

SENATE, No. 1579

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator JAMES BEACH

District 6 (Burlington and Camden)

SYNOPSIS

"Assistance to Firefighters' Families Act"; doubles pension amounts for beneficiaries of certain deceased volunteer emergency service providers; provides for burial expenses and adjusts life insurance coverage for volunteer firefighters; permits fire code inspection surcharge.

CURRENT VERSION OF TEXT

As introduced.



S1579 BEACH

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1 AN ACT increasing certain volunteer emergency workers' survivor
2 pensions, and concerning life insurance and funeral and burial
3 expenses for volunteer firefighters, designated as the "Assistance
4 to Firefighters' Families Act," and amending N.J.S.40A:10-29,
5 P.L.1957, c.168, and P.L.1983, c.383.

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

9
10 1. N.J.S.40A:10-29 is amended to read as follows:

11 40A:10-29. In addition to the insurance required under chapter
12 15 of Title 34 of the Revised Statutes, a municipality maintaining a
13 volunteer fire department, or in which there are one or more
14 incorporated volunteer fire companies whose members have or shall
15 form themselves into a group or groups for the purpose of obtaining
16 a group life insurance plan with any insurance company authorized
17 to do business in New Jersey, may appropriate moneys to defray
18 the cost of such insurance and pay the premiums therefor.

19 A municipality shall not undertake the cost nor pay the premiums
20 on any policy of group life insurance where the amount payable
21 upon the death of each assured exceeds the amount of **[\$25,000]**
22 \$250,000.

23 A municipality shall pay reasonable funeral and burial costs
24 upon the death of an assured volunteer firefighter, to the extent
25 those costs are not covered by the New Jersey State Firemen's
26 Association or a firemen's relief association established in
27 accordance with R.S.43:17-1 et seq.

28 (cf: P.L.2007, c.220, s.2)

29
30 2. Section 2 of P.L.1957, c.168 (C.43:12-28.2) is amended to
31 read as follows:

32 2. A survivor's pension granted under section 1 of
33 P.L.1957, c.168 (C.43:12-28.1) shall be for the sum of (a)
34 **[\$15,000]** \$30,000 annually and shall be paid to the widow, during
35 her widowhood, or to the child or children of such firefighter,
36 emergency medical technician, or first aid or rescue squad worker,
37 if he leaves no surviving widow, or to such child or children after
38 the death of such widow, (b) **[\$10,000]** \$20,000 annually and shall
39 be paid to the child or children of such firefighter, emergency
40 medical technician, or first aid or rescue squad worker, if the
41 surviving widow remarries, or (c) **[\$5,000]** \$10,000 annually and
42 shall be paid to the parent or parents of such firefighter, emergency
43 medical technician, or first aid or rescue squad worker, if he leaves
44 no surviving widow or child. As used in this section, the terms
45 "widow" and "widowhood" shall also include "widower" and

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 "widowerhood" respectively.
2 (cf: P.L.2002, c.134, s.2)

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4 3. Section 12 of P.L.1983, c.383 (C.52:27D-203) is amended to
5 read as follows:

6 12. a. Each enforcing agency in this State shall enforce this act
7 in all buildings, structures and premises within its jurisdiction,
8 except owner-occupied buildings used exclusively for dwelling
9 purposes and containing fewer than three dwelling units, subject to
10 the control and supervision of the commissioner and in accordance
11 with regulations promulgated by the commissioner. The
12 commissioner shall consult with and advise all local enforcement
13 agencies enforcing the provision of this act, and each local
14 enforcement agency shall provide the commissioner with reports,
15 data and information required by the commissioner. To cover the
16 cost to the municipality of conducting inspections under this act, the
17 municipality may, by ordinance, establish fees, which shall be paid
18 into the treasury of the municipality to which the local enforcing
19 agency is responsible, and which shall be appropriated by the
20 municipality to the local enforcing agency to pay the cost of
21 enforcing this act.

22 b. A local enforcing agency consisting of or employing at least
23 one paid fire inspector who is certified pursuant to subsection c. of
24 this section may elect to inspect high-rise structures and life hazard
25 uses within its jurisdiction, in lieu of inspection by the
26 commissioner. That election shall be made by resolution of the
27 governing body having jurisdiction over the local enforcing agency.
28 If an appropriate resolution has not been received by the
29 commissioner on or before the effective date of this act, the
30 department shall perform all inspections under this subsection until
31 such time as the governing body shall adopt and send to the
32 commissioner an appropriate resolution. A local enforcing agency
33 that elects to inspect high-rise structures and life hazard uses may
34 issue the certificates of inspection required to be issued pursuant to
35 section 14 of this act and may inspect buildings and premises other
36 than high-rise structures and life hazard uses in order to secure
37 compliance with this act.

38 c. The commissioner shall certify fire inspectors under this act
39 in accordance with such standards as he shall establish by
40 regulation; provided that a fire inspector certificate shall be issued
41 by the commissioner to any person who: on the effective date of
42 this act is, and for at least one year prior to the effective date of this
43 act has been, serving as a fire inspector in the fire service; or shall
44 have, within two years of the effective date of this act, successfully
45 completed an educational program such as the basic fire prevention
46 code course offered by the Building Officials and Code

S1579 BEACH

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1 Administrators International or a recognized equivalent, a fire
2 prevention course offered by an institution of higher education or
3 recognized fire school which has been approved by the
4 commissioner.

5 d. In order to cover the cost to the municipality of providing
6 insurance or other benefits provided to volunteer firefighters under
7 N.J.S.40A:10-29 and N.J.S.40A:10-30, the municipality may, by
8 ordinance, establish a surcharge for each inspection for which a fee
9 is charged pursuant to subsection a. of this section. Funds raised
10 from the surcharge shall be paid into the treasury of the
11 municipality to which the local enforcing agency is responsible.

12 (cf: P.L.1983, c.383, s.12)

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14 4. This act shall take effect immediately.

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STATEMENT

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19 This bill, designated as the "Assistance to Firefighters' Families
20 Act," would double the survivor pension amounts that the State is
21 required to pay to beneficiaries of volunteer firefighters, first aid
22 workers, rescue squad workers, and emergency medical technicians
23 who die as the result of injuries sustained while performing their
24 duties.

25 Additionally, this bill would require municipalities served by
26 volunteer fire companies to pay reasonable funeral and burial
27 expenses of an assured firefighter to the extent those costs are not
28 covered by the New Jersey State Firemen's Association or a
29 firemen's relief association. The bill also increases from \$25,000 to
30 \$250,000 the maximum group life insurance policy coverage that a
31 municipality may undertake or pay the premium for. Municipalities
32 may raise funds to provide these benefits to volunteer firefighters
33 by establishing a surcharge for each fire code inspection in the
34 municipality.