in Grenada or on board any ship actively
16 engaged in patrolling the territorial waters of that nation for a
17 period, continuous or in the aggregate, of at least 14 days
18 commencing on or before November 21, 1983 or the date of
19 termination of that mission, as proclaimed by the President of the
20 United States or Congress, whichever date of termination is the
21 latest, in such active service; provided, that any person receiving an
22 actual service-incurred injury or disability shall be classed as a
23 veteran whether or not that person has completed the 14 days'
24 service as herein provided;

25 (8) Panama peacekeeping mission, on or after December 20,
26 1989 or the date of inception of that mission, as proclaimed by the
27 President of the United States or Congress, whichever date of
28 inception is earliest, who has served in Panama or on board any ship
29 actively engaged in patrolling the territorial waters of that nation for
30 a period, continuous or in the aggregate, of at least 14 days
31 commencing on or before January 31, 1990 or the date of
32 termination of that mission, as proclaimed by the President of the
33 United States or Congress, whichever date of termination is the
34 latest, in such active service; provided, that any person receiving an
35 actual service-incurred injury or disability shall be classed as a
36 veteran whether or not that person has completed the 14 days'
37 service as herein provided;

38 (9) Operation "Desert Shield/Desert Storm" mission in the
39 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
40 or the date of inception of that operation, as proclaimed by the
41 President of the United States or Congress, whichever date of
42 inception is earliest, who has served in the Arabian peninsula or on
43 board any ship actively engaged in patrolling the Persian Gulf for a
44 period, continuous or in the aggregate, of at least 14 days
45 commencing on or before the date of termination of that mission, as
46 proclaimed by the President of the United States or Congress,
47 whichever date of termination is the latest, in such active service;

1 provided, that any person receiving an actual service-incurred injury
2 or disability shall be classed as a veteran whether or not that person
3 has completed the 14 days' service as herein provided;

4 (10) Operation Northern Watch and Operation Southern Watch,
5 on or after August 27, 1992, or the date of inception of that
6 operation, as proclaimed by the President of the United States,
7 Congress or United States Secretary of Defense, whichever date of
8 inception is earliest, who served in the theater of operation,
9 including in the Arabian peninsula and the Persian Gulf, and in
10 direct support of that operation for a period, continuously or in the
11 aggregate, of at least 14 days in such active service commencing on
12 or before the date of termination of that operation, as proclaimed by
13 the President of the United States, Congress or United States
14 Secretary of Defense, whichever date of termination is the latest;
15 provided, that any person receiving an actual service-incurred injury
16 or disability while engaged in such service shall be classed as a
17 veteran whether or not that person has completed the 14 days'
18 service as herein provided;

19 (11) Operation "Restore Hope" in Somalia, on or after
20 December 5, 1992, or the date of inception of that operation as
21 proclaimed by the President of the United States or the Congress,
22 whichever date is earliest, who has served in Somalia or on board
23 any ship actively engaged in patrolling the territorial waters of that
24 nation for a period, continuously or in the aggregate, of at least 14
25 days in such active service commencing on or before March 31,
26 1994; provided that any person receiving an actual service-incurred
27 injury or disability shall be classed as a veteran whether or not that
28 person has completed the 14-day service as herein provided;

29 (12) Operations "Joint Endeavor" and "Joint Guard" in the
30 Republic of Bosnia and Herzegovina, on or after November 20,
31 1995, who served in such active service in direct support of one or
32 both of the operations for at least 14 days, continuously or in the
33 aggregate, commencing on or before June 20, 1998, and (1) was
34 deployed in that nation or in another area in the region, or (2) was
35 on board a United States naval vessel operating in the Adriatic Sea,
36 or (3) operated in airspace above the Republic of Bosnia and
37 Herzegovina; provided that any person receiving an actual service-
38 incurred injury or disability shall be classed as a veteran whether or
39 not that person completed the 14-day service requirement;

40 (13) Operation "Uphold Democracy" in Haiti, on or after
41 September 19, 1994, who served in Haiti or on board any ship
42 actively engaged in patrolling the territorial waters of that nation for
43 a period, continuously or in the aggregate, of at least 14 days in
44 such active service commencing on or before March 31, 1995, and
45 who received an Armed Forces Expeditionary Medal for such
46 service; provided, that any person receiving an actual service-
47 incurred injury or disability shall be classed as a veteran whether or

1 not that person has completed the 14 days' service as herein
2 provided or received an Armed Forces Expeditionary Medal;

3 (14) Operation "Enduring Freedom", on or after September 11,
4 2001, who served in a theater of operation and in direct support of
5 that operation for a period, continuously or in the aggregate, of at
6 least 14 days in such active service commencing on or before the
7 date the President of the United States or the United States
8 Secretary of Defense designates as the termination date of that
9 operation; provided, that any person receiving an actual service-
10 incurred injury or disability while engaged in such service shall be
11 classed as a veteran whether or not that person has completed the 14
12 days' service as herein provided; and

13 (15) Operation "Iraqi Freedom", on or after the date the
14 President of the United States or the United States Secretary of
15 Defense designates as the inception date of that operation, who
16 served in Iraq or in another area in the region in direct support of
17 that operation for a period, continuously or in the aggregate, of at
18 least 14 days in such active service commencing on or before the
19 date the President of the United States or the United States
20 Secretary of Defense designates as the termination date of that
21 operation; provided, that any person receiving an actual service-
22 incurred injury or disability while engaged in such service shall be
23 classed as a veteran whether or not that person has completed the 14
24 days' service as herein provided;

25 c. "War service" means service by a veteran in any war or
26 conflict described in this chapter during the periods specified】.

27 A person who served fewer than 90 days of active service or who
28 served less than the entire period to which called to federal active
29 service shall be classed as a veteran if that person has been
30 discharged or released under conditions other than dishonorable as a
31 result of a service-connected disability incurred as a result of such
32 service.

33 (cf: P.L.2007, c.115, s.1)

34

35 2. N.J.S.11A:5-3 is amended to read as follows:

36 11A:5-3. Parent and spouse of veteran who has died in service.
37 A parent and spouse of any veteran who died while in, and as a
38 result of, federal active service and who would have qualified under
39 this chapter as a veteran, shall be entitled to a disabled veterans'
40 preference. Where both a parent and spouse survive, the exercise of
41 the preference by one shall suspend the right of any other so long as
42 the first individual who exercises preference remains in the employ
43 of the State or any political subdivision operating under the
44 provisions of this title.

45 (cf: N.J.S.11A:5-3)

1 3. N.J.S.11A:5-11 is amended to read as follows:

2 11A:5-11. Veterans not to be discriminated against because of
3 physical defects. Veterans suffering from any physical defect
4 caused by ~~【wounds or injuries received in the line of duty in the~~
5 ~~military or naval forces of the United States during war service set~~
6 ~~forth in N.J.S.11A:5-1】~~ an injury, disease or disability incurred as a
7 result of active service in the Armed Forces of the United States or
8 a reserve component thereof, shall not be discriminated against in
9 an examination, classification or appointment because of the defect,
10 unless this defect, in the opinion of the board, would incapacitate
11 the veteran from properly performing the duties of the office,
12 position or employment for which applied.
13 (cf: N.J.S.11A:5-11)

14

15 4. N.J.S.18A:66-2 is amended to read as follows:

16 18A:66-2. As used in this article:

17 a. "Accumulated deductions" means the sum of all the
18 amounts, deducted from the compensation of a member or
19 contributed by or in behalf of the member, including interest
20 credited to January 1, 1956, standing to the credit of the member's
21 individual account in the annuity savings fund.

22 b. "Annuity" means payments for life derived from the
23 accumulated deductions of a member as provided in this article.

24 c. "Beneficiary" means any person receiving a retirement
25 allowance or other benefit as provided in this article.

26 d. (1) "Compensation" means the contractual salary, for
27 services as a teacher as defined in this article, which is in
28 accordance with established salary policies of the member's
29 employer for all employees in the same position but shall not
30 include individual salary adjustments which are granted primarily in
31 anticipation of the member's retirement or additional remuneration
32 for performing temporary or extracurricular duties beyond the
33 regular school day or the regular school year.

34 (2) In the case of a person who becomes a member of the
35 retirement system on or after July 1, 2007, "compensation" means
36 the amount of the contractual salary equivalent to the annual
37 maximum wage contribution base for Social Security, pursuant to
38 the Federal Insurance Contributions Act, for services as a teacher as
39 defined in this article, which is in accordance with established
40 salary policies of the member's employer for all employees in the
41 same position but shall not include individual salary adjustments
42 which are granted primarily in anticipation of the member's
43 retirement or additional remuneration for performing temporary or
44 extracurricular duties beyond the regular school day or the regular
45 school year. This paragraph shall not apply to a person who at the
46 time of enrollment in the retirement system on or after July 1, 2007
47 transfers service credit from another State-administered retirement

1 system pursuant to N.J.S.18A:66-15.1, but shall apply to a former
2 member of the retirement system who has been granted a retirement
3 allowance and is reenrolled in the retirement system on or after July
4 1, 2007 pursuant to N.J.S.18A:66-53.2 after becoming employed
5 again in a position that makes the person eligible to be a member of
6 the retirement system.

7 e. "Employer" means the State, the board of education or any
8 educational institution or agency of or within the State by which a
9 teacher is paid.

10 f. "Final compensation" means the average annual
11 compensation for which contributions are made for the three years
12 of creditable service in New Jersey immediately preceding the
13 member's retirement or death, or it shall mean the average annual
14 compensation for New Jersey service for which contributions are
15 made during any three fiscal years of his or her membership
16 providing the largest possible benefit to the member or the
17 member's beneficiary.

18 g. "Fiscal year" means any year commencing with July 1, and
19 ending with June 30, next following.

20 h. "Pension" means payments for life derived from
21 appropriations made by the State or employers to the Teachers'
22 Pension and Annuity Fund.

23 i. "Annuity reserve" means the present value of all payments
24 to be made on account of any annuity or benefit in lieu of an
25 annuity, granted under the provisions of this article, computed on
26 the basis of such mortality tables recommended by the actuary as
27 the board of trustees adopts, with regular interest.

28 j. "Pension reserve" means the present value of all payments to
29 be made on account of any pension or benefit in lieu of a pension
30 granted to a member from the Teachers' Pension and Annuity Fund,
31 computed on the basis of such mortality tables recommended by the
32 actuary as the board of trustees adopts, with regular interest.

33 k. "Present-entrant" means any member of the Teachers'
34 Pension and Annuity Fund who had established status as a "present-
35 entrant member" of said fund prior to January 1, 1956.

36 l. "Rate of contribution initially certified" means the rate of
37 contribution certified by the retirement system in accordance with
38 N.J.S.18A:66-29.

39 m. "Regular interest" shall mean interest as determined by the
40 State Treasurer, after consultation with the Directors of the
41 Divisions of Investment and Pensions, the board of trustees and the
42 actuary. It shall bear a reasonable relationship to the percentage rate
43 of earnings on investments based on the market value of assets but
44 shall not exceed the assumed percentage rate of increase applied to
45 salaries plus 3%, provided however that the board of trustees shall
46 not set the average percentage rate of increase applied to salaries
47 below 6%.

- 1 n. "Retirement allowance" means the pension plus the annuity.
- 2 o. "School service" means any service as a "teacher" as defined
3 in this section.
- 4 p. "Teacher" means any regular teacher, special teacher,
5 helping teacher, teacher clerk, principal, vice-principal, supervisor,
6 supervising principal, director, superintendent, city superintendent,
7 assistant city superintendent, county superintendent, State
8 Commissioner or Assistant Commissioner of Education, members
9 of the State Department of Education who are certificated,
10 unclassified professional staff and other members of the teaching or
11 professional staff of any class, public school, high school, normal
12 school, model school, training school, vocational school, truant
13 reformatory school, or parental school, and of any and all classes or
14 schools within the State conducted under the order and
15 superintendence, and wholly or partly at the expense of the State
16 Board of Education, of a duly elected or appointed board of
17 education, board of school directors, or board of trustees of the
18 State or of any school district or normal school district thereof, and
19 any persons under contract or engagement to perform one or more
20 of these functions. It shall also mean any person who serves, while
21 on an approved leave of absence from regular duties as a teacher, as
22 an officer of a local, county or State labor organization which
23 represents, or is affiliated with an organization which represents,
24 teachers as defined in this subsection. No person shall be deemed a
25 teacher within the meaning of this article who is a substitute
26 teacher. In all cases of doubt the board of trustees shall determine
27 whether any person is a teacher as defined in this article.
- 28 q. "Teachers' Pension and Annuity Fund," hereinafter referred
29 to as the "retirement system" or "system," is the corporate name of
30 the arrangement for the payment of retirement allowances and other
31 benefits under the provisions of this article, including the several
32 funds placed under said system. By that name all its business shall
33 be transacted, its funds invested, warrants for money drawn, and
34 payments made and all of its cash and securities and other property
35 held.
- 36 r. "Veteran" means any [honorably discharged officer, soldier,
37 sailor, airman, marine or nurse who served in any Army, Air Force
38 or Navy of the Allies of the United States in World War I between
39 July 14, 1914, and November 11, 1918, or who served in any Army,
40 Air Force or Navy of the Allies of the United States in World War
41 II, between September 1, 1939, and September 2, 1945, and who
42 was inducted into such service through voluntary enlistment, and
43 was a citizen of the United States at the time of such enlistment, and
44 who did not, during or by reason of such service, renounce or lose
45 United States citizenship, and any officer, soldier, sailor, marine,
46 airman, nurse or army field clerk who has served in the active
47 military or naval service of the United States] person who (1)

1 served at least 90 days of active service in the Armed Forces of the
2 United States, excluding any period of service for basic training or
3 as a cadet or midshipman at one of the service academies, or (2)
4 served as a member of a reserve component of the Armed Forces of
5 the United States for an entire period for which called to federal
6 active service, not including active duty for training, and has [or
7 shall be] been discharged or released therefrom under conditions
8 other than dishonorable[, in any of the following wars, uprisings,
9 insurrections, expeditions or emergencies,] and who has presented
10 to the [retirement system] Adjutant General of the Department of
11 Military and Veterans' Affairs evidence of such record of service in
12 form and content satisfactory to [said retirement system]:

13 (1) The Indian wars and uprisings during any of the periods
14 recognized by the War Department of the United States as periods
15 of active hostility;

16 (2) The Spanish-American War between April 20, 1898, and
17 April 11, 1899;

18 (3) The Philippine insurrections and expeditions during the
19 periods recognized by the War Department of the United States as
20 of active hostility from February 4, 1899, to the end of 1913;

21 (4) The Peking relief expedition between June 20, 1900, and
22 May 27, 1902;

23 (5) The army of Cuban occupation between July 18, 1898, and
24 May 20, 1902;

25 (6) The army of Cuban pacification between October 6, 1906,
26 and April 1, 1909;

27 (7) The Mexican punitive expedition between March 14, 1916,
28 and February 7, 1917;

29 (8) The Mexican border patrol, having actually participated in
30 engagements against Mexicans between April 12, 1911, and June
31 16, 1919;

32 (9) World War I, between April 6, 1917, and November 11,
33 1918;

34 (10) World War II, between September 16, 1940, and December
35 31, 1946, who shall have served at least 90 days in such active
36 service, exclusive of any period of assignment (1) for a course of
37 education or training under the Army Specialized Training Program
38 or the Navy College Training Program, which course was a
39 continuation of a civilian course and was pursued to completion, or
40 (2) as a cadet or midshipman at one of the service academies, any
41 part of which 90 days was served between said dates; provided that
42 any person receiving an actual service-incurred injury or disability
43 shall be classed as a veteran, whether or not that person has
44 completed the 90-day service as herein provided;

45 (11) Korean conflict on or after June 23, 1950, and on or prior to
46 January 31, 1955, who shall have served at least 90 days in such
47 active service, exclusive of any period of assignment (1) for a

1 course of education or training under the Army Specialized
2 Training Program or the Navy College Training Program, which
3 course was a continuation of a civilian course and was pursued to
4 completion, or (2) as a cadet or midshipman at one of the service
5 academies, any part of which 90 days was served between said
6 dates; provided that any person receiving an actual service-incurred
7 injury or disability shall be classed as a veteran, whether or not that
8 person has completed the 90-day service as herein provided; and
9 provided further that any member classed as a veteran pursuant to
10 this subsection prior to August 1, 1966, shall continue to be classed
11 as a veteran, whether or not that person completed the 90-day
12 service between said dates as herein provided;

13 (12) Lebanon crisis, on or after July 1, 1958, who has served in
14 Lebanon or on board any ship actively engaged in patrolling the
15 territorial waters of that nation for a period, continuous or in the
16 aggregate, of at least 14 days commencing on or before November
17 1, 1958 or the date of termination of that conflict, as proclaimed by
18 the President of the United States or Congress, whichever date of
19 termination is the latest, in such active service; provided, that any
20 person receiving an actual service-incurred injury or disability shall
21 be classed as a veteran whether or not that person has completed the
22 14 days' service as herein provided;

23 (13) Vietnam conflict, on or after December 31, 1960, and on or
24 prior to May 7, 1975, who shall have served at least 90 days in such
25 active service, exclusive of any period of assignment (1) for a
26 course of education or training under the Army Specialized
27 Training Program or the Navy College Training Program, which
28 course was a continuation of a civilian course and was pursued to
29 completion, or (2) as a cadet or midshipman at one of the service
30 academies, any part of which 90 days was served between said
31 dates; and exclusive of any service performed pursuant to the
32 provisions of section 511(d) of Title 10, United States Code,
33 pursuant to an enlistment in the Army National Guard or as a
34 reserve for service in the Army Reserve, Naval Reserve, Air Force
35 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided
36 that any person receiving an actual service-incurred injury or
37 disability shall be classed as a veteran, whether or not that person
38 has completed the 90-day service as herein provided;

39 (14) Lebanon peacekeeping mission, on or after September 26,
40 1982, who has served in Lebanon or on board any ship actively
41 engaged in patrolling the territorial waters of that nation for a
42 period, continuous or in the aggregate, of at least 14 days
43 commencing on or before December 1, 1987 or the date of
44 termination of that mission, as proclaimed by the President of the
45 United States or Congress, whichever date of termination is the
46 latest, in such active service; provided, that any person receiving an
47 actual service-incurred injury or disability shall be classed as a

1 veteran whether or not that person has completed the 14 days'
2 service as herein provided;

3 (15) Grenada peacekeeping mission, on or after October 23,
4 1983, who has served in Grenada or on board any ship actively
5 engaged in patrolling the territorial waters of that nation for a
6 period, continuous or in the aggregate, of at least 14 days
7 commencing on or before November 21, 1983 or the date of
8 termination of that mission, as proclaimed by the President of the
9 United States or Congress, whichever date of termination is the
10 latest, in such active service; provided, that any person receiving an
11 actual service-incurred injury or disability shall be classed as a
12 veteran whether or not that person has completed the 14 days'
13 service as herein provided;

14 (16) Panama peacekeeping mission, on or after December 20,
15 1989 or the date of inception of that mission, as proclaimed by the
16 President of the United States or Congress, whichever date of
17 inception is earliest, who has served in Panama or on board any ship
18 actively engaged in patrolling the territorial waters of that nation for
19 a period, continuous or in the aggregate, of at least 14 days
20 commencing on or before January 31, 1990 or the date of
21 termination of that mission, as proclaimed by the President of the
22 United States or Congress, whichever date of termination is the
23 latest, in such active service; provided, that any person receiving an
24 actual service-incurred injury or disability shall be classed as a
25 veteran whether or not that person has completed the 14 days'
26 service as herein provided;

27 (17) Operation "Desert Shield/Desert Storm" mission in the
28 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
29 or the date of inception of that operation, as proclaimed by the
30 President of the United States or Congress, whichever date of
31 inception is earliest, who has served in the Arabian peninsula or on
32 board any ship actively engaged in patrolling the Persian Gulf for a
33 period, continuous or in the aggregate, of at least 14 days
34 commencing on or before the date of termination of that mission, as
35 proclaimed by the President of the United States or Congress,
36 whichever date of termination is the latest, in such active service;
37 provided, that any person receiving an actual service-incurred injury
38 or disability shall be classed as a veteran whether or not that person
39 has completed the 14 days' service as herein provided;

40 (18) Operation Northern Watch and Operation Southern Watch,
41 on or after August 27, 1992, or the date of inception of that
42 operation, as proclaimed by the President of the United States,
43 Congress or United States Secretary of Defense, whichever date of
44 inception is earliest, who served in the theater of operation,
45 including in the Arabian peninsula and the Persian Gulf, and in
46 direct support of that operation for a period, continuously or in the
47 aggregate, of at least 14 days in such active service, commencing on

1 or before the date of termination of the operation, as proclaimed by
2 the President of the United States, Congress or United States
3 Secretary of Defense, whichever date of termination is latest;
4 provided, that any person receiving an actual service-incurred injury
5 or disability while engaged in such service shall be classed as a
6 veteran whether or not that person has completed the 14 days'
7 service as herein provided;

8 (19) Operation "Restore Hope" in Somalia, on or after December
9 5, 1992, or the date of inception of that operation as proclaimed by
10 the President of the United States or Congress, whichever date is
11 earliest, who has served in Somalia or on board any ship actively
12 engaged in patrolling the territorial waters of that nation for a
13 period, continuously or in the aggregate, of at least 14 days in such
14 active service commencing on or before March 31, 1994; provided
15 that any person receiving an actual service-incurred injury or
16 disability shall be classed as a veteran whether or not that person
17 has completed the 14-day service as herein provided;

18 (20) Operations "Joint Endeavor" and "Joint Guard" in the
19 Republic of Bosnia and Herzegovina, on or after November 20,
20 1995, who served in such active service in direct support of one or
21 both of the operations for at least 14 days, continuously or in the
22 aggregate, commencing on or before June 20, 1998, and (1) was
23 deployed in that nation or in another area in the region, or (2) was
24 on board a United States naval vessel operating in the Adriatic Sea,
25 or (3) operated in airspace above the Republic of Bosnia and
26 Herzegovina; provided that any person receiving an actual service-
27 incurred injury or disability shall be classed as a veteran whether or
28 not that person completed the 14-day service requirement;

29 (21) Operation "Enduring Freedom", on or after September 11,
30 2001, who served in a theater of operation and in direct support of
31 that operation for a period, continuously or in the aggregate, of at
32 least 14 days in such active service commencing on or before the
33 date the President of the United States or the United States
34 Secretary of Defense designates as the termination date of that
35 operation; provided, that any person receiving an actual service-
36 incurred injury or disability while engaged in such service shall be
37 classed as a veteran whether or not that person has completed the 14
38 days' service as herein provided; and

39 (22) Operation "Iraqi Freedom", on or after the date the President
40 of the United States or the United States Secretary of Defense
41 designates as the inception date of that operation, who served in
42 Iraq or in another area in the region in direct support of that
43 operation for a period, continuously or in the aggregate, of at least
44 14 days in such active service commencing on or before the date the
45 President of the United States or the United States Secretary of
46 Defense designates as the termination date of that operation;
47 provided, that any person receiving an actual service-incurred injury

1 or disability while engaged in such service shall be classed as a
2 veteran whether or not that person has completed the 14 days'
3 service as herein provided **1** the Adjutant General.

4 A person who served fewer than 90 days of active service or who
5 served less than the entire period to which called to active service
6 shall be classed as a veteran if that person has been discharged or
7 released under conditions other than dishonorable as a result of a
8 service-connected disability incurred as a result of such service.

9 "Veteran" also means any honorably discharged member of the
10 American Merchant Marine who served during World War II and is
11 declared by the United States Department of Defense to be eligible
12 for federal veterans' benefits.

13 s. "Child" means a deceased member's unmarried child either
14 (a) under the age of 18 or (b) of any age who, at the time of the
15 member's death, is disabled because of mental retardation or
16 physical incapacity, is unable to do any substantial, gainful work
17 because of the impairment and the impairment has lasted or can be
18 expected to last for a continuous period of not less than 12 months,
19 as affirmed by the medical board.

20 t. (1) "Widower," for employees of the State, means the man
21 to whom a member was married, or a domestic partner as defined in
22 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
23 the date of her death and to whom she continued to be married or a
24 domestic partner until the date of her death and who was receiving
25 at least one-half of his support from the member in the 12-month
26 period immediately preceding the member's death or the accident
27 which was the direct cause of the member's death. The dependency
28 of such a widower will be considered terminated by marriage of, or
29 establishment of a domestic partnership by, the widower subsequent
30 to the death of the member. In the event of the payment of an
31 accidental death benefit, the five-year qualification shall be waived.

32 (2) Subject to the provisions of paragraph (3) of this subsection,
33 "widower," for employees of public employers other than the State,
34 means the man to whom a member was married at least five years
35 before the date of her death and to whom she continued to be
36 married until the date of her death and who was receiving at least
37 one-half of his support from the member in the 12-month period
38 immediately preceding the member's death or the accident which
39 was the direct cause of the member's death. The dependency of such
40 a widower shall be considered terminated by marriage of the
41 widower subsequent to the death of the member. In the event of the
42 payment of an accidental death benefit, the five-year qualification
43 shall be waived.

44 (3) A public employer other than the State may adopt a
45 resolution providing that the term "widower" as defined in
46 paragraph (2) of this subsection shall include domestic partners as
47 provided in paragraph (1) of this subsection.

1 u. (1) "Widow," for employees of the State, means the woman
2 to whom a member was married, or a domestic partner as defined in
3 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
4 the date of his death and to whom he continued to be married or a
5 domestic partner until the date of his death and who was receiving
6 at least one-half of her support from the member in the 12-month
7 period immediately preceding the member's death or the accident
8 which was the direct cause of the member's death. The dependency
9 of such a widow will be considered terminated by the marriage of,
10 or establishment of a domestic partnership by, the widow
11 subsequent to the member's death. In the event of the payment of an
12 accidental death benefit, the five-year qualification shall be waived.

13 (2) Subject to the provisions of paragraph (3) of this subsection,
14 "widow," for employees of public employers other than the State,
15 means the woman to whom a member was married at least five
16 years before the date of his death and to whom he continued to be
17 married until the date of his death and who was receiving at least
18 one-half of her support from the member in the 12-month period
19 immediately preceding the member's death or the accident which
20 was the direct cause of the member's death. The dependency of such
21 a widow shall be considered terminated by the marriage of the
22 widow subsequent to the member's death. In the event of the
23 payment of an accidental death benefit, the five-year qualification
24 shall be waived.

25 (3) A public employer other than the State may adopt a
26 resolution providing that the term "widower" as defined in
27 paragraph (2) of this subsection shall include domestic partners as
28 provided in paragraph (1) of this subsection.

29 v. "Parent" means the parent of a member who was receiving at
30 least one-half of the parent's support from the member in the 12-
31 month period immediately preceding the member's death or the
32 accident which was the direct cause of the member's death. The
33 dependency of such a parent will be considered terminated by
34 marriage of the parent subsequent to the death of the member.

35 w. "Medical board" means the board of physicians provided for
36 in N.J.S.18A:66-56.

37 x. (1) "Spouse," for employees of the State, means the husband
38 or wife, or domestic partner as defined in section 3 of P.L.2003,
39 c.246 (C.26:8A-3), of a member.

40 (2) Subject to the provisions of paragraph (1) of this subsection,
41 "spouse," for employees of public employers other than the State,
42 means the husband or wife of a member.

43 (3) A public employer other than the State may adopt a
44 resolution providing that the term "spouse" as defined in paragraph
45 (2) of this subsection shall include domestic partners as provided in
46 paragraph (1) of this subsection.

47 (cf: P.L.2007, c.103, s.9)

1 5. N.J.S.18A:66-13 is amended to read as follows:

2 18A:66-13. Prior service credit. A member may file a detailed
3 statement of: a. school service and service in a similar capacity in
4 other states and in schools within and outside the United States
5 operated by a department of the United States Government for the
6 instruction of the children of United States Government officers and
7 employees, or b. other public employment in other states or with the
8 United States Government which would be eligible for credit in a
9 State-administered retirement system if the employment was with a
10 public employer in this State, or c. **【military service】** active service
11 in the Armed Forces of the United States or in a reserve component
12 thereof, rendered prior to becoming a member, for which the
13 member desires credit, and of such other facts as the retirement
14 system may require. The member may purchase credit for all or a
15 portion of the service evidenced in the statement up to the nearest
16 number of years and months, but not exceeding 10 years, provided
17 however, that a member purchasing that maximum credit may
18 purchase up to five additional years **【for additional military】** of
19 active service 【qualifying the member as a veteran as defined in
20 N.J.S.18A:66-2】 in the Armed Forces of the United States or a
21 reserve component thereof.

22 No application shall be accepted for the purchase of credit for
23 **【such】**: (1) a period of service if, at the time of application, the
24 member has a vested right to retirement benefits in another
25 retirement system based in whole or in part upon that service; or (2)
26 a period of active service in a reserve component of the Armed
27 Forces of the United States that is concurrent with other service
28 described in subsections a. and b. of this section.

29 The member may purchase credit for the service by paying into
30 the annuity savings fund the amount required by applying the
31 factor, supplied by the actuary as being applicable to the member's
32 age at the time of the purchase, to the member's salary at that time,
33 or to the highest annual compensation for service in this State for
34 which contributions were made during any prior fiscal year of
35 membership, whichever is greater. The purchase may be made in
36 regular installments, equal to at least one-half the full normal
37 contribution to the retirement system, over a maximum period of 10
38 years. Neither the State nor the employer of a member who applies
39 to purchase credit for public employment with the United States
40 Government pursuant to subsection b. of this section or for military
41 service pursuant to subsection c. of this section shall be liable for
42 any payment to the retirement system on behalf of the member for
43 the purchase of this credit.

44 Notwithstanding any provision of this act to the contrary, a
45 member shall not be liable for any costs associated with the
46 financing of pension adjustment benefits and health care benefits
47 for retirees when purchasing credit for school service, public

1 employment in other states or with the United States Government,
2 or **【military】** active service in the Armed Forces of the United
3 States or a reserve component thereof.

4 Any member electing to purchase the service who retires prior to
5 completing payments as agreed with the retirement system will
6 receive pro rata credit for service purchased prior to the date of
7 retirement, but if the member so elects at the time of retirement, the
8 member may make the additional lump sum payment required at
9 that time to provide full credit.
10 (cf: P.L.1991, c.153, s.1)

11

12 6. Section 6 of P.L.1954, c.84 (C.43:15A-6) is amended to read
13 as follows:

14 6. As used in this act:

15 a. "Accumulated deductions" means the sum of all the
16 amounts, deducted from the compensation of a member or
17 contributed by or on behalf of the member, standing to the credit of
18 the member's individual account in the annuity savings fund.

19 b. "Annuity" means payments for life derived from the
20 accumulated deductions of a member as provided in this act.

21 c. "Annuity reserve" means the present value of all payments
22 to be made on account of any annuity or benefit in lieu of an
23 annuity, granted under the provisions of this act, computed on the
24 basis of such mortality tables recommended by the actuary as the
25 board of trustees adopts, with regular interest.

26 d. "Beneficiary" means any person receiving a retirement
27 allowance or other benefit as provided in this act.

28 e. "Child" means a deceased member's unmarried child either
29 (1) under the age of 18 or (2) of any age who, at the time of the
30 member's death, is disabled because of mental retardation or
31 physical incapacity, is unable to do any substantial, gainful work
32 because of the impairment and the impairment has lasted or can be
33 expected to last for a continuous period of not less than 12 months,
34 as affirmed by the medical board.

35 f. "Parent" shall mean the parent of a member who was
36 receiving at least 1/2 of the parent's support from the member in the
37 12-month period immediately preceding the member's death or the
38 accident which was the direct cause of the member's death. The
39 dependency of such a parent will be considered terminated by
40 marriage of the parent subsequent to the death of the member.

41 g. (1) "Widower," for employees of the State, means the man
42 to whom a member was married, or a domestic partner as defined in
43 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
44 the date of her death and to whom she continued to be married or a
45 domestic partner until the date of her death and who was receiving
46 at least 1/2 of his support from the member in the 12-month period
47 immediately preceding the member's death or the accident which

1 was the direct cause of the member's death. The dependency of such
2 a widower will be considered terminated by marriage of, or
3 establishment of a domestic partnership by, the widower subsequent
4 to the death of the member. In the event of the payment of an
5 accidental death benefit, the five-year qualification shall be waived.

6 (2) Subject to the provisions of paragraph (3) of this subsection,
7 "widower," for employees of public employers other than the State,
8 means the man to whom a member was married at least five years
9 before the date of her death and to whom she continued to be
10 married until the date of her death and who was receiving at least
11 1/2 of his support from the member in the 12-month period
12 immediately preceding the member's death or the accident which
13 was the direct cause of the member's death. The dependency of such
14 a widower shall be considered terminated by marriage of the
15 widower subsequent to the death of the member. In the event of the
16 payment of an accidental death benefit, the five-year qualification
17 shall be waived.

18 (3) A public employer other than the State may adopt a
19 resolution providing that the term "widower" as defined in
20 paragraph (2) of this subsection shall include domestic partners as
21 provided in paragraph (1) of this subsection.

22 h. "Final compensation" means the average annual
23 compensation for which contributions are made for the three years
24 of creditable service in New Jersey immediately preceding the
25 member's retirement or death, or it shall mean the average annual
26 compensation for New Jersey service for which contributions are
27 made during any three fiscal years of his or her membership
28 providing the largest possible benefit to the member or the
29 member's beneficiary.

30 i. "Fiscal year" means any year commencing with July 1 and
31 ending with June 30 next following.

32 j. "Medical board" shall mean the board of physicians
33 provided for in section 17 (C.43:15A-17).

34 k. "Pension" means payments for life derived from
35 appropriations made by the employer as provided in this act.

36 l. "Pension reserve" means the present value of all payments to
37 be made on account of any pension or benefit in lieu of a pension
38 granted under the provisions of this act, computed on the basis of
39 such mortality tables recommended by the actuary as the board of
40 trustees adopts, with regular interest.

41 m. "Public Employees' Retirement System of New Jersey,"
42 hereinafter referred to as the "retirement system" or "system," is the
43 corporate name of the arrangement for the payment of retirement
44 allowances and other benefits under the provisions of this act
45 including the several funds placed under said system. By that name
46 all of its business shall be transacted, its funds invested, warrants
47 for money drawn, and payments made and all of its cash and

1 securities and other property held.

2 n. "Regular interest" shall mean interest as determined by the
3 State Treasurer, after consultation with the Directors of the
4 Divisions of Investment and Pensions, the board of trustees and the
5 actuary. It shall bear a reasonable relationship to the percentage rate
6 of earnings on investments based on the market value of the assets
7 but shall not exceed the assumed percentage rate of increase applied
8 to salaries plus 3%, provided however that the board of trustees
9 shall not set the average percentage rate of increase applied to
10 salaries below 6%.

11 o. "Retirement allowance" means the pension plus the annuity.

12 p. "Veteran" means any [honorably discharged officer, soldier,
13 sailor, airman, marine or nurse who served in any Army, Air Force
14 or Navy of the Allies of the United States in World War I, between
15 July 14, 1914, and November 11, 1918, or who served in any Army,
16 Air Force or Navy of the Allies of the United States in World War
17 II, between September 1, 1939, and September 2, 1945, and who
18 was inducted into such service through voluntary enlistment, and
19 was a citizen of the United States at the time of such enlistment, and
20 who did not, during or by reason of such service, renounce or lose
21 United States citizenship, and any officer, soldier, sailor, marine,
22 airman, nurse or army field clerk, who has served in the active
23 military or naval service of the United States] person who (1)
24 served at least 90 days of active service in the Armed Forces of the
25 United States, excluding any period of service for basic training or
26 as a cadet or midshipman at one of the service academies, or (2)
27 served as a member of a reserve component of the Armed Forces of
28 the United States for an entire period for which called to federal
29 active service, not including active duty for training, and has [or
30 shall be] been discharged or released therefrom under conditions
31 other than dishonorable[, in any of the following wars, uprisings,
32 insurrections, expeditions, or emergencies,] and who has presented
33 to the [retirement system] Adjutant General of the Department of
34 Military and Veterans' Affairs evidence of such record of service in
35 form and content satisfactory to [said retirement system:

36 (1) The Indian wars and uprisings during any of the periods
37 recognized by the War Department of the United States as periods
38 of active hostility;

39 (2) The Spanish-American War between April 20, 1898, and
40 April 11, 1899;

41 (3) The Philippine insurrections and expeditions during the
42 periods recognized by the War Department of the United States as
43 of active hostility from February 4, 1899, to the end of 1913;

44 (4) The Peking relief expedition between June 20, 1900, and
45 May 27, 1902;

46 (5) The army of Cuban occupation between July 18, 1898, and
47 May 20, 1902;

- 1 (6) The army of Cuban pacification between October 6, 1906,
2 and April 1, 1909;
- 3 (7) The Mexican punitive expedition between March 14, 1916,
4 and February 7, 1917;
- 5 (8) The Mexican border patrol, having actually participated in
6 engagements against Mexicans between April 12, 1911, and June
7 16, 1919;
- 8 (9) World War I, between April 6, 1917, and November 11,
9 1918;
- 10 (10) World War II, between September 16, 1940, and December
11 31, 1946, who shall have served at least 90 days in such active
12 service, exclusive of any period of assignment (1) for a course of
13 education or training under the Army Specialized Training Program
14 or the Navy College Training Program which course was a
15 continuation of a civilian course and was pursued to completion, or
16 (2) as a cadet or midshipman at one of the service academies any
17 part of which 90 days was served between said dates; provided, that
18 any person receiving an actual service-incurred injury or disability
19 shall be classed as a veteran whether or not that person has
20 completed the 90-day service as herein provided;
- 21 (11) Korean conflict on or after June 23, 1950, and on or prior to
22 January 31, 1955, who shall have served at least 90 days in such
23 active service, exclusive of any period of assignment (1) for a
24 course of education or training under the Army Specialized
25 Training Program or the Navy College Training Program which
26 course was a continuation of a civilian course and was pursued to
27 completion, or (2) as a cadet or midshipman at one of the service
28 academies, any part of which 90 days was served between said
29 dates; provided, that any person receiving an actual service-incurred
30 injury or disability shall be classed as a veteran whether or not that
31 person has completed the 90-day service as herein provided; and
32 provided further, that any member classed as a veteran pursuant to
33 this paragraph prior to August 1, 1966, shall continue to be classed
34 as a veteran whether or not that person completed the 90-day
35 service between said dates as herein provided;
- 36 (12) Lebanon crisis, on or after July 1, 1958, who has served in
37 Lebanon or on board any ship actively engaged in patrolling the
38 territorial waters of that nation for a period, continuous or in the
39 aggregate, of at least 14 days commencing on or before November
40 1, 1958 or the date of termination of that conflict, as proclaimed by
41 the President of the United States or Congress, whichever date of
42 termination is the latest, in such active service; provided, that any
43 person receiving an actual service-incurred injury or disability shall
44 be classed as a veteran whether or not that person has completed the
45 14 days' service as herein provided;
- 46 (13) Vietnam conflict on or after December 31, 1960, and on or
47 prior to May 7, 1975, who shall have served at least 90 days in such

1 active service, exclusive of any period of assignment (1) for a
2 course of education or training under the Army Specialized
3 Training Program or the Navy College Training Program which
4 course was a continuation of a civilian course and was pursued to
5 completion, or (2) as a cadet or midshipman at one of the service
6 academies, any part of which 90 days was served between said
7 dates; and exclusive of any service performed pursuant to the
8 provisions of section 511(d) of Title 10, United States Code,
9 pursuant to an enlistment in the Army National Guard or as a
10 reserve for service in the Army Reserve, Naval Reserve, Air Force
11 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided,
12 that any person receiving an actual service-incurred injury or
13 disability shall be classed as a veteran whether or not that person
14 has completed the 90 days' service as herein provided;

15 (14) Lebanon peacekeeping mission, on or after September 26,
16 1982, who has served in Lebanon or on board any ship actively
17 engaged in patrolling the territorial waters of that nation for a
18 period, continuous or in the aggregate, of at least 14 days
19 commencing on or before December 1, 1987 or the date of
20 termination of that mission, as proclaimed by the President of the
21 United States or Congress, whichever date of termination is the
22 latest, in such active service; provided, that any person receiving an
23 actual service-incurred injury or disability shall be classed as a
24 veteran whether or not that person has completed the 14 days'
25 service as herein provided;

26 (15) Grenada peacekeeping mission, on or after October 23,
27 1983, who has served in Grenada or on board any ship actively
28 engaged in patrolling the territorial waters of that nation for a
29 period, continuous or in the aggregate, of at least 14 days
30 commencing on or before November 21, 1983 or the date of
31 termination of that mission, as proclaimed by the President of the
32 United States or Congress, whichever date of termination is the
33 latest, in such active service; provided, that any person receiving an
34 actual service-incurred injury or disability shall be classed as a
35 veteran whether or not that person has completed the 14 days'
36 service as herein provided;

37 (16) Panama peacekeeping mission, on or after December 20,
38 1989 or the date of inception of that mission, as proclaimed by the
39 President of the United States or Congress, whichever date of
40 inception is earliest, who has served in Panama or on board any ship
41 actively engaged in patrolling the territorial waters of that nation for
42 a period, continuous or in the aggregate, of at least 14 days
43 commencing on or before January 31, 1990 or the date of
44 termination of that mission, as proclaimed by the President of the
45 United States or Congress, whichever date of termination is the
46 latest, in such active service; provided, that any person receiving an
47 actual service-incurred injury or disability shall be classed as a

1 veteran whether or not that person has completed the 14 days'
2 service as herein provided;

3 (17) Operation "Desert Shield/Desert Storm" mission in the
4 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
5 or the date of inception of that operation, as proclaimed by the
6 President of the United States or Congress, whichever date of
7 inception is earliest, who has served in the Arabian peninsula or on
8 board any ship actively engaged in patrolling the Persian Gulf for a
9 period, continuous or in the aggregate, of at least 14 days
10 commencing on or before the date of termination of that mission, as
11 proclaimed by the President of the United States or Congress,
12 whichever date of termination is the latest, in such active service;
13 provided, that any person receiving an actual service-incurred injury
14 or disability shall be classed as a veteran whether or not that person
15 has completed the 14 days' service as herein provided;

16 (18) Operation Northern Watch and Operation Southern Watch,
17 on or after August 27, 1992, or the date of inception of that
18 operation, as proclaimed by the President of the United States,
19 Congress or United States Secretary of Defense, whichever date of
20 inception is earliest, who served in the theater of operation,
21 including in the Arabian peninsula and the Persian Gulf, and in
22 direct support of that operation for a period, continuously or in the
23 aggregate, of at least 14 days in such active service, commencing on
24 or before the date of termination of that operation, as proclaimed by
25 the President of the United States, Congress or United States
26 Secretary of Defense, whichever date of termination is the latest;
27 provided, that any person receiving an actual service-incurred injury
28 or disability while engaged in such service shall be classed as a
29 veteran whether or not that person has completed the 14 days'
30 service as herein provided;

31 (19) Operation "Restore Hope" in Somalia, on or after
32 December 5, 1992, or the date of inception of that operation as
33 proclaimed by the President of the United States or Congress,
34 whichever date is earliest, who has served in Somalia or on board
35 any ship actively engaged in patrolling the territorial waters of that
36 nation for a period, continuously or in the aggregate, of at least 14
37 days in such active service commencing on or before March 31,
38 1994; provided that any person receiving an actual service-incurred
39 injury or disability shall be classed as a veteran whether or not that
40 person has completed the 14-day service as herein provided;

41 (20) Operations "Joint Endeavor" and "Joint Guard" in the
42 Republic of Bosnia and Herzegovina, on or after November 20,
43 1995, who served in such active service in direct support of one or
44 both of the operations for at least 14 days, continuously or in the
45 aggregate, commencing on or before June 20, 1998 and (1) was
46 deployed in that nation or in another area in the region, or (2) was
47 on board a United States naval vessel operating in the Adriatic Sea,

1 or (3) operated in airspace above the Republic of Bosnia and
2 Herzegovina; provided that any person receiving an actual service-
3 incurred injury or disability shall be classed as a veteran whether or
4 not that person completed the 14-day service requirement;

5 (21) Operation "Enduring Freedom", on or after September 11,
6 2001, who served in a theater of operation and in direct support of
7 that operation for a period, continuously or in the aggregate, of at
8 least 14 days in such active service commencing on or before the
9 date the President of the United States or the United States
10 Secretary of Defense designates as the termination date of that
11 operation; provided, that any person receiving an actual service-
12 incurred injury or disability while engaged in such service shall be
13 classed as a veteran whether or not that person has completed the 14
14 days' service as herein provided; and

15 (22) Operation "Iraqi Freedom", on or after the date the
16 President of the United States or the United States Secretary of
17 Defense designates as the inception date of that operation, who
18 served in Iraq or in another area in the region in direct support of
19 that operation for a period, continuously or in the aggregate, of at
20 least 14 days in such active service commencing on or before the
21 date the President of the United States or the United States
22 Secretary of Defense designates as the termination date of that
23 operation; provided, that any person receiving an actual service-
24 incurred injury or disability while engaged in such service shall be
25 classed as a veteran whether or not that person has completed the 14
26 days' service as herein provided】 the Adjutant General.

27 A person who served fewer than 90 days of active service or who
28 served less than the entire period to which called to active service
29 shall be classed as a veteran if that person has been discharged or
30 released under conditions other than dishonorable as a result of a
31 service-connected disability incurred as a result of such service.

32 "Veteran" also means any honorably discharged member of the
33 American Merchant Marine who served during World War II and is
34 declared by the United States Department of Defense to be eligible
35 for federal veterans' benefits.

36 q. (1) "Widow," for employees of the State, means the woman
37 to whom a member was married, or a domestic partner as defined in
38 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
39 the date of his death and to whom he continued to be married or a
40 domestic partner until the date of his death and who was receiving
41 at least 1/2 of her support from the member in the 12-month period
42 immediately preceding the member's death or the accident which
43 was the direct cause of the member's death. The dependency of such
44 a widow will be considered terminated by the marriage of, or
45 establishment of a domestic partnership by, the widow subsequent
46 to the member's death. In the event of the payment of an accidental
47 death benefit, the five-year qualification shall be waived.

1 (2) Subject to the provisions of paragraph (3) of this subsection,
2 "widow," for employees of public employers other than the State,
3 means the woman to whom a member was married at least five
4 years before the date of his death and to whom he continued to be
5 married until the date of his death and who was receiving at least
6 1/2 of her support from the member in the 12-month period
7 immediately preceding the member's death or the accident which
8 was the direct cause of the member's death. The dependency of such
9 a widow shall be considered terminated by the marriage of the
10 widow subsequent to the member's death. In the event of the
11 payment of an accidental death benefit, the five-year qualification
12 shall be waived.

13 (3) A public employer other than the State may adopt a
14 resolution providing that the term "widow" as defined in paragraph
15 (2) of this subsection shall include domestic partners as provided in
16 paragraph (1) of this subsection.

17 r. (1) "Compensation" means the base or contractual salary,
18 for services as an employee, which is in accordance with
19 established salary policies of the member's employer for all
20 employees in the same position but shall not include individual
21 salary adjustments which are granted primarily in anticipation of
22 the member's retirement or additional remuneration for performing
23 temporary or extracurricular duties beyond the regular workday or
24 the regular work year.

25 (2) In the case of a person who becomes a member of the
26 retirement system on or after July 1, 2007, "compensation" means
27 the amount of base or contractual salary equivalent to the annual
28 maximum wage contribution base for Social Security, pursuant to
29 the Federal Insurance Contributions Act, for services as an
30 employee, which is in accordance with established salary policies of
31 the member's employer for all employees in the same position but
32 shall not include individual salary adjustments which are granted
33 primarily in anticipation of the member's retirement or additional
34 remuneration for performing temporary or extracurricular duties
35 beyond the regular workday or the regular work year. This
36 paragraph shall not apply to a person who at the time of enrollment
37 in the retirement system on or after July 1, 2007 transfers service
38 credit from another State-administered retirement system pursuant
39 to section 14 of P.L.1954, c.84 (C.43:15A-14), but shall apply to a
40 former member of the retirement system who has been granted a
41 retirement allowance and is reenrolled in the retirement system on
42 or after July 1, 2007 pursuant to section 27 of P.L.1966,
43 c.217 (C.43:15A-57.2) after becoming employed again in a position
44 that makes the person eligible to be a member of the retirement
45 system.

1 In cases where salary includes maintenance, the retirement
2 system shall fix the value of that part of the salary not paid in
3 money which shall be considered under this act.

4 (cf: P.L.2007, c.103, s.10)

6 7. Section 4 of P.L.2001, c.127 (C.43:15A-24a) is amended to
7 read as follows:

8 4. The State shall be liable for any increased cost to local
9 government employers participating in the **【Public Employees'**
10 Retirement System, established pursuant to P.L.1954,
11 c.84 (C.43:15A-1 et seq.),**】** retirement system as a result of the
12 provisions of **【this act, P.L.2001, c.127】** P.L. _____,
13 c. (now before the Legislature as this bill).

14 (cf: P.L.2001, c.127, s.4)

16 8. Section 2 of P.L.1963, c.19 (C.43:15A-73.1) is amended to
17 read as follows:

18 2. A member may file a detailed statement of public
19 employment in other states or with the United States Government
20 which would be eligible for credit in a State-administered
21 retirement system if the employment was with a public employer in
22 this State, or of **【military service】** active service in the Armed
23 Forces of the United States, or in a reserve component thereof, or of
24 service resulting from initial appointment or employment on or after
25 January 1, 2002 with a bi-state or multi-state agency established
26 pursuant to an interstate compact to which the State is a party which
27 would be eligible for credit in a State-administered retirement
28 system if the employment was with a public employer in this State,
29 rendered prior to becoming a member, for which the member
30 desires credit, and of such other facts as the retirement system may
31 require. The member may purchase credit for all or a portion of the
32 service evidenced in the statement up to the nearest number of years
33 and months, but not exceeding 10 years, provided however, that a
34 member purchasing that maximum credit may purchase up to five
35 additional years **【for additional military】** of active service
36 **【qualifying the member as a veteran as defined in section 6 of**
37 **P.L.1954, c.84, (C.43:15A-6)】** in the Armed Forces of the United
38 States or a reserve component thereof.

39 No application shall be accepted for the purchase of credit for
40 **【the】** : (1) a period of service if, at the time of application, the
41 member has a vested right to retirement benefits in another
42 retirement system based in whole or in part upon that service ; or
43 (2) a period of active service in a reserve component of the Armed
44 Forces of the United States that is concurrent with other service
45 described in the preceding paragraph.

46 The member may purchase credit for the service by paying into
47 the annuity savings fund the amount required by applying the

1 factor, supplied by the actuary as being applicable to the member's
2 age at the time of the purchase, to the member's salary at that time,
3 or to the highest annual compensation for service in this State for
4 which contributions were made during any prior fiscal year of
5 membership, whichever is greater. The purchase may be made in
6 regular installments, equal to at least 1/2 of the full normal
7 contribution to the retirement system, over a maximum period of 10
8 years. The employer of a member who applies, pursuant to this
9 section, to purchase credit for public employment with the United
10 States Government or for military service in the Armed Forces of
11 the United States shall not be liable for any payment to the
12 retirement system on behalf of the member for the purchase of this
13 credit.

14 Notwithstanding any provision of this act to the contrary, a
15 member shall not be liable for any costs associated with the
16 financing of pension adjustment benefits and health care benefits
17 for retirees when purchasing credit for public employment in other
18 states or with the United States Government or **【military】** active
19 service in the Armed Forces of the United States, a reserve
20 component thereof, or with a bi-state or multi-state agency.

21 Any member electing to make a purchase pursuant to this section
22 who retires prior to completing payments as agreed with the
23 retirement system will receive pro rata credit for the purchase prior
24 to the date of retirement, but if the member so elects at the time of
25 retirement, the member may make the additional lump sum payment
26 required at that time to provide full credit.

27 (cf: P.L.2003, c.263, s.2)

28

29 9. Section 3 of P.L.1991, c.153 (C.43:16A-11.11) is amended
30 to read as follows:

31 3. A member of the Police and Firemen's Retirement System
32 may file a detailed statement of public employment in other states
33 or with the United States Government which would be eligible for
34 credit in a State-administered retirement system if the employment
35 was with a public employer in this State, or of **【military service】**
36 active service in the Armed Forces of the United States or in a
37 reserve component thereof, rendered prior to becoming a member,
38 for which the member desires credit, and of such other facts as the
39 retirement system may require. The member may purchase credit
40 for all or a portion of the service evidenced in the statement up to
41 the nearest number of years and months, but not exceeding 10
42 years, provided however, that a member purchasing that maximum
43 credit may purchase up to five additional years **【for additional**
44 **military】** of active service **【qualifying the member as a veteran as**
45 **defined in section 1 of P.L.1983, c.391 (C.43:16A-11.7)】** in the
46 Armed Forces of the United States or a reserve component thereof.

1 No application shall be accepted for the purchase of credit for
2 **【the】**: (1) a period of service if, at the time of application, the
3 member has a vested right to retirement benefits in another
4 retirement system based in whole or in part upon that service; or (2)
5 a period of active service in a reserve component of the Armed
6 Forces of the United States that is concurrent with other service
7 described in the preceding paragraph.

8 The member may purchase credit for the service by paying into
9 the annuity savings fund the amount required by applying the
10 factor, supplied by the actuary as being applicable to the member's
11 age at the time of the purchase, to the member's salary at that time,
12 or to the highest annual compensation for service in this State for
13 which contributions were made during any prior fiscal year of
14 membership, whichever is greater. The purchase may be made in
15 regular installments equal to at least 1/2 of the full normal
16 contribution to the retirement system, over a maximum period of 10
17 years. The employer of a member who applies, pursuant to this
18 section, to purchase credit for public employment with the United
19 States Government or for military service in the Armed Forces of
20 the United States shall not be liable for any payment to the
21 retirement system on behalf of the member for the purchase of this
22 credit.

23 Notwithstanding any provision of this act to the contrary, a
24 member shall not be liable for any costs associated with the
25 financing of pension adjustment benefits and health care benefits
26 for retirees when purchasing credit for public employment in other
27 states or with the United States Government or **【military】** active
28 service in the Armed Forces of the United States or a reserve
29 component thereof.

30 Any member electing to purchase the service who retires prior to
31 completing payments as agreed with the retirement system will
32 receive pro rata credit for service purchased prior to the date of
33 retirement, but if the member so elects at the time of retirement, the
34 member may make the additional lump sum payment required at
35 that time to provide full credit.

36 (cf: P.L.1991, c.153, s.3)

37
38 10. Section 1 of P.L.1948, c.259 (C.54:4-3.30) is amended to
39 read as follows:

40 1. a. The dwelling house and the lot or curtilage whereon the
41 same is erected, of any **【citizen and】** resident of this State, **【now or**
42 **hereafter】** honorably discharged or released under honorable
43 circumstances **【,】** from **【active service, in time of war, in any**
44 **branch of】** the Armed Forces of the United States or a reserve
45 component thereof, who has been **【or shall be】** declared by the
46 United States **【Veterans Administration】** Department of Veterans'

1 Affairs or its successor to have a service-connected [disability from
2 paraplegia, sarcoidosis, osteochondritis resulting in permanent loss
3 of the use of both legs, or permanent paralysis of both legs and
4 lower parts of the body, or from hemiplegia and has permanent
5 paralysis of one leg and one arm or either side of the body, resulting
6 from injury to the spinal cord, skeletal structure, or brain or from
7 disease of the spinal cord not resulting from any form of syphilis; or
8 from total blindness; or from amputation of both arms or both legs,
9 or both hands or both feet, or the combination of a hand and a foot;
10 or from other service-connected disability declared by the United
11 States Veterans Administration or its successor to be a total or]
12 100% total and permanent disability [, and not so evaluated solely
13 because of hospitalization or surgery and recuperation, sustained
14 through enemy action, or accident, or resulting from disease
15 contracted while in such active service,] shall be exempt from
16 taxation, on proper claim made therefor [, and such].

17 An exemption under this act, P.L.1948, c.259 (C.54:4-
18 3.30 et seq.), shall be in addition to any other exemption of such
19 person's real [and personal] property which [now] is [or hereafter
20 shall be] prescribed or allowed by the Constitution or by law but no
21 taxpayer shall be allowed more than one exemption under this act.

22 b. The surviving spouse of any such [citizen and] resident of
23 this State, who at the time of death was entitled to the exemption
24 provided under this act, shall be entitled, on proper claim made
25 therefor, to the same exemption [as the deceased had], during the
26 surviving spouse's widowhood or widowerhood [, as the case may
27 be,] and while a resident of this State, [for the time] provided that
28 the surviving spouse is the legal owner [thereof and actually
29 occupies the said] and occupant of the dwelling house [or any other
30 dwelling house thereafter acquired] for which the exemption is
31 claimed.

32 c. The surviving spouse of any [citizen and] resident of this
33 State, who died in active service in [time of war in any branch of]
34 the Armed Forces of the United States or a reserve component
35 thereof as a result of a service-connected injury or disease, shall be
36 entitled, on proper claim made therefor, to an exemption from
37 taxation on the dwelling house and lot or curtilage whereon the
38 same is erected, during the surviving spouse's widowhood or
39 widowerhood [, as the case may be,] and while a resident of this
40 State, [for the time] provided that the surviving spouse is the legal
41 owner [thereof and actually occupies the said dwelling or any
42 other] and occupant of the dwelling house [thereafter acquired] for
43 which the exemption is claimed.

44 d. The surviving spouse of any citizen and resident of this State
45 who died prior to [January 10, 1972, that being] the effective date

1 of **【P.L.1971, c.398】** P.L. , c. (C.)(now pending before the
 2 Legislature as this bill), and whose circumstances were such that,
 3 had said law become effective during the deceased's lifetime, the
 4 deceased would have become eligible for the exemption granted
 5 under this section as amended by said law, shall be entitled, on
 6 proper claim made therefor, to the same exemption **【as the deceased**
 7 **would have become eligible for upon the dwelling house and lot or**
 8 **curtilage occupied by the deceased at the time of death,】** during the
 9 surviving spouse's widowhood or widowerhood **【, as the case may**
 10 **be,】** and while a resident of this State, **【for the time】** provided that
 11 the surviving spouse is the legal owner **【thereof and actually**
 12 **occupies the said】** and occupant of the dwelling house **【on the**
 13 **premises to be exempted.**

14 e. Nothing in this act shall be intended to include paraplegia or
 15 hemiplegia resulting from locomotor ataxia or other forms of
 16 syphilis of the central nervous system, or from chronic alcoholism,
 17 or to include other forms of disease resulting from the veteran's own
 18 misconduct which may produce signs and symptoms similar to
 19 those resulting from paraplegia, osteochondritis, or hemiplegia **【**for
 20 which the exemption is claimed.
 21 (cf: P.L.1985, c.515, s.2)

22
 23 11. Section 2 of P.L.1948, c.259 (C.54:4-3.31) is amended to
 24 read as follows:

25 2. **【All exemptions from taxation under this act shall be**
 26 **allowed by the assessor upon the filing with him of a claim in**
 27 **writing under oath, made by or on behalf of the person claiming the**
 28 **same, showing the right to the exemption, briefly describing】** A
 29 municipal tax assessor shall allow an exemption under section 1 of
 30 P.L.1948, c.259 (C.54:4-3.30) to a claimant when the claimant, or a
 31 person acting on behalf of the claimant, files with the assessor a
 32 claim in writing under oath that contains: (1) a brief description of
 33 the property for which exemption is claimed 【and having annexed
 34 thereto】 ;(2) a certificate of the claimant's honorable discharge or
 35 release under honorable circumstances【,】 from active service 【, in
 36 time of war,】 in 【any branch of the armed forces】 the Armed
 37 Forces of the United States or a reserve component thereof; and (3)
 38 a certificate from the United States 【Veterans Administration】
 39 Department of Veterans' Affairs or its successor, certifying to a
 40 service-connected disability of 【such】 the claimant of the character
 41 described in section 1 of 【this act】 P.L.1948, c.259 (C.54:4-3.30).
 42 In the case of a claim by a surviving spouse of such veteran, the
 43 claimant shall establish in writing under oath that (1) the claimant is
 44 the owner of the legal title to the premises on which exemption is
 45 claimed; (2) that the claimant occupies the dwelling house on said
 46 premises as the claimant's legal residence in this State; (3) that the

1 veteran **【shall have been】** was declared by the United States
2 **【Veterans Administration】** Department of Veterans' Affairs to have
3 a service-connected disability of a character described in **【this act】**
4 section 1 of P.L.1948, c.259 (C.54:4-3.30), or, in the case of a claim
5 for an exemption under subsection c. of **【section 1 of this act**
6 **(C.54:4-3.30)】** that section, that the veteran **【shall have been】** was
7 declared to have died in active service **【in time of war】**; (4) that the
8 veteran was entitled to an exemption provided **【for in this act】**
9 under section 1 of P.L.1948, c.259 (C.54:4-3.30), except for an
10 exemption under subsection c. or d. of section 1 **【hereof】** of that
11 section, at the time of death; and (5) that the claimant is a resident
12 of this State and has not remarried.

13 **【Such exemptions】** Exemptions provided for under section 1 of
14 P.L.1948, c.259 (C.54:4-3.30 et seq.) shall be allowed and prorated
15 by the assessor for the remainder of any taxable year from the date
16 the claimant shall have acquired title to the real property intended to
17 be exempt by this act. Where a portion of a multiple-family
18 building or structure occupied by the claimant is the subject of such
19 exemption, the assessor shall aggregate the assessment on the lot or
20 curtilage and building or structure and allow an exemption of that
21 percentage of the aggregate assessment as the value of the portion
22 of the building or structure occupied by the claimant bears to the
23 value of the entire building or structure.
24 (cf: P.L.1985, c.515, s.3)

25
26 12. Section 1 of P.L.1963, c.171 (C.54:4-8.10) is amended to
27 read as follows:

28 1. (a) **【"Active service in time of war" means active service at**
29 **some time during one of the following periods:**

30 Operation "Iraqi Freedom", on or after the date the President of
31 the United States or the United States Secretary of Defense
32 designates as the inception date of that operation, who served in
33 Iraq or in another area in the region in direct support of that
34 operation for a period, continuously or in the aggregate, of at least
35 14 days in such active service commencing on or before the date the
36 President of the United States or the United States Secretary of
37 Defense designates as the termination date of that operation;
38 provided, that any person receiving an actual service-incurred injury
39 or disability while engaged in such service shall be classed as a
40 veteran whether or not that person has completed the 14 days'
41 service as herein provided;

42 Operation "Enduring Freedom", on or after September 11, 2001,
43 who served in a theater of operation and in direct support of that
44 operation for a period, continuously or in the aggregate, of at least
45 14 days in such active service commencing on or before the date the
46 President of the United States or the United States Secretary of

1 Defense designates as the termination date of that operation;
2 provided, that any person receiving an actual service-incurred injury
3 or disability while engaged in such service shall be classed as a
4 veteran whether or not that person has completed the 14 days'
5 service as herein provided;

6 Operation "Restore Hope" in Somalia, on or after December 5,
7 1992, or the date of inception of that operation as proclaimed by the
8 President of the United States or Congress, whichever date is
9 earliest, who has served in Somalia or on board any ship actively
10 engaged in patrolling the territorial waters of that nation for a
11 period, continuously or in the aggregate, of at least 14 days in such
12 active service commencing on or before March 31, 1994; provided
13 that any person receiving an actual service-incurred injury or
14 disability shall be classed as a veteran whether or not that person
15 has completed the 14-day service as herein provided;

16 Operations "Joint Endeavor" and "Joint Guard" in the Republic
17 of Bosnia and Herzegovina, on or after November 20, 1995, who
18 served in such active service in direct support of one or both of the
19 operations for at least 14 days, continuously or in the aggregate,
20 commencing on or before June 20, 1998, and (1) was deployed in
21 that nation or in another area in the region, or (2) was on board a
22 United States naval vessel operating in the Adriatic Sea, or (3)
23 operated in airspace above the Republic of Bosnia and
24 Herzegovina; provided that any person receiving an actual service-
25 incurred injury or disability shall be classed as a veteran whether or
26 not that person completed the 14-day service requirement;

27 Operation Northern Watch and Operation Southern Watch, on or
28 after August 27, 1992, or the date of inception of that operation, as
29 proclaimed by the President of the United States, Congress or
30 United States Secretary of Defense, whichever date of inception is
31 earliest, who served in the theater of operation, including in the
32 Arabian peninsula and the Persian Gulf, and in direct support of that
33 operation for a period, continuously or in the aggregate, of at least
34 14 days in such active service, commencing on or before the date of
35 termination as proclaimed by the President of the United States,
36 Congress or United States Secretary of Defense, whichever date of
37 termination is the latest; provided, that any person receiving an
38 actual service-incurred injury or disability while engaged in such
39 service shall be classed as a veteran whether or not that person has
40 completed the 14 days' service as herein provided;

41 Operation "Desert Shield/Desert Storm" mission in the Arabian
42 peninsula and the Persian Gulf, on or after August 2, 1990 or the
43 date of inception of that operation, as proclaimed by the President
44 of the United States or Congress, whichever date of inception is
45 earliest, who has served in the Arabian peninsula or on board any
46 ship actively engaged in patrolling the Persian Gulf for a period,
47 continuous or in the aggregate, of at least 14 days commencing on

1 or before the date of termination of that mission, as proclaimed by
2 the President of the United States or Congress, whichever date of
3 termination is the latest, in such active service; provided, that any
4 person receiving an actual service-incurred injury or disability shall
5 be classed as a veteran whether or not that person has completed the
6 14 days' service as herein provided;

7 The Panama peacekeeping mission, on or after December 20,
8 1989 or the date of inception of that mission, as proclaimed by the
9 President of the United States or Congress, whichever date of
10 inception is earliest, who has served in Panama or on board any ship
11 actively engaged in patrolling the territorial waters of that nation for
12 a period, continuous or in the aggregate, of at least 14 days
13 commencing on or before January 31, 1990 or the date of
14 termination of that mission, as proclaimed by the President of the
15 United States or Congress, whichever date of termination is the
16 latest, in such active service; provided, that any person receiving an
17 actual service-incurred injury or disability shall be classed as a
18 veteran whether or not that person has completed the 14 days'
19 service as herein provided;

20 The Grenada peacekeeping mission, on or after October 23,
21 1983, who has served in Grenada or on board any ship actively
22 engaged in patrolling the territorial waters of that nation for a
23 period, continuous or in the aggregate, of at least 14 days
24 commencing on or before November 21, 1983 or the date of
25 termination of that mission as proclaimed by the President of the
26 United States or Congress, whichever date of termination is the
27 latest, in such active service; provided, that any person receiving an
28 actual service-incurred injury or disability shall be classed as a
29 veteran whether or not that person has completed the 14 days'
30 service as herein provided;

31 The Lebanon peacekeeping mission, on or after September 26,
32 1982, who has served in Lebanon or on board any ship actively
33 engaged in patrolling the territorial waters of that nation for a
34 period, continuous or in the aggregate, of at least 14 days
35 commencing on or before December 1, 1987 or the date of
36 termination of that mission, as proclaimed by the President of the
37 United States or Congress, whichever date of termination is the
38 latest, in such active service; provided, that any person receiving an
39 actual service-incurred injury or disability shall be classed as a
40 veteran whether or not that person has completed the 14 days'
41 service as herein provided;

42 The Vietnam conflict, December 31, 1960, to May 7, 1975;

43 The Lebanon crisis, on or after July 1, 1958, who has served in
44 Lebanon or on board any ship actively engaged in patrolling the
45 territorial waters of that nation for a period, continuous or in the
46 aggregate, of at least 14 days commencing on or before November
47 1, 1958 or the date of termination of that conflict, as proclaimed by

1 the President of the United States or Congress, whichever date of
 2 termination is the latest, in such active service; provided, that any
 3 person receiving an actual service-incurred injury or disability shall
 4 be classed as a veteran whether or not that person has completed the
 5 14 days' service as herein provided;

6 The Korean conflict, June 23, 1950 to January 31, 1955;

7 World War II, September 16, 1940 to December 31, 1946;

8 World War I, April 6, 1917 to November 11, 1918, and in the
 9 case of service with the United States military forces in Russia,
 10 April 6, 1917 to April 1, 1920;

11 Spanish-American War, April 21, 1898 to August 13, 1898;

12 Civil War, April 15, 1861 to May 26, 1865; or, as to any
 13 subsequent war, during the period from the date of declaration of
 14 war to the date on which actual hostilities shall cease **Deleted by**
 15 amendment, P.L. , c. (C.)(now before the Legislature as this
 16 bill).

17 (b) "Assessor" means the assessor, board of assessors or any
 18 other official or body of a taxing district charged with the duty of
 19 assessing real and personal property for the purpose of general
 20 taxation.

21 (c) "Collector" means the collector or receiver of taxes of a
 22 taxing district.

23 (d) "Honorably discharged or released under honorable
 24 circumstances **from active service in time of war,**" means **and**
 25 **includes** every form of separation from active **full-time duty**
 26 **with military or naval pay and allowances in some branch of the**
 27 service in the Armed Forces of the United States in time of war
 28 or from military service in a reserve component thereof, other than
 29 those marked "dishonorable," "undesirable," "bad conduct," "by
 30 sentence of general court martial," "by sentence of summary court
 31 martial" or similar expression indicating that the discharge or
 32 release was not under honorable circumstances. **A** "Honorably
 33 discharged or released under honorable circumstances" shall not
 34 include a disenrollment certificate or other form of release
 35 terminating temporary service in **a military or naval branch of the**
 36 **armed forces** the Armed Forces of the United States or a reserve
 37 component thereof rendered on a voluntary and part-time basis
 38 without pay, or a release from or deferment of induction into **the**
 39 active **military or naval** service **shall not be deemed to be**
 40 **included in the aforementioned phrase** of the Armed Forces of the
 41 United States, or military service in a reserve component thereof.

42 (e) "Pre-tax year" means the particular calendar year
 43 immediately preceding the "tax year."

44 (f) "Resident" means one legally domiciled within the State of
 45 New Jersey. Mere seasonal or temporary residence within the State,
 46 of whatever duration, shall not constitute domicile within the State

1 for the purposes of this act. Absence from this State for a period of
2 12 months shall be prima facie evidence of abandonment of
3 domicile in this State. The burden of establishing legal domicile
4 within the State shall be upon the claimant.

5 (g) "Tax year" means the particular calendar year in which the
6 general property tax is due and payable.

7 (h) "Veteran" means any **【citizen and】** resident of this State
8 who served at least 90 days of active service in the Armed Forces of
9 the United States, excluding any period of service for basic training
10 or as a cadet or midshipman at one of the service academies, or
11 served as a member of a reserve component of the Armed Forces of
12 the United States for an entire period for which called to federal
13 active service, not including active duty for training, and was
14 honorably discharged or released therefrom under honorable
15 circumstances **【from active service in time of war in any branch of**
16 the Armed Forces of the United States**】.** A person who served
17 fewer than 90 days of active service or who served less than the
18 entire period to which called to active service shall be classed as a
19 veteran if that person has been honorably discharged or released
20 under honorable circumstances from active service as a result of a
21 service-connected disability incurred as a result of such service.

22 (i) "Veteran's deduction" means the deduction against the taxes
23 payable by any person, allowable pursuant to this act.

24 (j) "Surviving spouse" means the surviving wife or husband of
25 **【any of the following,】** a veteran, or of a resident of this State who
26 died in active service in the Armed Forces of the United States or a
27 reserve component thereof, while **【he or she】** the surviving wife or
28 husband is a resident of this State, during widowhood or
29 widowerhood **【:**

30 1. A citizen and resident of this State who has died or shall die
31 while on active duty in time of war in any branch of the Armed
32 Forces of the United States; or

33 2. A citizen and resident of this State who has had or shall
34 hereafter have active service in time of war in any branch of the
35 Armed Forces of the United States and who died or shall die while
36 on active duty in a branch of the Armed Forces of the
37 United States; or

38 3. A citizen and resident of this State who has been or may
39 hereafter be honorably discharged or released under honorable
40 circumstances from active service in time of war in any branch of
41 the Armed Forces of the United States**】.**

42 (k) "Cooperative" means a housing corporation or association
43 incorporated or organized under the laws of New Jersey which
44 entitles a shareholder thereof to possess and occupy for dwelling
45 purposes a house, apartment or other structure owned or leased by
46 the corporation or association.

1 (l) "Mutual housing corporation" means a corporation not-for-
2 profit incorporated under the laws of New Jersey on a mutual or
3 cooperative basis within the scope of section 607 of the "National
4 Defense Housing Act," Pub.L.76-849 (42 U.S.C.s.1521 et seq.),
5 which acquired a National Defense Housing Project pursuant
6 to that act.

7 (cf: P.L.2005, c.64, s.5)

8
9 13. Section 2 of P.L.1963, c.171 (C.54:4-8.11) is amended to
10 read as follows:

11 2. Every **person** a citizen and resident of this State now or
12 hereafter honorably discharged or released under honorable
13 circumstances from active service in time of war in any branch of
14 the Armed Forces of the United States **veteran** and **a** surviving
15 spouse **as defined herein, during her widowhood or his**
16 **widowerhood, and while a resident of this State,** shall be entitled,
17 annually, on proper claim **being made** therefor, to a deduction
18 from the amount of any tax bill for taxes on real **or personal**
19 property **or both** in the sum of \$100 in tax year 2000, \$150 in tax
20 year 2001, \$200 in tax year 2002, and \$250 in each subsequent tax
21 year, or if the amount of any such tax shall be less than \$100 in tax
22 year 2000, \$150 in tax year 2001, \$200 in tax year 2002, and \$250
23 in each subsequent tax year, to a cancellation thereof.

24 (cf: P.L.2000, c.9, s.1)

25
26 14. Section 3 of P.L.1963, c.171 (C.54:4-8.12) is amended to
27 read as follows:

28 3. No veteran's deduction from taxes assessed against real **and**
29 **personal** property, as provided herein, shall be allowed except
30 upon written application therefor, which application shall be on a
31 form prescribed by the Director of the Division of Taxation, in the
32 Department of the Treasury, and provided for the use of claimants
33 hereunder by the governing body of the municipality constituting
34 the taxing district in which such claim is to be filed and the
35 application has been approved as provided in this act.

36 **An assessor shall not require the filing of an application for a**
37 **veteran's deduction under this act of any person who has filed, or**
38 **shall file, a claim for an exemption from taxation under chapter 184**
39 **of the laws of 1951, on or before December 31, 1963, but shall**
40 **approve a veteran's deduction for such person, if it appears from**
41 **such claim for exemption that such person meets all the other**
42 **prerequisites required by law for the approval of a claim for a**
43 **veteran's deduction.**

44 Each assessor may at any time inquire into the right of a claimant
45 to the continuance of a veteran's deduction **hereunder** and for that
46 purpose he or she may require the filing of a new application or the

1 submission of such proof as **【he】** shall **【deem】** be deemed
 2 necessary to determine the right of the claimant to continuance of
 3 such deduction. No application for a veteran's deduction based
 4 upon active service in the Armed Forces of the United States or a
 5 reserve component thereof shall be allowed unless there is annexed
 6 thereto a copy **【,** which may be photostatic,**】** of the claimant's
 7 certificate of honorable discharge or **【of his certificate of】** release
 8 under honorable circumstances from **【active service in time of war**
 9 **in a branch of】** the Armed Forces of the United States or a reserve
 10 component thereof.

11 In the case of an application by a surviving spouse said
 12 application shall not be allowed unless it clearly establishes that:

13 (a) Claimant's spouse died while on active **【duty】** service in **【a**
 14 **branch of】** the Armed Forces of the United States **【,** having had
 15 active service in time of war, as herein defined, in a branch of the
 16 Armed Forces of the United States**】** or a reserve component thereof,
 17 or in the case of a surviving spouse of a veteran, claimant shall
 18 establish that the veteran was honorably discharged or released
 19 under honorable circumstances from **【active service in time of war**
 20 **in any branch of】** the Armed Forces of the United States, or a
 21 reserve component thereof; (b) claimant's spouse was a **【citizen**
 22 **and】** resident of this State at the time of death**【,】**; (c) claimant was
 23 the spouse of the veteran at the time of the veteran's death**【,】**; and
 24 (d) claimant is a resident of this State and has not remarried.
 25 (cf: P.L.1997, c.30, s.1)

26
 27 15. Section 4 of P.L.1963, c.171 (C.54:4-8.13) is amended to
 28 read as follows:

29 4. An application for a veteran's deduction **【hereunder】** may be
 30 filed with the assessor of the taxing district at any time on or before
 31 December 31 of the pretax year. If so filed and approved by the
 32 assessor, he or she shall allow a veteran's deduction from taxes on
 33 the real **【or personal】** property **【,** or both,**】** assessed to the claimant
 34 in the amount **【of the claim approved by him and】** prescribed by
 35 section 2 of P.L.1963, c.171 (C.54:4-8.11). The assessor shall
 36 indicate, upon the assessment list and duplicates, (1) the veteran's
 37 deduction application approval **【thereof】** in such manner as shall be
 38 prescribed by rules of the Director of the Division of Taxation **【,**
 39 **together with】** ;and (2) the proportionate share of **【such】** property
 40 deemed to be owned by the claimant for the purposes of **【this act】**
 41 establishing a claim to a veteran's deduction, if the claimant is not
 42 the sole owner thereof. **【The】** If the application **【,** if**】** is not filed
 43 with the assessor **【within the time aforementioned,】** on or before
 44 December 31 of the pretax year, it may be filed with the collector
 45 during the tax year **【and upon approval by】** for review. If the

1 collector **【of such】** approves the application he or she shall
2 determine the amount of the reduction in tax to which the claimant
3 is entitled and shall allow said amount as an offset against the tax
4 then remaining unpaid. If the amount allowable as an offset **【shall**
5 **exceed】** exceeds the amount of the tax then unpaid for that tax year,
6 or if the application for a veteran's deduction is not filed with the
7 collector until after all taxes for the tax year have been fully paid,
8 the claimant may make application to the governing body of the
9 municipality constituting the taxing district for the refund of any tax
10 overpaid, but without interest, and the governing body may, in its
11 discretion, direct the return of any tax **【deemed by it】** it deems to
12 have been overpaid by reason of claimant's failure to make timely
13 application for a veteran's deduction; provided, however, that an
14 assessor, collector or governing body shall not allow an **【no】**
15 application for a veteran's deduction for any previous tax year
16 **【shall be allowed by any assessor, collector or governing body】**.

17 Where an application for a veteran's deduction is filed with and
18 allowed by a collector **【he】**, the collector shall promptly transmit
19 such application and all exhibits attached thereto, or a **【photostatic】**
20 copy thereof, to the assessor of the taxing district. Upon receipt
21 thereof the assessor shall review the application and if approved by
22 **【him】** the assessor it shall have the same force as if originally filed
23 with him or her.

24 (cf: P.L.1985, c.515, s.9)

25

26 16. Section 8 of P.L.1963, c.171 (C.54:4-8.17) is amended to
27 read as follows:

28 8. No person shall be allowed a veteran's deduction from the
29 tax assessed against real **【and personal】** property of more than \$100
30 in the aggregate in tax year 2000, \$150 in the aggregate in tax year
31 2001, \$200 in the aggregate in tax year 2002 and \$250 in the
32 aggregate in any subsequent tax year, but a veteran's deduction may
33 be claimed in any taxing district in which the claimant has taxable
34 property and may be apportioned, at the claimant's option, between
35 two or more taxing districts; provided such claims shall not exceed
36 \$100 in the aggregate in tax year 2000, \$150 in the aggregate in tax
37 year 2001, \$200 in the aggregate in tax year 2002 and \$250 in the
38 aggregate in any subsequent tax year. If a surviving spouse **【,** as
39 herein defined, shall have been honorably discharged or released
40 under honorable circumstances from active service in time of war in
41 any branch of the Armed Forces of the United States,**】** is also a
42 veteran, the surviving spouse shall be entitled to a veteran's
43 deduction for each status.

44 The veteran's deductions herein provided shall be in addition to
45 any exemptions now or hereafter provided by any other statute for
46 disabled veterans or surviving spouses **【,** as herein defined,**】** and in

1 addition to any deductions provided under P.L.1963, c.172 (C.54:4-
2 8.40 et seq.) for senior citizens and the permanently and totally
3 disabled, and certain surviving spouses thereof, to which the
4 claimant is entitled. In addition, a claimant may receive any
5 homestead rebate or credit provided by law.
6 (cf: P.L.2000, c.9, s.2)
7

8 17. (New section) Notwithstanding any other law to the
9 contrary, a resident of this State who is in active service in the
10 Armed Forces of the United States or is a member of a reserve
11 component thereof, and has not been discharged or released
12 therefrom, but who otherwise qualifies as a veteran, shall be eligible
13 for a civil service preference on the same basis as a veteran. Instead
14 of the certificate of honorable discharge or release under honorable
15 circumstances required to be provided to the Adjutant General of
16 the Department of Military and Veterans' Affairs pursuant to
17 N.J.S.11A:5-1, the claimant shall provide to the Adjutant General,
18 in a form and content the Adjutant General shall deem appropriate,
19 evidence of his or her status as an active service member of the
20 Armed Forces of the United States or as a member of a reserve
21 component thereof.
22

23 18. (New section) Notwithstanding any other law to the
24 contrary, a resident of this State who is in active service in the
25 Armed Forces of the United States or is a member of a reserve
26 component thereof, and has not been discharged or released
27 therefrom, but who otherwise qualifies as a veteran, shall be eligible
28 for a veterans' deduction on the same basis as a veteran. Instead of
29 the certificate of honorable discharge or release under honorable
30 circumstances required to be provided to the assessor pursuant to
31 section 3 of P.L.1963, c.171 (C.54:4-8.12), the claimant shall
32 provide to the assessor, in a form and content the Adjutant General
33 shall deem appropriate, evidence of his or her status as an active
34 service member of the Armed Forces of the United States or as a
35 member of a reserve component thereof.
36

37 19. N.J.S.11A:5-13, section 3 of P.L.2001, c.128 (C.43:15A-
38 24b) and section 1 of P.L.1983, c.391 (C.43:16A-11.7) are repealed.
39

40 20. Section 2 of P.L.1971, c.398 (C.54:4-3.33a) is repealed.
41

42 21. This act shall take effect immediately, but sections 1
43 through 3 shall take effect on the 1st day of the calendar year
44 following approval by the voters of an authorizing amendment to
45 Article VII, Section I, paragraph 2 of the Constitution of the State
46 of New Jersey and sections 10 through 16, section 18 and section 20

1 shall take effect on the 1st day of the tax year following approval by
2 the voters of an authorizing amendment to Article VIII, Section I,
3 paragraph 3 of the Constitution of the State of New Jersey.

4
5
6 STATEMENT
7

8 This bill broadens the eligibility for various veterans benefits by
9 eliminating the requirement that to be considered a veteran a person
10 must have served during periods of war, in specific war zones, or
11 during periods of emergency. Instead, the bill provides that a
12 person will be considered a veteran if he or she served for at least
13 90 days, exclusive of certain types of initial training, in order to be
14 eligible for veterans benefits. The bill specifies that to be
15 considered a veteran and eligible for veterans benefits, a member of
16 a reserve component of the United States Armed Forces (including
17 the National Guard) must serve the entire period to which he or she
18 is called to federal active service, exclusive of active duty for
19 training. A person who is discharged as the result of a service-
20 connected disability will be classed as a veteran even if he or she
21 did not meet the 90-day service requirement.

22 The veterans benefits include:

23 (1) civil service preference under Title 11A of the New Jersey
24 Statutes;

25 (2) veteran's retirement allowance under the Teachers' Pension
26 and Annuity Fund (TPAF) or the Public Employees' Retirement
27 System (PERS);

28 (3) the purchase of additional military service credit in the
29 Police and Firemen's Retirement System (PFRS), TPAF and PERS;

30 (4) the annual property tax deduction provided under Article
31 VIII of the New Jersey Constitution (\$250 each tax year) or the
32 property tax exemption provided under N.J.S.A.54:4-3.30 for a
33 veteran who is certified permanently 100% disabled by the United
34 States Department of Veterans' Affairs; and

35 (5) surviving spouse benefits for veterans killed in active
36 service, including civil service preference and the property tax
37 deduction or exemption.

38 The bill provides that an active service member of the United
39 States Armed Forces or a current member of a military reserve
40 component (including the National Guard) who has not been
41 discharged from service is eligible for the civil service preference
42 and the property tax deduction provided that he or she qualifies as a
43 veteran.

44 Eligibility for the property tax benefits and civil service
45 preference is contingent upon voter approval of authorizing
46 amendments to the State Constitution. Article VIII, Section I,
47 paragraph 3 (concerning property tax benefits) and Article VII,

- 1 Section I, paragraph 2 (concerning civil service preference) of the
- 2 State Constitution currently refer to service in time of war.
- 3 The bill repeals a section of existing civil service, pension and
- 4 tax law regarding wartime service which is no longer necessary
- 5 because of the elimination of the wartime service requirement.