

SENATE, No. 2020

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 5, 2020

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex, Morris and Passaic)

Co-Sponsored by:

Senators Singleton, Addiego and O'Scanlon

SYNOPSIS

Updates definition of veteran to include discharged LGBTQ veteran; requires DMVA develop review process for such veterans.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/11/2021)

1 AN ACT concerning benefits for LGBTQ veterans, and amending
2 various parts of the statutory law and supplementing Title 38A of
3 the Revised Statutes.

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

7
8 1. (New section) As used in this act:

9 “Discharged LGBTQ veteran” means a veteran who was
10 discharged less than honorably from the Armed Forces of the
11 United States due to their sexual orientation or gender identity or
12 expression, as defined in section 1 of P.L. , c. (pending before
13 the Legislature as this bill), or statements, consensual sexual
14 conduct, or consensual acts relating to sexual orientation or gender
15 identity or expression, or the disclosure of such statements, conduct,
16 or acts that were prohibited by the Armed Forces at the time of
17 discharge.

18 “Gender expression” means a person's gender-related appearance
19 and behavior, whether or not stereotypically associated with the
20 person's assigned sex at birth.

21 “Gender identity” means a person's internal sense of their own
22 gender, regardless of the sex the person was assigned at birth.

23 “Sexual orientation” means male or female heterosexuality,
24 homosexuality, or bisexuality by inclination, practice, identity, or
25 expression, having a history thereof or being perceived, presumed,
26 or identified by others as having such an orientation.

27
28 2. (New section) The department shall establish a consistent
29 and uniform process to determine whether a veteran qualifies as a
30 discharged LGBTQ veteran, as defined in section 1 of
31 P.L. , c. (C.) (pending before the Legislature as this bill),
32 including, at a minimum, standards for verifying a veteran's status
33 as a discharged LGBTQ veteran, and a method of demonstrating
34 eligibility as a discharged LGBTQ veteran. The department shall
35 create an eligibility form to be issued upon verification of status as
36 a discharged LGBTQ veteran.

37
38 3. Section 1 of P.L.1983, c.197 (C.10:5-39) is amended to read
39 as follows:

40 1. As used in this act:

41 a. "Affirmative action program for veterans" means a plan
42 guaranteeing to veterans an equal employment opportunity, which
43 includes but is not limited to the following areas: recruitment,
44 selection, hiring, training, promotion, transfer, layoff, return from
45 layoff, compensation, and fringe benefits.

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 b. "Public works contract" means any contract exceeding
2 \$250,000.00 in price to be performed for or on behalf of the State
3 for the construction, alteration, or repair of any building or public
4 work.

5 c. "Veteran " means any soldier, sailor, marine, airman, nurse
6 or army field clerk, who has served at least 90 days in the active
7 military, naval or air service of the United States and has been
8 discharged or released therefrom under conditions other than
9 dishonorable, or any discharged LGBTQ veteran, as defined in
10 section 1 of P.L. , c. (C.) (pending before the Legislature as this
11 bill), who has served at least 90 days of active service, and who has
12 presented to the Civil Service Commission of New Jersey full and
13 convincing evidence of such record of service on or before the date
14 of making application for a position governed by this act. The 90-
15 day requirement for active service is exclusive of any time such
16 veteran was assigned: (1) for a course of education or training under
17 the Army Specialized Training Program or the Navy College
18 Training Program, which course was a continuation of his civilian
19 course and was pursued to completion; or (2) as a cadet or
20 midshipman at one of the service academies; and exclusive of any
21 service performed pursuant to the provisions of section 511(d) of
22 Title 10, United States Code, pursuant to an enlistment in the Army
23 or Air Force National Guard or as a reserve for service in the Army
24 Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve,
25 or Coast Guard Reserve; provided, that any person receiving an
26 actual, service-incurred injury or disability shall be classed as a
27 veteran, whether or not he has completed the 90 days' service as
28 herein provided.

29 (cf: P.L.2017, c.184, s.5)

30

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

32 11A:5-1. As used in this chapter:

33 a. "Disabled veteran" means any veteran who is eligible to be
34 compensated for a service-connected disability from war service by
35 the United States Veterans Administration or who receives or is
36 entitled to receive equivalent compensation for a service-connected
37 disability which arises out of military or naval service as set forth in
38 this chapter and who has submitted sufficient evidence of the record
39 of disability incurred in the line of duty to the Adjutant General of
40 the Department of Military and Veterans' Affairs and received a
41 determination of status no later than eight days prior to the issuance
42 of an employment list, for which that individual received a passing
43 score on an examination;

44 b. "Veteran" means any honorably discharged soldier, sailor,
45 marine or nurse who served in any army or navy of the allies of the
46 United States in World War I, between July 14, 1914 and November
47 11, 1918, or who served in any army or navy of the allies of the
48 United States in World War II, between September 1, 1939 and

1 September 2, 1945 and who was inducted into that service through
2 voluntary enlistment, and was a citizen of the United States at the
3 time of the enlistment, and who did not renounce or lose his or her
4 United States citizenship; or any soldier, sailor, marine, airman,
5 nurse or army field clerk, who has served in the active military or
6 naval service of the United States and has been discharged or
7 released under other than dishonorable conditions from that service,
8 or any discharged LGBTQ veteran, as defined in section 1 of
9 P.L. , c. (C.) (pending before the Legislature as this bill), from
10 active service in any branch of the Armed Forces of the United
11 States, in any of the following wars or conflicts and who has
12 presented to the Adjutant General of the Department of Military and
13 Veterans' Affairs sufficient evidence of the record of service and
14 received a determination of status no later than eight days prior to
15 the issuance of an employment list, for which that individual
16 received a passing score on an examination:

17 (1) World War I, between April 6, 1917 and November 11,
18 1918;

19 (2) World War II, on or after September 16, 1940, who shall
20 have served at least 90 days beginning on or before December 31,
21 1946 in such active service, exclusive of any period of assignment
22 for a course of education or training under the Army Specialized
23 Training Program or the Navy College Training Program, which
24 course was a continuation of a civilian course and was pursued to
25 completion, or as a cadet or midshipman at one of the service
26 academies; except that any person receiving an actual service-
27 incurred injury or disability shall be classed a veteran whether or
28 not that person has completed the 90-day service;

29 (3) Korean conflict, on or after June 23, 1950, who shall have
30 served at least 90 days beginning on or before January 31, 1955, in
31 active service, exclusive of any period of assignment for a course of
32 education or training under the Army Specialized Training Program
33 or the Navy College Training Program, which course was a
34 continuation of a civilian course and was pursued to completion, or
35 as a cadet or midshipman at one of the service academies; except
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;

39 (4) Lebanon crisis, on or after July 1, 1958, who has served in
40 Lebanon or on board any ship actively engaged in patrolling the
41 territorial waters of that nation for a period, continuous or in the
42 aggregate, of at least 14 days commencing on or before November
43 1, 1958 or the date of termination of that conflict, as proclaimed by
44 the President of the United States or Congress, whichever date of
45 termination is the latest, in such active service; provided, that any
46 person receiving an actual service-incurred injury or disability shall
47 be classed as a veteran whether or not that person has completed the
48 14 days' service as herein provided;

1 (5) Vietnam conflict, on or after December 31, 1960, who shall
2 have served at least 90 days beginning on or before May 7, 1975, in
3 active service, exclusive of any period of assignment for a course of
4 education or training under the Army Specialized Training Program
5 or the Navy College Training Program, which course was a
6 continuation of a civilian course and was pursued to completion, or
7 as a cadet or midshipman at one of the service academies, and
8 exclusive of any service performed pursuant to the provisions of
9 section 511(d) of Title 10, United States Code, or exclusive of any
10 service performed pursuant to enlistment in the National Guard or
11 the Army Reserve, Naval Reserve, Air Force Reserve, Marine
12 Corps Reserve, or Coast Guard Reserve; except that any person
13 receiving an actual service-incurred injury or disability shall be
14 classed as a veteran, whether or not that person has completed the
15 90-day service as provided;

16 (6) Lebanon peacekeeping mission, on or after September 26,
17 1982, who has served in Lebanon or on board any ship actively
18 engaged in patrolling the territorial waters of that nation for a
19 period, continuous or in the aggregate, of at least 14 days
20 commencing on or before December 1, 1987 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 (7) Grenada peacekeeping mission, on or after October 23,
28 1983, who has served in Grenada or on board any ship actively
29 engaged in patrolling the territorial waters of that nation for a
30 period, continuous or in the aggregate, of at least 14 days
31 commencing on or before November 21, 1983 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 (8) Panama peacekeeping mission, on or after December 20,
39 1989 or the date of inception of that mission, as proclaimed by the
40 President of the United States or Congress, whichever date of
41 inception is earliest, who has served in Panama or on board any ship
42 actively engaged in patrolling the territorial waters of that nation for
43 a period, continuous or in the aggregate, of at least 14 days
44 commencing on or before January 31, 1990 or the date of
45 termination of that mission, as proclaimed by the President of the
46 United States or Congress, whichever date of termination is the
47 latest, in such active service; provided, that any person receiving an
48 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 (9) 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 (10) 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 (11) 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 the 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 (12) 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,
48 or (3) operated in airspace above the Republic of Bosnia and

1 Herzegovina; provided that any person receiving an actual service-
2 incurred injury or disability shall be classed as a veteran whether or
3 not that person completed the 14-day service requirement;

4 (13) Operation "Uphold Democracy" in Haiti, on or after
5 September 19, 1994, who served in Haiti or on board any ship
6 actively engaged in patrolling the territorial waters of that nation for
7 a period, continuously or in the aggregate, of at least 14 days in
8 such active service commencing on or before March 31, 1995, and
9 who received an Armed Forces Expeditionary Medal for such
10 service; provided, that any person receiving an actual service-
11 incurred injury or disability shall be classed as a veteran whether or
12 not that person has completed the 14 days' service as herein
13 provided or received an Armed Forces Expeditionary Medal;

14 (14) Operation "Enduring Freedom", on or after September 11,
15 2001, who served in a theater of operation and in direct support of
16 that operation for a period, continuously or in the aggregate, of at
17 least 14 days in such active service commencing on or before the
18 date the President of the United States or the United States
19 Secretary of Defense designates as the termination date of that
20 operation; provided, that any person receiving an actual service-
21 incurred injury or disability while engaged in such service shall be
22 classed as a veteran whether or not that person has completed the 14
23 days' service as herein provided; and

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

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

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

39

40 5. Section 1 of P.L.2007, c.275 (C.13:1L-12.1) is amended to
41 read as follows:

42 1. a. (1) The department shall not charge an admission fee for
43 entrance into a State park or forest by any veteran during an event
44 held by a veterans' organization. In addition, the department shall
45 not charge a facilities fee of any kind to any veterans' organization
46 using a State park or forest for an event.

47 (2) The department shall not charge an admission fee or
48 facilities fee of any kind for entrance into a State park or forest by a

1 person holding a driver's license or identification card with a Gold
2 Star Family designation issued pursuant to section 1 of P.L.2013,
3 c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47 (C.39:3-29.3),
4 respectively.

5 b. As used in this section:

6 "Veteran" means any resident of the State who has been
7 honorably discharged or released under honorable circumstances
8 from active service in any branch of the **Armed Forces** Armed
9 Forces of the United States, or any discharged LGBTQ veteran, as
10 defined in section 1 of P.L. , c. (C.) (pending before the
11 Legislature as this bill), from active service in any branch of the
12 Armed Forces of the United States, or any honorably discharged
13 member of the American Merchant Marine who served during
14 World War II and is declared by the United States Department of
15 Defense to be eligible for federal veterans' benefits; and

16 "Veterans' organization" means the American Legion, Veterans
17 of Foreign Wars, or other veterans' organizations chartered under
18 federal law, or any service foundation of such an organization
19 recognized in its bylaws.

20 (cf: P.L.2017, c.175, s.3)

21

22 6. Section 1 of P.L.2015, c.297 (C.18A:36-13.2) is amended to
23 read as follows:

24 1. a. Notwithstanding any law, rule, or regulation to the
25 contrary, any pupil of a public school who is absent from school on
26 November 11, Veterans Day, attending a ceremony honoring a
27 veteran or a member of the United States Armed Forces or the New
28 Jersey National Guard returning from overseas deployments, or
29 assisting a veteran at a hospital, food shelter, or any similar facility,
30 shall have the absence for those reasons recorded as an excused
31 absence on the pupil's attendance record or on that of any group or
32 class of which he is a member. Any transcript, application,
33 employment form, or any similar form on which information
34 concerning a pupil's attendance record is requested shall show, with
35 respect to absences, only absences other than excused absences
36 authorized pursuant to this subsection. In making a determination
37 on whether or not a student has a perfect attendance record for the
38 school year, a school district shall not consider as an absence an
39 excused absence authorized pursuant to this subsection.

40 b. A pupil shall provide such documentation as the
41 superintendent or administrative principal of the school district
42 deems necessary to prove the pupil meets the requirements for the
43 excused absence under subsection a. of this section.

44 c. As used in this section, "veteran" means a person who has
45 served on active duty in the Armed Forces of the United States and
46 who was discharged or released therefrom under conditions other
47 than dishonorable, or a discharged LGBTQ veteran, as defined in
48 section 1 of P.L. , c. (C.) (pending before the Legislature as this

1 bill), who has served on active duty in the Armed Forces of the
2 United States.

3 (cf: P.L.2015, c.297, s.1)

4

5 7. Section 2 of P.L.2015, c.32 (C.18A:62-4.1b) is amended to
6 read as follows:

7 2. a. A veteran or covered individual who is living in New
8 Jersey and is attending a public institution of higher education in
9 New Jersey shall be regarded as a resident of the State for the
10 purpose of determining tuition, regardless of the veteran or covered
11 individual's state of residence.

12 b. As used in this section:

13 "Covered individual" means:

14 (1) an individual who is entitled to educational assistance under
15 provisions of the federal "Post-9/11 Educational Assistance"
16 program (38 U.S.C. s.3311(b)(9) or 3319) by virtue of such
17 individual's relationship to a veteran ; and

18 (2) an individual who is entitled to educational assistance under
19 provisions of the United States Department of Veterans Affairs'
20 "Vocational Rehabilitation and Employment Program" (38 U.S.C.
21 s.3100 et seq.) effective for courses, semesters, or terms that begin
22 after March 1, 2019.

23 "Veteran" means a person who has served on active duty in the
24 Uniformed Services of the United States and who was discharged or
25 released, or a discharged LGBTQ veteran, as defined in section 1 of
26 P.L. , c. (C.) (pending before the Legislature as this bill), who
27 has served on active duty in the Uniformed Services of the United
28 States, and who qualifies for educational assistance under the
29 federal "All-Volunteer Force Educational Assistance Program" (38
30 U.S.C. s.3001 et seq.) or "Post-9/11 Educational Assistance"
31 program (38 U.S.C. s.3301 et seq.).

32 (cf: P.L.2019, c.264, s.1)

33

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

35 18A:66-2. As used in this article:

36 a. "Accumulated deductions" means the sum of all the
37 amounts, deducted from the compensation of a member or
38 contributed by or in behalf of the member, including interest
39 credited to January 1, 1956, standing to the credit of the member's
40 individual account in the annuity savings fund.

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

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

45 d. (1) "Compensation" means the contractual salary, for
46 services as a teacher as defined in this article, which is in
47 accordance with established salary policies of the member's
48 employer for all employees in the same position but shall not

1 include individual salary adjustments which are granted primarily in
2 anticipation of the member's retirement or additional remuneration
3 for performing temporary or extracurricular duties beyond the
4 regular school day or the regular school year.

5 (2) In the case of a person who becomes a member of the
6 retirement system on or after July 1, 2007, "compensation" means
7 the amount of the contractual salary equivalent to the annual
8 maximum wage contribution base for Social Security, pursuant to
9 the Federal Insurance Contributions Act, for services as a teacher as
10 defined in this article, which is in accordance with established
11 salary policies of the member's employer for all employees in the
12 same position but shall not include individual salary adjustments
13 which are granted primarily in anticipation of the member's
14 retirement or additional remuneration for performing temporary or
15 extracurricular duties beyond the regular school day or the regular
16 school year. This paragraph shall not apply to a person who at the
17 time of enrollment in the retirement system on or after July 1, 2007
18 transfers service credit from another State-administered retirement
19 system pursuant to N.J.S.18A:66-15.1, but shall apply to a former
20 member of the retirement system who has been granted a retirement
21 allowance and is reenrolled in the retirement system on or after July
22 1, 2007 pursuant to N.J.S.18A:66-53.2 after becoming employed
23 again in a position that makes the person eligible to be a member of
24 the retirement system.

25 For the period of July 1, 2009 through June 30, 2011,
26 "contractual salary" for State employees shall include wage
27 increases under a collective negotiations agreement notwithstanding
28 that, by amendment to that collective negotiations agreement, the
29 effective date of the contractual increase has been deferred. For the
30 purpose of this paragraph, "State employee" means an employee in
31 the Executive Branch of State government of New Jersey.

32 e. "Employer" means the State, the board of education or any
33 educational institution or agency of or within the State by which a
34 teacher is paid.

35 f. (1) "Final compensation" means the average annual
36 compensation for which contributions are made for the three years
37 of creditable service in New Jersey immediately preceding the
38 member's retirement or death, or it shall mean the average annual
39 compensation for New Jersey service for which contributions are
40 made during any three fiscal years of his or her membership
41 providing the largest possible benefit to the member or the
42 member's beneficiary.

43 (2) In the case of a person who becomes a member of the
44 retirement system on or after the effective date of P.L.2010, c.1,
45 "final compensation" means the average annual compensation for
46 which contributions are made for the five years of creditable service
47 in New Jersey immediately preceding the member's retirement or
48 death, or it shall mean the average annual compensation for New

- 1 Jersey service for which contributions are made during any five
2 fiscal years of his or her membership providing the largest possible
3 benefit to the member or the member's beneficiary.
- 4 g. "Fiscal year" means any year commencing with July 1, and
5 ending with June 30, next following.
- 6 h. "Pension" means payments for life derived from
7 appropriations made by the State or employers to the Teachers'
8 Pension and Annuity Fund.
- 9 i. "Annuity reserve" means the present value of all payments
10 to be made on account of any annuity or benefit in lieu of an
11 annuity, granted under the provisions of this article, computed on
12 the basis of such mortality tables recommended by the actuary as
13 the board of trustees adopts, with regular interest.
- 14 j. "Pension reserve" means the present value of all payments to
15 be made on account of any pension or benefit in lieu of a pension
16 granted to a member from the Teachers' Pension and Annuity Fund,
17 computed on the basis of such mortality tables recommended by the
18 actuary as the board of trustees adopts, with regular interest.
- 19 k. "Present-entrant" means any member of the Teachers'
20 Pension and Annuity Fund who had established status as a "present-
21 entrant member" of said fund prior to January 1, 1956.
- 22 l. "Rate of contribution initially certified" means the rate of
23 contribution certified by the retirement system in accordance with
24 N.J.S.18A:66-29.
- 25 m. "Regular interest" shall mean interest as determined by the
26 State Treasurer, after consultation with the Directors of the
27 Divisions of Investment and Pensions, the board of trustees and the
28 actuary. It shall bear a reasonable relationship to the percentage rate
29 of earnings on investments based on the market value of assets but
30 shall not exceed the assumed percentage rate of increase applied to
31 salaries plus **[3%]** three percent, provided however that the board
32 of trustees shall not set the average percentage rate of increase
33 applied to salaries below **[6%]** six percent.
- 34 n. "Retirement allowance" means the pension plus the annuity.
- 35 o. "School service" means any service as a "teacher" as defined
36 in this section.
- 37 p. "Teacher" means any regular teacher, special teacher,
38 helping teacher, teacher clerk, principal, vice-principal, supervisor,
39 supervising principal, director, superintendent, city superintendent,
40 assistant city superintendent, county superintendent, State
41 Commissioner or Assistant Commissioner of Education, members
42 of the State Department of Education who are certificated,
43 unclassified professional staff and other members of the teaching or
44 professional staff of any class, public school, renaissance school
45 project established pursuant to P.L.2011, c.176 (C.18A:36C-
46 1 et seq.) upon commencement of employment, high school, normal
47 school, model school, training school, vocational school, truant
48 reformatory school, or parental school, and of any and all classes or

1 schools within the State conducted under the order and
2 superintendence, and wholly or partly at the expense of the State
3 Board of Education, of a duly elected or appointed board of
4 education, board of school directors, or board of trustees of the
5 State or of any school district or normal school district thereof, and
6 any persons under contract or engagement to perform one or more
7 of these functions. It shall also mean any person who serves, while
8 on an approved leave of absence from regular duties as a teacher, as
9 an officer of a local, county or State labor organization which
10 represents, or is affiliated with an organization which represents,
11 teachers as defined in this subsection. No person shall be deemed a
12 teacher within the meaning of this article who is a substitute
13 teacher. In all cases of doubt the board of trustees shall determine
14 whether any person is a teacher as defined in this article.

15 q. "Teachers' Pension and Annuity Fund," hereinafter referred
16 to as the "retirement system" or "system," is the corporate name of
17 the arrangement for the payment of retirement allowances and other
18 benefits under the provisions of this article, including the several
19 funds placed under said system. By that name all its business shall
20 be transacted, its funds invested, warrants for money drawn, and
21 payments made and all of its cash and securities and other property
22 held.

23 r. "Veteran" means any honorably discharged officer, soldier,
24 sailor, airman, marine or nurse who served in any Army, Air Force
25 or Navy of the Allies of the United States in World War I between
26 July 14, 1914, and November 11, 1918, or who served in any Army,
27 Air Force or Navy of the Allies of the United States in World War
28 II, between September 1, 1939, and September 2, 1945, and who
29 was inducted into such service through voluntary enlistment, and
30 was a citizen of the United States at the time of such enlistment, and
31 who did not, during or by reason of such service, renounce or lose
32 United States citizenship, and any officer, soldier, sailor, marine,
33 airman, nurse or army field clerk who has served in the active
34 military or naval service of the United States and has or shall be
35 discharged or released therefrom under conditions other than
36 dishonorable, or any discharged LGBTQ veteran, as defined in
37 section 1 of P.L. , c. (C.) (pending before the Legislature as
38 this bill), from active service in any branch of the Armed Forces of
39 the United States, in any of the following wars, uprisings,
40 insurrections, expeditions or emergencies, and who has presented to
41 the retirement system evidence of such record of service in form
42 and content satisfactory to said retirement system:

43 (1) The Indian wars and uprisings during any of the periods
44 recognized by the War Department of the United States as periods
45 of active hostility;

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

- 1 (3) The Philippine insurrections and expeditions during the
2 periods recognized by the War Department of the United States as
3 of active hostility from February 4, 1899, to the end of 1913;
- 4 (4) The Peking relief expedition between June 20, 1900, and
5 May 27, 1902;
- 6 (5) The army of Cuban occupation between July 18, 1898, and
7 May 20, 1902;
- 8 (6) The army of Cuban pacification between October 6, 1906,
9 and April 1, 1909;
- 10 (7) The Mexican punitive expedition between March 14, 1916,
11 and February 7, 1917;
- 12 (8) The Mexican border patrol, having actually participated in
13 engagements against Mexicans between April 12, 1911, and June
14 16, 1919;
- 15 (9) World War I, between April 6, 1917, and November 11,
16 1918;
- 17 (10) World War II, between September 16, 1940, and
18 December 31, 1946, who shall have served at least 90 days in such
19 active service, exclusive of any period of assignment (1) for a
20 course of education or training under the Army Specialized
21 Training Program or the Navy College Training Program, which
22 course was a continuation of a civilian course and was pursued to
23 completion, or (2) as a cadet or midshipman at one of the service
24 academies, any part of which 90 days was served between said
25 dates; provided that any person receiving an actual service-incurred
26 injury or disability shall be classed as a veteran, whether or not that
27 person has completed the 90-day service as herein provided;
- 28 (11) Korean conflict on or after June 23, 1950, and on or prior
29 to January 31, 1955, who shall have served at least 90 days in such
30 active service, exclusive of any period of assignment (1) for a
31 course of education or training under the Army Specialized
32 Training Program or the Navy College Training Program, which
33 course was a continuation of a civilian course and was pursued to
34 completion, or (2) as a cadet or midshipman at one of the service
35 academies, any part of which 90 days was served between said
36 dates; provided that any person receiving an actual service-incurred
37 injury or disability shall be classed as a veteran, whether or not that
38 person has completed the 90-day service as herein provided; and
39 provided further that any member classed as a veteran pursuant to
40 this subsection prior to August 1, 1966, shall continue to be classed
41 as a veteran, whether or not that person completed the 90-day
42 service between said dates as herein provided;
- 43 (12) 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
48 the President of the United States or Congress, whichever date of

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

5 (13) Vietnam conflict, on or after December 31, 1960, and on
6 or prior to May 7, 1975, who shall have served at least 90 days in
7 such active service, exclusive of any period of assignment (1) for a
8 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 (2) as a cadet or midshipman at one of the service
12 academies, any part of which 90 days was served between said
13 dates; and exclusive of any service performed pursuant to the
14 provisions of section 511(d) of Title 10, United States Code,
15 pursuant to an enlistment in the Army National Guard or as a
16 reserve for service in the Army Reserve, Naval Reserve, Air Force
17 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided
18 that any person receiving an actual service-incurred injury or
19 disability shall be classed as a veteran, whether or not that person
20 has completed the 90-day service as herein provided;

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

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

43 (16) Panama peacekeeping mission, on or after December 20,
44 1989 or the date of inception of that mission, as proclaimed by the
45 President of the United States or Congress, whichever date of
46 inception is earliest, who has served in Panama or on board any ship
47 actively engaged in patrolling the territorial waters of that nation for
48 a period, continuous or in the aggregate, of at least 14 days

1 commencing on or before January 31, 1990 or the date of
2 termination of that mission, as proclaimed by the President of the
3 United States or Congress, whichever date of termination is the
4 latest, in such active service; provided, that any person receiving an
5 actual service-incurred injury or disability shall be classed as a
6 veteran whether or not that person has completed the 14 days'
7 service as herein provided;

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

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

36 (19) Operation "Restore Hope" in Somalia, on or after
37 December 5, 1992, or the date of inception of that operation as
38 proclaimed by the President of the United States or Congress,
39 whichever date is earliest, who has served in Somalia or on board
40 any ship actively engaged in patrolling the territorial waters of that
41 nation for a period, continuously or in the aggregate, of at least 14
42 days in such active service commencing on or before March 31,
43 1994; provided that any person receiving an actual service-incurred
44 injury or disability shall be classed as a veteran whether or not that
45 person has completed the 14-day service as herein provided;

46 (20) Operations "Joint Endeavor" and "Joint Guard" in the
47 Republic of Bosnia and Herzegovina, on or after November 20,
48 1995, who served in such active service in direct support of one or

1 both of the operations for at least 14 days, continuously or in the
2 aggregate, commencing on or before June 20, 1998, and (1) was
3 deployed in that nation or in another area in the region, or (2) was
4 on board a United States naval vessel operating in the Adriatic Sea,
5 or (3) operated in airspace above the Republic of Bosnia and
6 Herzegovina; provided that any person receiving an actual service-
7 incurred injury or disability shall be classed as a veteran whether or
8 not that person completed the 14-day service requirement;

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

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

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

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

42 t. (1) "Widower," for employees of the State, means the man
43 to whom a member was married, or a domestic partner as defined in
44 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
45 the date of her death and to whom she continued to be married or a
46 domestic partner until the date of her death and who was receiving
47 at least one-half of his support from the member in the 12-month
48 period immediately preceding the member's death or the accident

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

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

46 (3) A public employer other than the State may adopt a
47 resolution providing that the term "widower" as defined in

1 paragraph (2) of this subsection shall include domestic partners as
2 provided in paragraph (1) of this subsection.

3 v. "Parent" means the parent of a member who was receiving at
4 least one-half of the parent's support from the member in the 12-
5 month period immediately preceding the member's death or the
6 accident which was the direct cause of the member's death. The
7 dependency of such a parent will be considered terminated by
8 marriage of the parent subsequent to the death of the member.

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

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

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

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

21 (cf: P.L.2018, c.129, s.1)

22

23 9. Section 3 of P.L.2009, c.279 (C.18A:75A-3) is amended to
24 read as follows:

25 3. Article II: Definitions

26 As used in this compact, unless the context clearly requires a
27 different construction:

28 a. "Active duty" means full-time duty status in the active
29 uniformed service of the United States, including members of the
30 National Guard and Reserve on active duty orders pursuant to 10
31 U.S.C. ss.1209 and 1211.

32 b. "Children of military families" means a school-aged child or
33 children, enrolled in Kindergarten through Twelfth grade, in the
34 household of an active duty member.

35 c. "Compact commissioner" means the voting representative of
36 each compacting state appointed pursuant to Article VIII of this
37 compact.

38 d. "Deployment" means the period one month prior to the
39 service members' departure from their home station on military
40 orders through six months after return to their home station.

41 e. "Education or educational records" means those official
42 records, files, and data directly related to a student and maintained
43 by the school or local education agency, including but not limited to
44 records encompassing all the material kept in the student's
45 cumulative folder such as general identifying data, records of
46 attendance and of academic work completed, records of
47 achievement and results of evaluative tests, health data, disciplinary
48 status, test protocols, and individualized education programs.

- 1 f. "Extracurricular activities" means a voluntary activity
2 sponsored by the school or local education agency or an
3 organization sanctioned by the local education agency.
4 Extracurricular activities include, but are not limited to, preparation
5 for and involvement in public performances, contests, athletic
6 competitions, demonstrations, displays, and club activities.
- 7 g. "Interstate Commission on Educational Opportunity for
8 Military Children" means the commission that is created under
9 Article IX of this compact, which is generally referred to as the
10 Interstate Commission.
- 11 h. "Local education agency" means a public authority legally
12 constituted by the state as an administrative agency to provide
13 control of and direction for Kindergarten through Twelfth grade
14 public educational institutions.
- 15 i. "Member state" means a state that has enacted this compact.
- 16 j. "Military installation" means a base, camp, post, station,
17 yard, center, homeport facility for any ship, or other activity under
18 the jurisdiction of the Department of Defense, including any leased
19 facility, which is located within any of the several States, the
20 District of Columbia, the Commonwealth of Puerto Rico, the U.S.
21 Virgin Islands, Guam, American Samoa, the Northern Marianas
22 Islands and any other U.S. Territory. Such term does not include
23 any facility used primarily for civil works, rivers and harbors
24 projects, or flood control projects.
- 25 k. "Non-member state" means a state that has not enacted this
26 compact.
- 27 l. "Receiving state" means the state to which a child of a
28 military family is sent, brought, or caused to be sent or brought.
- 29 m. "Rule" means a written statement by the Interstate
30 Commission promulgated pursuant to Article XII of this compact
31 that is of general applicability, implements, interprets or prescribes
32 a policy or provision of the Compact, or an organizational,
33 procedural, or practice requirement of the Interstate Commission,
34 and has the force and effect of statutory law in a member state, and
35 includes the amendment, repeal, or suspension of an existing rule.
- 36 n. "Sending state" means the state from which a child of a
37 military family is sent, brought, or caused to be sent or brought.
- 38 o. "State" means a state of the United States, the District of
39 Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin
40 Islands, Guam, American Samoa, the Northern Marianas Islands
41 and any other U.S. Territory.
- 42 p. "Student" means the child of a military family for whom the
43 local education agency receives public funding and who is formally
44 enrolled in Kindergarten through Twelfth grade.
- 45 q. "Transition" means (1) the formal and physical process of
46 transferring from school to school or (2) the period of time in which
47 a student moves from one school in the sending state to another
48 school in the receiving state.

1 r. "Uniformed service or services" means the Army, Navy, Air
2 Force, Marine Corps, Coast Guard as well as the Commissioned
3 Corps of the National Oceanic and Atmospheric Administration,
4 and Public Health Services.

5 s. "Veteran" means a person who served in the **Uniformed**
6 **services** Uniformed Services of the United States and who was
7 discharged or released therefrom under conditions other than
8 dishonorable, or a discharged LGBTQ veteran, as defined in section
9 1 of P.L. , c. (C.) (pending before the Legislature as this bill).

10 (cf: P.L.2009, c.279, s.3)

11
12 10. Section 4 of P.L.1992, c.43 (C.34:15D-4) is amended to read
13 as follows:

14 4. a. The Workforce Development Partnership Program is
15 hereby established in the Department of Labor and Workforce
16 Development and shall be administered by the Commissioner of
17 Labor and Workforce Development. The purpose of the program is
18 to provide qualified displaced, disadvantaged and employed
19 workers with the employment and training services most likely to
20 enable the individual to obtain employment providing self-
21 sufficiency for the individual and also to provide the greatest
22 opportunity for long-range career advancement with high levels of
23 productivity and earning power. To implement that purpose, the
24 program shall provide those services by means of training grants or
25 customized training services in coordination with funding for the
26 services from federal or other sources. The commissioner is
27 authorized to expend moneys from the Workforce Development
28 Partnership Fund to provide the training grants or customized
29 training services and provide for each of the following:

30 (1) The cost of counseling required pursuant to section 7 of
31 P.L.1992, c.43 (C.34:15D-7), to the extent that adequate funding for
32 counseling is not available from federal or other sources;

33 (2) Reasonable administrative costs, which shall not exceed
34 **10%** 10 percent of the revenues collected pursuant to section 2 of
35 P.L.1992, c.44 (C.34:15D-13) during any fiscal year ending before
36 July 1, 2001, except for additional start-up administrative costs
37 approved by the Director of the Office of Management and Budget
38 during the first year of the program's operation;

39 (3) Reasonable costs, which shall not exceed **0.5%** 0.5
40 percent of the revenues collected pursuant to section 2 of P.L.1992,
41 c.44 (C.34:15D-13) during any fiscal year ending before July 1,
42 2001, as required by the State Employment and Training
43 Commission to design criteria and conduct an annual evaluation of
44 the program; and

45 (4) The cost of reimbursement to individuals for excess
46 contributions pursuant to section 6 of P.L.1992, c.44 (C.34:15D-
47 17).

- 1 b. Not more than **【10%】** 10 percent of the moneys received by
2 any service provider pursuant to this act shall be expended on
3 anything other than direct costs to the provider of providing the
4 employment and training services, which direct costs shall not
5 include any administrative or overhead expense of the provider.
- 6 c. Training and employment services or other workforce
7 investment services shall be provided to a worker who receives
8 counseling pursuant to section 7 of P.L.1992, c.43 (C.34:15D-7)
9 only if the counselor who evaluates the worker pursuant to that
10 section determines that the worker can reasonably be expected to
11 successfully complete the training and instruction identified in the
12 Employability Development Plan developed pursuant to that section
13 for the worker.
- 14 d. All occupational training provided under this act:
- 15 (1) Shall be training which is likely to substantially enhance the
16 individual's marketable skills and earning power; and
- 17 (2) Shall be training for a labor demand occupation, except for:
- 18 (a) Customized training provided to the present employees of a
19 business which the commissioner deems to be in need of the
20 training to prevent job loss caused by obsolete skills, technological
21 change or national or global competition; or
- 22 (b) Customized training provided to employees at a facility
23 which is being relocated from another state into New Jersey; or
- 24 (c) Entrepreneurial training and technical assistance supported
25 by training grants provided pursuant to subsection b. of section 6 of
26 P.L.1992, c.43 (C.34:15D-6).
- 27 e. During any fiscal year ending before July 1, 2001, not less
28 than **【25%】** 25 percent of the total revenues dedicated to the
29 program during any one fiscal year shall be reserved to provide
30 employment and training services for qualified displaced workers;
31 not less than six percent of the total revenues dedicated to the
32 program during any one fiscal year shall be reserved to provide
33 employment and training services for qualified disadvantaged
34 workers; not less than **【45%】** 45 percent of the total revenues
35 dedicated to the program during any one fiscal year shall be
36 reserved for and appropriated to the Office of Customized Training;
37 not less than **【3%】** three percent of the total revenues dedicated to
38 the program during any one fiscal year shall be reserved for
39 occupational safety and health training; and **【5%】** five percent of
40 the total revenues dedicated to the program during any one fiscal
41 year shall be reserved for and appropriated to the Youth Transitions
42 to Work Partnership created pursuant to P.L.1993, c.268 (C.34:15E-
43 1 et seq.).
- 44 f. Funds available under the program shall not be used for
45 activities which induce, encourage or assist: any displacement of
46 currently employed workers by trainees, including partial
47 displacement by means such as reduced hours of currently

1 employed workers; any replacement of laid off workers by trainees;
2 or any relocation of operations resulting in a loss of employment at
3 a previous workplace located in the State.

4 g. On-the-job training shall not be funded by the program for
5 any employment found by the commissioner to be of a level of skill
6 and complexity too low to merit training. The duration of on-the-
7 job training funded by the program for any worker shall not exceed
8 the duration indicated by the Bureau of Labor Statistics'
9 Occupational Information Network, or "O*NET," for the
10 occupation for which the training is provided and shall in no case
11 exceed 26 weeks. The department shall set the duration of on-the-
12 job training for a worker for less than the indicated maximum, when
13 training for the maximum duration is not warranted because of the
14 level of the individual's previous training, education or work
15 experience. On-the-job training shall not be funded by the program
16 unless it is accompanied, concurrently or otherwise, by whatever
17 amount of classroom-based or equivalent occupational training,
18 remedial instruction or both, is deemed appropriate for the worker
19 by the commissioner. On-the-job training shall not be funded by
20 the program unless the trainee is provided benefits, pay and
21 working conditions at a level and extent not less than the benefits
22 and working conditions of other trainees or employees of the
23 trainee's employer with comparable skills, responsibilities,
24 experience and seniority.

25 h. Employment and training services funded by the program
26 shall not replace, supplant, compete with or duplicate in any way
27 approved apprenticeship programs.

28 i. No activities funded by the program shall impair existing
29 contracts for services or collective bargaining agreements, except
30 that activities which would be inconsistent with the terms of a
31 collective bargaining agreement may be undertaken with the written
32 concurrence of the collective bargaining unit and employer who are
33 parties to the agreement.

34 j. All staff who are hired and supported by moneys from the
35 Workforce Development Partnership Fund, including any of those
36 staff located at any One Stop Career Center, but not including any
37 staff of a service provider providing employment and training
38 services supported by a customized training grant pursuant to
39 section 5 of P.L.1992, c.43 (C.34:15D-5) or an individual training
40 grant pursuant to section 6 of P.L.1992, c.43 (C.34:15D-6), shall be
41 hired and employed by the State pursuant to Title 11A, Civil
42 Service, of the New Jersey Statutes, be hired and employed by a
43 political subdivision of the State, or be qualified staff hired and
44 employed by a non-profit organization which began functioning as
45 the One Stop Career Center operator with the written consent of the
46 chief elected official and the commissioner prior to the effective
47 date of P.L.2004, c.39 (C.34:1A-1.2 et al.), or be qualified staff
48 hired and employed by an approved community-based or faith-

1 based organization to provide services at the level of staffing
2 provided in an agreement entered into by the organization before
3 the effective date of P.L.2004, c.39 (C.34:1A-1.2 et al.).

4 k. Employers in the State who apply for grants for training and
5 employment services or other workforce investment services for
6 their employees in the State shall be evaluated by the commissioner
7 and preference shall be given to those employers who:

8 (1) provide equipment, supplies, or services to military bases
9 and installations pursuant to a procurement or military contract with
10 the United States Department of Defense, the United States
11 Department of Veterans Affairs, or any branch of the United States
12 Armed Forces;

13 (2) are engaged in one or more of the following fields or
14 industries: science, technology, engineering, mathematics, or
15 advanced manufacturing within these fields or industries;

16 (3) are manufacturers; or

17 (4) intend to train veterans.

18 Pursuant to this paragraph, "veteran" means a person who has
19 served in the Army, Navy, Air Force, Marines or Coast Guard of
20 the United States or a Reserve component thereof or the National
21 Guard of this State as defined in section 1 of P.L.1963, c.109
22 (C.38A:1-1), and has been honorably discharged or released under
23 conditions other than dishonorable from that service, or a
24 discharged LGBTQ veteran, as defined in section 1 of P.L. , c.
25 (pending before the Legislature as this bill).

26 (cf: P.L.2019, c.278, s.1)

27
28 11. Section 1 of P.L.1989, c.162 (C.38A:3-6.3) is amended to
29 read as follows:

30 1. As used in this act, unless otherwise indicated by the
31 context:

32 a. "Adjutant General" means the Adjutant General of the
33 Department of Military and Veterans' Affairs.

34 b. "Advisory council" means the advisory council of a veterans'
35 facility or of the veterans' cemetery.

36 c. "Member" means a person admitted to and receiving care in
37 a veterans' facility.

38 d. "Veteran" means a person who has been honorably
39 discharged from the active military service of the United States, or a
40 discharged LGBTQ veteran, as defined in section 1 of
41 P.L. , c. (C.) (pending before the Legislature as this bill), from
42 the active military service of the United States.

43 e. "Veterans' facility" means any home, institution, hospital, or
44 part thereof, the admission to which is under the jurisdiction of the
45 Department of Military and Veterans' Affairs.

46 (cf: P.L.1989, c.162, s.1)

1 12. Section 1 of P.L.2013, c.165 (C.39:3-10f6) is amended to
2 read as follows:

3 1. a. (1) In addition to the requirements for the form and
4 content of a motor vehicle driver's license under R.S.39:3-10 and a
5 probationary license issued under section 4 of P.L.1950, c.127
6 (C.39:3-13.4), the Chief Administrator of the New Jersey Motor
7 Vehicle Commission shall, upon submission of satisfactory proof,
8 designate on an initial license, renewal license, or probationary
9 license, as appropriate, that the license holder is a veteran of the
10 Armed Forces of the United States of America or the New Jersey
11 National Guard. The designation of veteran status on an initial
12 license, renewal license, or probationary license shall not be
13 deemed sufficient valid proof of veteran status for official
14 governmental purposes when any other statute, or any regulation or
15 other directive of a governmental entity, requires documentation of
16 veteran status.

17 (2) In addition to the requirements for the form and content of a
18 motor vehicle driver's license under R.S.39:3-10 and a probationary
19 license issued under section 4 of P.L.1950, c.127 (C.39:3-13.4), the
20 Chief Administrator of the New Jersey Motor Vehicle Commission
21 shall, upon submission of satisfactory proof, designate on an initial
22 license, renewal license, or probationary license, as appropriate,
23 that the license holder is a Gold Star Family member. The
24 commission shall provide to the Department of Military and
25 Veterans' Affairs personal identifying information of any person
26 issued a driver's license with a Gold Star Family designation
27 pursuant to this section.

28 b. For the purpose of this section:

29 "Gold Star Family member" means a spouse, domestic partner,
30 partner in a civil union, parent, brother, sister, child, legal guardian,
31 or other legal custodian, whether of the whole or half blood or by
32 adoption, of a member of the Armed Forces of the United States or
33 National Guard, who lost his or her life while on active duty for the
34 United States.

35 "Veteran" means a person who has been honorably discharged
36 from the active military service of the United States or from service
37 in the New Jersey National Guard, or a discharged LGBTQ veteran,
38 as defined in section 1 of P.L. , c. (C.) (pending before the
39 Legislature as this bill), from the active military service of the
40 United States.

41 "Satisfactory proof" means, in the case of a veteran, a copy of
42 form NGB-22, DD-214 or federal activation orders showing service
43 under Title 10, section 672 or section 12301, of the United States
44 Code, or a county veteran identification card only if issuance of the
45 card requires a copy of form NGB-22, DD-214 discharge papers or
46 approved separation forms as outlined by all branches of the
47 military and duly recorded by the county clerk's office. In the case
48 of a discharged LGBTQ veteran, satisfactory proof also includes a

1 copy of the eligibility form issued by the Department of Military
2 and Veterans' Affairs, pursuant to section 2 of P.L. , c. (C.)
3 (pending before the Legislature as this bill). In the case of a Gold
4 Star Family member, satisfactory proof includes any or all of the
5 following:

6 (1) a certification from the Department of New Jersey of
7 American Gold Star Mothers, Inc., or any other organization formed
8 for the support of family members of members of the Armed Forces
9 of the United States or National Guard, who lost their lives while on
10 active duty for the United States, that the applicant is either the
11 spouse, domestic partner, partner in a civil union, parent, brother,
12 sister, child, legal guardian, or other legal custodian, whether of the
13 whole or half blood or by adoption, of a member of the armed
14 forces or National Guard who died while on active duty for the
15 United States; or

16 (2) (a) documentation deemed acceptable by the Adjutant
17 General, including, but not limited to, an NGB-22, a federal DD
18 Form 1300, Report of Casualty, or a federal DD Form 2064,
19 Certificate of Death Overseas, which identifies the member of the
20 Armed Forces of the United States or National Guard who died
21 while on active duty for the United States; and

22 (b) documentation indicating the applicant's relationship to the
23 service member.

24 (cf: P.L.2019, c.255, s.1)

25

26 13. Section 2 of P.L.1980, c.47 (C.39:3-29.3) is amended to read
27 as follows:

28 2. a. (1) The New Jersey Motor Vehicle Commission shall
29 issue an identification card to any resident of the State who is 14
30 years of age or older and who is not the holder of a valid permit or
31 basic driver's license. The identification card shall attest to the true
32 name, correct age, and veteran status, upon submission of
33 satisfactory proof, by any veteran, and shall contain other
34 identifying data as certified by the applicant for such identification
35 card. Every application for an identification card shall be signed
36 and verified by the applicant and shall be accompanied by the
37 written consent of at least one parent or the person's legal guardian
38 if the person is under 17 years of age and shall be supported by such
39 documentary evidence of the age, identity, and veteran status, or
40 blindness, or disability of such person as the chief administrator
41 may require.

42 A person issued an identification card pursuant to this section
43 may be issued a standard identification card or a REAL ID
44 identification card. The chief administrator shall require any
45 applicant for a standard identification card to provide as proof of
46 the applicant's identity, age, and residence primary and secondary
47 documents, with which the chief administrator shall attribute point
48 values in accordance with the point based identification verification

1 program established pursuant to section 28 of P.L.2003, c.13
2 (C.39:2A-28). The point total required to prove the identity of an
3 applicant for the standard probationary license shall be the same for
4 every applicant, regardless of immigration status. In the event that
5 the commission changes the point total threshold, the requirement
6 that every applicant reach the same point total threshold shall
7 remain in effect.

8 In addition to requiring an applicant for an identification card to
9 submit satisfactory proof of identity, age, and, if appropriate,
10 veteran status, the chief administrator also shall require the
11 applicant to provide:

12 (a) as a condition for obtaining a standard identification card,
13 proof of the applicant's social security number and one document
14 providing satisfactory proof that the applicant is a New Jersey
15 resident. If the applicant does not have a social security number,
16 the applicant shall either:

17 (i) provide satisfactory proof of an Individual Taxpayer
18 Identification Number; or

19 (ii) indicate, in a manner prescribed by the commission and
20 consistent with all other provisions of P.L.2019, c.271 (C.39:3-
21 10o et al.), that the applicant is not eligible to receive a social
22 security number; or

23 (b) as a condition for obtaining a REAL ID identification card:
24 two documents providing satisfactory proof that the applicant is a
25 New Jersey resident; proof of the applicant's social security number
26 or verification of ineligibility for a social security number in
27 accordance with the "REAL ID Act of 2005," Pub.L.109-13, any
28 acts amendatory or supplementary thereto, and any federal
29 regulations adopted thereunder; and proof that the applicant's
30 presence in the United States is authorized under federal law.

31 Any documents and personal information, including an
32 applicant's photograph, obtained by the commission from an
33 applicant for a standard identification card shall be confidential,
34 shall not be considered a government record pursuant to P.L.1963,
35 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
36 common law concerning access to government records, and shall
37 not be disclosed by the commission for any purposes related to Title
38 8 of the United States Code without the informed consent of the
39 applicant, a warrant signed by a State or federal judge, or a lawful
40 court order or subpoena; except that nothing in this section shall be
41 construed to prohibit, or in any way restrict, any action where such
42 prohibition or restriction would be contrary to federal law. When
43 responding to a warrant, court order, or subpoena, the commission
44 may disclose only those records or information specifically
45 requested in the warrant, court order, or subpoena.

46 Possession of a standard identification card issued pursuant to
47 this section shall not be considered evidence of an individual's

1 citizenship or immigration status and shall not be used as a basis for
2 an investigation, arrest, citation, prosecution, or detention.

3 Information regarding an applicant's Individual Tax
4 Identification Number, social security number, or ineligibility to
5 receive a social security number obtained by the commission for the
6 issuance of a standard identification card pursuant to this section,
7 shall not be considered a government record pursuant to P.L.1963,
8 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
9 common law concerning access to government records, and shall
10 not be disclosed by the commission except where: (1) required by
11 section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant
12 provides written informed consent to the disclosure; (3) the
13 requesting entity presents a warrant signed by a State or federal
14 judge, a lawful court order, or a subpoena; (4) required by State or
15 federal law, and to the extent that the disclosure may be necessary
16 to permit the State to participate in the National Driver Register
17 program, as set forth in 49 U.S.C. s.30301 et seq.; or (5) the
18 disclosure is in connection with an audit or investigation of identity
19 fraud, driver's license fraud, or non-driver identification card fraud.

20 If the chief administrator has reasonable cause to suspect that
21 any document presented by an applicant pursuant to this section is
22 altered, false or otherwise invalid, the chief administrator shall
23 refuse to grant the identification card until such time as the
24 document may be verified by the issuing agency to the chief
25 administrator's satisfaction.

26 A person violating this section shall be subject to a fine not
27 exceeding \$500 or imprisonment in the county jail for not more
28 than 60 days.

29 (2) In addition to the requirements for the form and content of
30 an identification card pursuant to this section, the Chief
31 Administrator of the New Jersey Motor Vehicle Commission shall,
32 upon submission of satisfactory proof, designate on an
33 identification card that the card holder is a Gold Star Family
34 member. The commission shall provide to the Department of
35 Military and Veterans' Affairs personal identifying information for
36 any person issued an identification card with a Gold Star Family
37 designation pursuant to this section.

38 b. The designation of veteran status on an identification card
39 shall not be deemed sufficient valid proof of veteran status for
40 official governmental purposes when any other statute, or any
41 regulation or other directive of a governmental entity, requires
42 documentation of veteran status.

43 c. For the purpose of this section:

44 "Gold Star Family member" means a spouse, domestic partner,
45 partner in a civil union, parent, brother, sister, child, legal guardian,
46 or other legal custodian, whether of the whole or half blood or by
47 adoption, of a member of the Armed Forces of the United States or

1 National Guard, who lost his or her life while on active duty for the
2 United States.

3 "REAL ID identification card" shall have the same meaning as
4 provided in R.S.39:1-1.

5 "Veteran" means a person who has been honorably discharged
6 from the active military service of the United States or from service
7 in the New Jersey National Guard, or a discharged LGBTQ veteran,
8 as defined in section 1 of P.L. , c. (C.) (pending before the
9 Legislature as this bill), from the active military service of the
10 United States; and

11 "Satisfactory proof" means, in the case of a veteran, a copy of
12 form NGB-22, DD-214 or federal activation orders showing service
13 under Title 10, section 672 or section 12301, of the United States
14 Code, or a county veteran identification card only if issuance of the
15 card requires a copy of form DD-214 discharge papers or approved
16 separation forms as outlined by all branches of the military and duly
17 recorded by the county clerk's office. In the case of a discharged
18 LGBTQ veteran, satisfactory proof also includes a copy of the
19 eligibility form issued by the Department of Military and Veterans'
20 Affairs, pursuant to section 2 of P.L. , c. (C.) (pending before
21 the Legislature as this bill). In the case of a Gold Star Family
22 member, satisfactory proof includes any or all of the following:

23 (1) a certification from the Department of New Jersey of
24 American Gold Star Mothers, Inc., or any other organization formed
25 for the support of family members of members of the Armed Forces
26 of the United States or National Guard, who lost their lives while on
27 active duty for the United States, that the applicant is either the
28 spouse, domestic partner, partner in a civil union, parent, brother,
29 sister, child, legal guardian, or other legal custodian, whether of the
30 whole or half blood or by adoption, of a member of the armed
31 forces or National Guard who died while on active duty for the
32 United States; or

33 (2) (a) documentation deemed acceptable by the Adjutant
34 General, including, but not limited to, a federal DD Form 1300,
35 Report of Casualty, or a federal DD Form 2064, Certificate of
36 Death Overseas, which identifies the member of the Armed Forces
37 of the United States or National Guard who died while on active
38 duty for the United States; and

39 (b) documentation indicating the applicant's relationship to the
40 service member.

41 (cf: P.L.2019, c.271, s.15)

42

43 14. Section 1 of P.L.2017, c.19 (C.40:37A-114.1) is amended to
44 read as follows:

45 1. a. As used in this section:

46 "Disabled veteran" means any resident of the State who has been
47 honorably discharged or released under honorable circumstances
48 from active service in any branch of the Armed Forces of the United

1 States and who has been or shall be declared by the United States
2 Veterans Administration, or its successor, to have a service-
3 connected disability.

4 "Veteran" means any resident of the State who has been
5 honorably discharged or released under honorable circumstances
6 from active service in any branch of the **[armed forces]** Armed
7 Forces of the United States, or a discharged LGBTQ veteran, as
8 defined in section 1 of P.L. , c. (C.) (pending before the
9 Legislature as this bill), from active service in any branch of the
10 Armed Forces of the United States, and is a resident of the State, or
11 any honorably discharged member of the American Merchant
12 Marine who served during World War II and is declared by the
13 United States Department of Defense to be eligible for federal
14 veterans' benefits.

15 b. In addition to any other federal or State law regarding
16 providing a veteran's affordable housing preference, the
17 Commissioner of Community Affairs shall establish rules and
18 regulations to provide a preference for affordable housing in a
19 housing project, as defined under subsection f. of section 2 of
20 P.L.1979, c.275 (C.40:37A-107), to homeless veterans, disabled
21 veterans, and family members who are the primary residential
22 caregivers to disabled veterans residing with them. All applicants
23 for the housing preference as specified herein shall also be required
24 to meet the income requirements for admission to the housing
25 project.

26 c. Among applicants eligible to receive a housing project
27 preference provided under subsection b. of this section, priority for
28 the preference shall be given to applicants as follows: (1) homeless
29 veterans shall receive first priority; (2) disabled veterans shall
30 receive second priority; and (3) family members who are the
31 primary residential caregivers to disabled veterans residing with
32 them shall receive third priority.

33 (cf: P.L.2017, c.19, s.1)

34

35 15. Section 1 of P.L.1955, c.49 (C.40:61-22.20) is amended to
36 read as follows:

37 1. a. The governing body of any municipality bordering on the
38 Atlantic Ocean, tidal water bays or rivers which owns or shall
39 acquire, by any deed of dedication or otherwise, lands bordering on
40 the ocean, tidal water bays or rivers, or easement rights therein, for
41 a place of resort for public health and recreation and for other
42 public purposes shall have the exclusive control, government and
43 care thereof and of any boardwalk, bathing and recreational
44 facilities, safeguards and equipment, now or hereafter constructed
45 or provided thereon, and may, by ordinance, make and enforce rules
46 and regulations for the government and policing of such lands,
47 boardwalk, bathing facilities, safeguards and equipment; provided,
48 that such power of control, government, care and policing shall not

1 be construed in any manner to exclude or interfere with the
2 operation of any State law or authority with respect to such lands,
3 property and facilities. Any such municipality may, in order to
4 provide funds to improve, maintain and police the same and to
5 protect the same from erosion, encroachment and damage by sea or
6 otherwise, and to provide facilities and safeguards for public
7 bathing and recreation, including the employment of lifeguards, by
8 ordinance, make and enforce rules and regulations for the
9 government, use, maintenance and policing thereof and provide for
10 the charging and collecting of reasonable fees for the registration of
11 persons using said lands and bathing facilities, for access to the
12 beach and bathing and recreational grounds so provided and for the
13 use of the bathing and recreational facilities, but no such fees shall
14 be charged or collected from children under the age of 12 years.

15 b. A municipality may by ordinance provide that no fees, or
16 reduced fees, shall be charged to:

17 (1) persons 65 or more years of age;

18 (2) persons who meet the disability criteria for disability
19 benefits under Title II of the federal Social Security Act (42 U.S.C.
20 s.401 et seq.);

21 (3) persons in active military service in any of the Armed Forces
22 of the United States and to their spouse or dependent children over
23 the age of 12 years;

24 (4) persons who are active members of the New Jersey National
25 Guard who have completed Initial Active Duty Training and to their
26 spouse or dependent children over the age of 12 years. As used in
27 this paragraph, "Initial Active Duty Training" means Basic Military
28 Training, for members of the New Jersey Air National Guard, and
29 Basic Combat Training and Advanced Individual Training, for
30 members of the New Jersey Army National Guard;

31 (5) persons who have served in any of the Armed Forces of the
32 United States and who were discharged or released therefrom under
33 conditions other than dishonorable and who either have served at
34 least 90 days in active duty or have been discharged or released
35 from active duty by reason of a service-incurred injury or disability.
36 The Adjutant General of the New Jersey Department of Military
37 and Veterans' Affairs shall promulgate rules and regulations
38 pertaining to veteran eligibility under this paragraph; **[and]**

39 (6) persons holding a driver's license or identification card with
40 a Gold Star Family designation issued pursuant to section 1 of
41 P.L.2013, c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47
42 (C.39:3-29.3), respectively; and

43 (7) persons who qualify as a discharged LGBTQ veteran, as
44 defined in section 1 of P.L. , c. (C.) (pending before the
45 Legislature as this bill), from active duty in any branch of the
46 Armed Forces of the United States, and to their spouse or dependent
47 children over the age of 12 years.

1 c. A municipality providing for no fees or reduced fees
2 pursuant to paragraph (3), (4), (5), or (6) of subsection b. of this
3 section shall track, in a manner deemed appropriate by the
4 governing body of the municipality, the number of persons who
5 qualify under the provisions of those paragraphs.

6 d. A person who qualifies for free access to beaches and
7 bathing and recreational grounds and free use of bathing and
8 recreational facilities pursuant to paragraph (3), (4), (5), or (6) of
9 subsection b. of this section may, in lieu of obtaining and presenting
10 a municipal beach tag or similar admission pass to gain such access
11 and use, present a valid military identification card, form DD-214
12 or similar document, or eligibility form issued by the Department of
13 Military and Veterans' Affairs, pursuant to section 2 of
14 P.L. , c. (C.) (pending before the Legislature as this bill), or
15 State driver's license or identification card indicating that the holder
16 is a veteran of the Armed Forces of the United States or a Gold Star
17 Family member.

18 (cf: P.L.2017, c.175, s.8)

19

20 16. Section 2 of P.L.2012, c.30 (C.40A:9-78.2) is amended to
21 read as follows:

22 2. As used in this act, P.L.2012, c.30 (C.40A:9-78.1 et seq.),
23 "veteran" means a person who has served in the Army, Navy, Air
24 Force, Marines or Coast Guard of the United States or a Reserve
25 component thereof or the National Guard of this State or another
26 State as defined in section 1 of P.L.1963, c.109 (C.38A:1-1), and
27 has been honorably discharged or released under conditions other
28 than dishonorable from such service, or a discharged LGBTQ
29 veteran, as defined in section 1 of P.L. , c. (C.) (pending before
30 the Legislature as this bill).

31 (cf: P.L.2017, c.292, s.1)

32

33 17. Section 2 of P.L.2017, c.19 (C.40A:12A-20.2) is amended to
34 read as follows:

35 2. a. As used in this section:

36 "Disabled veteran" means any resident of the State who has been
37 honorably discharged or released under honorable circumstances
38 from active service in any branch of the Armed Forces of the United
39 States and who has been or shall be declared by the United States
40 Veterans Administration, or its successor, to have a service-
41 connected disability.

42 "Veteran" means any resident of the State who has been
43 honorably discharged or released under honorable circumstances
44 from active service in any branch of the **[armed forces]** Armed
45 Forces of the United States, or a discharged LGBTQ veteran, as
46 defined in section 1 of P.L. , c. (C.) (pending before the
47 Legislature as this bill), from active service in any branch of the
48 Armed Forces of the United States, and is a resident of the State, or

1 any honorably discharged member of the American Merchant
2 Marine who served during World War II and is declared by the
3 United States Department of Defense to be eligible for federal
4 veterans' benefits.

5 b. In addition to any other federal or State law regarding
6 providing a veteran's affordable housing preference, the
7 Commissioner of Community Affairs shall establish rules and
8 regulations to provide a preference for affordable housing in a
9 housing project to homeless veterans, disabled veterans, and family
10 members who are the primary residential caregivers to disabled
11 veterans residing with them. All applicants for the housing
12 preference as specified herein shall also be required to meet the
13 income requirements for admission to the housing project.

14 c. Among applicants eligible to receive a housing project
15 preference provided under subsection b. of this section, priority for
16 the preference shall be given to applicants as follows: (1) homeless
17 veterans shall receive first priority; (2) disabled veterans shall
18 receive second priority; and (3) family members who are the
19 primary residential caregivers to disabled veterans residing with
20 them shall receive third priority.

21 (cf: P.L.2017, c.19, s.2)

22

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

25 6. As used in this act:

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

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

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

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

39 e. "Child" means a deceased member's unmarried child either
40 (1) under the age of 18 or (2) of any age who, at the time of the
41 member's death, is disabled because of an intellectual disability or
42 physical incapacity, is unable to do any substantial, gainful work
43 because of the impairment and the impairment has lasted or can be
44 expected to last for a continuous period of not less than 12 months,
45 as affirmed by the medical board.

46 f. "Parent" shall mean the parent of a member who was
47 receiving at least 1/2 of the parent's support from the member in the
48 12-month period immediately preceding the member's death or the

1 accident which was the direct cause of the member's death. The
2 dependency of such a parent will be considered terminated by
3 marriage of the parent subsequent to the death of the member.

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

16 (2) Subject to the provisions of paragraph (3) of this subsection,
17 "widower," for employees of public employers other than the State,
18 means the man to whom a member was married at least five years
19 before the date of her death and to whom she continued to be
20 married until the date of her death and who was receiving at least
21 1/2 of his support from the member in the 12-month period
22 immediately preceding the member's death or the accident which
23 was the direct cause of the member's death. The dependency of such
24 a widower shall be considered terminated by marriage of the
25 widower subsequent to the death of the member. In the event of the
26 payment of an accidental death benefit, the five-year qualification
27 shall be waived.

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

32 h. (1) "Final compensation" means the average annual
33 compensation for which contributions are made for the three years
34 of creditable service in New Jersey immediately preceding the
35 member's retirement or death, or it shall mean the average annual
36 compensation for New Jersey service for which contributions are
37 made during any three fiscal years of his or her membership
38 providing the largest possible benefit to the member or the
39 member's beneficiary.

40 (2) In the case of a person who becomes a member of the
41 retirement system on or after the effective date of P.L.2010, c.1,
42 "final compensation" means the average annual compensation for
43 which contributions are made for the five years of creditable service
44 in New Jersey immediately preceding the member's retirement or
45 death, or it shall mean the average annual compensation for New
46 Jersey service for which contributions are made during any five
47 fiscal years of his or her membership providing the largest possible
48 benefit to the member or the member's beneficiary.

- 1 i. "Fiscal year" means any year commencing with July 1 and
2 ending with June 30 next following.
- 3 j. "Medical board" shall mean the board of physicians
4 provided for in section 17 of P.L.1954, c.84 (C.43:15A-17).
- 5 k. "Pension" means payments for life derived from
6 appropriations made by the employer as provided in this act.
- 7 l. "Pension reserve" means the present value of all payments to
8 be made on account of any pension or benefit in lieu of a pension
9 granted under the provisions of this act, computed on the basis of
10 such mortality tables recommended by the actuary as the board of
11 trustees adopts, with regular interest.
- 12 m. "Public Employees' Retirement System of New Jersey,"
13 hereinafter referred to as the "retirement system" or "system," is the
14 corporate name of the arrangement for the payment of retirement
15 allowances and other benefits under the provisions of this act
16 including the several funds placed under said system. By that name
17 all of its business shall be transacted, its funds invested, warrants
18 for money drawn, and payments made and all of its cash and
19 securities and other property held.
- 20 n. "Regular interest" shall mean interest as determined by the
21 State Treasurer, after consultation with the Directors of the
22 Divisions of Investment and Pensions, the board of trustees and the
23 actuary. It shall bear a reasonable relationship to the percentage rate
24 of earnings on investments based on the market value of the assets
25 but shall not exceed the assumed percentage rate of increase applied
26 to salaries plus **【3%】** three percent, provided however that the
27 board of trustees shall not set the average percentage rate of
28 increase applied to salaries below **【6%】** six percent.
- 29 o. "Retirement allowance" means the pension plus the annuity.
- 30 p. "Veteran" means any honorably discharged officer, soldier,
31 sailor, airman, marine or nurse who served in any Army, Air Force
32 or Navy of the Allies of the United States in World War I, between
33 July 14, 1914, and November 11, 1918, or who served in any Army,
34 Air Force or Navy of the Allies of the United States in World War
35 II, between September 1, 1939, and September 2, 1945, and who
36 was inducted into such service through voluntary enlistment, and
37 was a citizen of the United States at the time of such enlistment, and
38 who did not, during or by reason of such service, renounce or lose
39 United States citizenship, and any officer, soldier, sailor, marine,
40 airman, nurse or army field clerk, who has served in the active
41 military or naval service of the United States and has or shall be
42 discharged or released therefrom under conditions other than
43 dishonorable, or any discharged LGBTQ veteran, as defined in
44 section 1 of P.L. , c. (C.) (pending before the Legislature as this
45 bill), from active service in any branch of the Armed Forces of the
46 United States, in any of the following wars, uprisings, insurrections,
47 expeditions, or emergencies, and who has presented to the

- 1 retirement system evidence of such record of service in form and
2 content satisfactory to said retirement system:
- 3 (1) The Indian wars and uprisings during any of the periods
4 recognized by the War Department of the United States as periods
5 of active hostility;
- 6 (2) The Spanish-American War between April 20, 1898, and
7 April 11, 1899;
- 8 (3) The Philippine insurrections and expeditions during the
9 periods recognized by the War Department of the United States as
10 of active hostility from February 4, 1899, to the end of 1913;
- 11 (4) The Peking relief expedition between June 20, 1900, and
12 May 27, 1902;
- 13 (5) The army of Cuban occupation between July 18, 1898, and
14 May 20, 1902;
- 15 (6) The army of Cuban pacification between October 6, 1906,
16 and April 1, 1909;
- 17 (7) The Mexican punitive expedition between March 14, 1916,
18 and February 7, 1917;
- 19 (8) The Mexican border patrol, having actually participated in
20 engagements against Mexicans between April 12, 1911, and June
21 16, 1919;
- 22 (9) World War I, between April 6, 1917, and November 11,
23 1918;
- 24 (10) World War II, between September 16, 1940, and
25 December 31, 1946, who shall have served at least 90 days in such
26 active service, exclusive of any period of assignment (1) for a
27 course of education or training under the Army Specialized
28 Training Program or the Navy College Training Program which
29 course was a continuation of a civilian course and was pursued to
30 completion, or (2) as a cadet or midshipman at one of the service
31 academies any part of which 90 days was served between said
32 dates; provided, that any person receiving an actual service-incurred
33 injury or disability shall be classed as a veteran whether or not that
34 person has completed the 90-day service as herein provided;
- 35 (11) Korean conflict on or after June 23, 1950, and on or prior
36 to January 31, 1955, who shall have served at least 90 days in such
37 active service, exclusive of any period of assignment (1) for a
38 course of education or training under the Army Specialized
39 Training Program or the Navy College Training Program which
40 course was a continuation of a civilian course and was pursued to
41 completion, or (2) as a cadet or midshipman at one of the service
42 academies, any part of which 90 days was served between said
43 dates; provided, that any person receiving an actual service-incurred
44 injury or disability shall be classed as a veteran whether or not that
45 person has completed the 90-day service as herein provided; and
46 provided further, that any member classed as a veteran pursuant to
47 this paragraph prior to August 1, 1966, shall continue to be classed

1 as a veteran whether or not that person completed the 90-day
2 service between said dates as herein provided;

3 (12) Lebanon crisis, on or after July 1, 1958, who has served in
4 Lebanon or on board any ship actively engaged in patrolling the
5 territorial waters of that nation for a period, continuous or in the
6 aggregate, of at least 14 days commencing on or before November
7 1, 1958 or the date of termination of that conflict, as proclaimed by
8 the President of the United States or Congress, whichever date of
9 termination is the latest, in such active service; provided, that any
10 person receiving an actual service-incurred injury or disability shall
11 be classed as a veteran whether or not that person has completed the
12 14 days' service as herein provided;

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

29 (14) Lebanon peacekeeping mission, on or after September 26,
30 1982, who has served in Lebanon or on board any ship actively
31 engaged in patrolling the territorial waters of that nation for a
32 period, continuous or in the aggregate, of at least 14 days
33 commencing on or before December 1, 1987 or the date of
34 termination of that mission, as proclaimed by the President of the
35 United States or Congress, whichever date of termination is the
36 latest, in such active service; provided, that any person receiving an
37 actual service-incurred injury or disability shall be classed as a
38 veteran whether or not that person has completed the 14 days'
39 service as herein provided;

40 (15) Grenada peacekeeping mission, on or after October 23,
41 1983, who has served in Grenada or on board any ship actively
42 engaged in patrolling the territorial waters of that nation for a
43 period, continuous or in the aggregate, of at least 14 days
44 commencing on or before November 21, 1983 or the date of
45 termination of that mission, as proclaimed by the President of the
46 United States or Congress, whichever date of termination is the
47 latest, in such active service; provided, that any person receiving an
48 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 (16) Panama peacekeeping mission, on or after December 20,
4 1989 or the date of inception of that mission, as proclaimed by the
5 President of the United States or Congress, whichever date of
6 inception is earliest, who has served in Panama or on board any ship
7 actively engaged in patrolling the territorial waters of that nation for
8 a period, continuous or in the aggregate, of at least 14 days
9 commencing on or before January 31, 1990 or the date of
10 termination of that mission, as proclaimed by the President of the
11 United States or Congress, whichever date of termination is the
12 latest, in such active service; provided, that any person receiving an
13 actual service-incurred injury or disability shall be classed as a
14 veteran whether or not that person has completed the 14 days'
15 service as herein provided;

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

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

44 (19) Operation "Restore Hope" in Somalia, on or after
45 December 5, 1992, or the date of inception of that operation as
46 proclaimed by the President of the United States or Congress,
47 whichever date is earliest, who has served in Somalia or on board
48 any ship actively engaged in patrolling the territorial waters of that

1 nation for a period, continuously or in the aggregate, of at least 14
2 days in such active service commencing on or before March 31,
3 1994; provided that any person receiving an actual service-incurred
4 injury or disability shall be classed as a veteran whether or not that
5 person has completed the 14-day service as herein provided;

6 (20) Operations "Joint Endeavor" and "Joint Guard" in the
7 Republic of Bosnia and Herzegovina, on or after November 20,
8 1995, who served in such active service in direct support of one or
9 both of the operations for at least 14 days, continuously or in the
10 aggregate, commencing on or before June 20, 1998 and (1) was
11 deployed in that nation or in another area in the region, or (2) was
12 on board a United States naval vessel operating in the Adriatic Sea,
13 or (3) operated in airspace above the Republic of Bosnia and
14 Herzegovina; provided that any person receiving an actual service-
15 incurred injury or disability shall be classed as a veteran whether or
16 not that person completed the 14-day service requirement;

17 (21) Operation "Enduring Freedom", on or after September 11,
18 2001, who served in a theater of operation and 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; and

27 (22) Operation "Iraqi Freedom", on or after the date the
28 President of the United States or the United States Secretary of
29 Defense designates as the inception date of that operation, who
30 served in Iraq or in another area in the region 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.

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

43 q. (1) "Widow," for employees of the State, means the woman
44 to whom a member was married, or a domestic partner as defined in
45 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
46 the date of his death and to whom he continued to be married or a
47 domestic partner until the date of his death and who was receiving
48 at least 1/2 of her support from the member in the 12-month period

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

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

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

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

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

1 (C.43:15A-57.2) after becoming employed again in a position that
2 makes the person eligible to be a member of the retirement system.

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

6 For the period of July 1, 2009 through June 30, 2011,
7 "contractual salary" for State employees shall include across the
8 board negotiated wage increases under a collective negotiations
9 agreement that were payable to all State employees covered by that
10 agreement notwithstanding that, by amendment to that collective
11 negotiations agreement, the effective date of the contractual
12 increase has been deferred. For the purpose of this paragraph,
13 "State employee" means an employee in the Executive Branch or
14 the Judicial Branch of State government of New Jersey or an
15 employee of the State University authorized to participate in the
16 system under subsection b. of section 73 of P.L.1954, c.84
17 (C.43:15A-73), but shall not include employees of agencies
18 authorized to participate in the system under subsections a., c., d.,
19 e., f., and g. of section 73 of P.L.1954, c.84 (C.43:15A-73) or under
20 P.L.1990, c.25 (C.43:15A-73.2 et al.).

21 For the period of July 1, 2009 through June 30, 2011,
22 "contractual salary" for county and municipal employees shall
23 include across the board negotiated wage increases under a
24 collective negotiations agreement that were payable to all county or
25 all municipal employees covered by that agreement notwithstanding
26 that, by amendment to that collective negotiations agreement which
27 has been filed with the Division of Pensions and Benefits, the
28 effective date of the contractual increase has been deferred. For the
29 purpose of this paragraph, "county and municipal employees"
30 means all persons employed by a county or municipality in this
31 State.

32 (cf: P.L.2010, c.50, s.71)

33

34 19. Section 1 of P.L.1983, c.391 (C.43:16A-11.7) is amended to
35 read as follows:

36 1. For purposes of this act "veteran" means any honorably
37 discharged officer, soldier, sailor, airman, marine or nurse who
38 served in any Army, Air Force or Navy of the Allies of the United
39 States in World War I, between July 14, 1914, and November 11,
40 1918, or who served in any Army, Air Force or Navy of the Allies
41 of the United States in World War II, between September 1, 1939,
42 and September 2, 1945, and who was inducted into such service
43 through voluntary enlistment, and was a citizen of the United States
44 at the time of such enlistment, and who did not, during or by reason
45 of such service, renounce or lose United States citizenship, and any
46 officer, soldier, sailor, marine, airman, nurse or army field clerk,
47 who has served in the active military or naval service of the United
48 States and has or shall be discharged or released therefrom under

1 conditions other than dishonorable, or any discharged LGBTQ
2 veteran, as defined in section 1 of P.L. , c. (C.) (pending before
3 the Legislature as this bill), from active service in any branch of the
4 Armed Forces of the United States, in any of the following wars,
5 uprisings, insurrections, expeditions, or emergencies, and who has
6 presented to the retirement system evidence of such record of
7 service in form and content satisfactory to said retirement system:

8 (1) The Indian wars and uprisings during any of the periods
9 recognized by the War Department of the United States as periods
10 of active hostility;

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

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

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

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

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

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

24 (8) The Mexican border patrol, having actually participated in
25 engagements against Mexicans between April 12, 1911, and June
26 16, 1919;

27 (9) World War I between April 6, 1917, and November 11,
28 1918;

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

40 (11) Korean conflict on or after June 23, 1950, and on or prior
41 to January 31, 1955, who shall have served at least 90 days in such
42 active service, exclusive of any period of assignment (1) for a
43 course of education or training under the Army Specialized
44 Training Program or the Navy College Training Program which
45 course was a continuation of a civilian course and was pursued to
46 completion, or (2) as a cadet or midshipman at one of the service
47 academies, any part of which 90 days was served between said
48 dates; provided, that any person receiving an actual service-incurred

1 injury or disability shall be classed as a veteran whether or not that
2 person has completed the 90-day service as herein provided; and
3 provided further, that any member classed as a veteran pursuant to
4 this subparagraph prior to August 1, 1966, shall continue to be
5 classed as a veteran whether or not the member completed the 90-
6 day service between said dates as herein provided;

7 (12) Lebanon crisis, on or after July 1, 1958, who has served in
8 Lebanon or on board any ship actively engaged in patrolling the
9 territorial waters of that nation for a period, continuous or in the
10 aggregate, of at least 14 days commencing on or before November
11 1, 1958 or the date of termination of that conflict, as proclaimed by
12 the President of the United States or Congress, whichever date of
13 termination is the latest, in such active service; provided, that any
14 person receiving an actual service-incurred injury or disability shall
15 be classed as a veteran whether or not that person has completed the
16 14 days' service as herein provided;

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

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

44 (15) Grenada peacekeeping mission, on or after October 23,
45 1983, who has served in Grenada or on board any ship actively
46 engaged in patrolling the territorial waters of that nation for a
47 period, continuous or in the aggregate, of at least 14 days
48 commencing on or before November 21, 1983 or the date of

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

7 (16) 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 (17) Operation "Desert Shield/Desert Storm" mission in the
21 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
22 or the date of inception of that operation, as proclaimed by the
23 President of the United States or Congress, whichever date of
24 inception is earliest, who has served in the Arabian peninsula or on
25 board any ship actively engaged in patrolling the Persian Gulf for a
26 period, continuous or in the aggregate, of at least 14 days
27 commencing on or before the date of termination of that mission, as
28 proclaimed by the President of the United States or Congress,
29 whichever date of termination is the latest, in such active service;
30 provided, that any person receiving an actual service-incurred injury
31 or disability shall be classed as a veteran whether or not that person
32 has completed the 14 days' service as herein provided;

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

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

11 (20) Operations "Joint Endeavor" and "Joint Guard" in the
12 Republic of Bosnia and Herzegovina, on or after November 20,
13 1995, who served in such active service in direct support of one or
14 both of the operations for at least 14 days, continuously or in the
15 aggregate, commencing on or before June 20, 1998, and (1) was
16 deployed in that nation or in another area in the region, or (2) was
17 on board a United States naval vessel operating in the Adriatic Sea,
18 or (3) operated in airspace above the Republic of Bosnia and
19 Herzegovina; provided that any person receiving an actual service-
20 incurred injury or disability shall be classed as a veteran whether or
21 not that person completed the 14-day service requirement;

22 (21) Operation "Enduring Freedom", on or after September 11,
23 2001, who served in a theater of operation and in direct support of
24 that operation for a period, continuously or in the aggregate, of at
25 least 14 days in such active service commencing on or before the
26 date the President of the United States or the United States
27 Secretary of Defense designates as the termination date of that
28 operation; provided, that any person receiving an actual service-
29 incurred injury or disability while engaged in such service shall be
30 classed as a veteran whether or not that person has completed the 14
31 days' service as herein provided; and

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

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

48 (cf: P.L.2005, c.64, s.4)

1 20. Section 4 of P.L.2004, c.134 (C.45:19A-4) is amended to
2 read as follows:

3 4. a. A person shall not be employed as a security officer by a
4 security officer company or a company maintaining a proprietary or
5 in-house security function, or perform the functions and activities of
6 a security officer, unless that person is registered with the
7 superintendent as required in this section.

8 The requirements of this section shall not apply to:

- 9 (1) a loss prevention employee;
- 10 (2) an employee of a company whose business includes hosting
11 sporting and entertainment events at an arena or stadium where a
12 State, county, or municipal law enforcement agency is on the
13 premises during the event and whose in-house security employees
14 do not carry handguns or other licensed weapons;
- 15 (3) a security officer employed by a company maintaining a
16 proprietary or in-house security function whose in-house security
17 employees do not carry handguns or other licensed weapons; or
- 18 (4) a security employee regulated under federal law. Any
19 person who violates the provisions of this section shall be guilty of
20 a crime of the fourth degree.

21 b. An application for registration as a security officer shall be
22 filed with the superintendent on a form and in a manner prescribed
23 by the superintendent and shall set forth under oath:

- 24 (1) the applicant's full name, age, which shall be at least 18
25 years, and residence;
- 26 (2) the name and address of all employers or occupations
27 engaged in for the immediately preceding five years;
- 28 (3) that the applicant has not been convicted of any
29 disqualifying crime or offense as set forth in subsection c. of this
30 section; and
- 31 (4) such further information as the superintendent may require
32 to show the good character, competency and integrity of the
33 applicant.

34 Any person who shall knowingly make a false statement in, or
35 knowingly omit any material information from, an application as
36 required by this subsection shall be guilty of a crime of the fourth
37 degree in addition to any other crime or offense specified by law.

38 c. No person shall be issued a certificate of registration as a
39 security officer under the provisions of this section if the person has
40 been convicted, as indicated by a criminal history record
41 background check performed pursuant to the provisions of this
42 section, of: a crime of the first, second, third or fourth degree; any
43 offense involving the unlawful use, possession or sale of a
44 controlled dangerous substance as defined in N.J.S.2C:35-2; or any
45 offense where the registration of the individual would be contrary to
46 the public interest, as determined by the superintendent, except as
47 provided in subsection h. of this section. Each applicant shall
48 submit to the superintendent the applicant's fingerprints and written

1 consent for a criminal history record background check to be
2 performed. The superintendent shall compare these to fingerprints
3 on file with the State Bureau of Identification in the Division of
4 State Police and the Federal Bureau of Investigation, consistent
5 with applicable State and federal laws, rules and regulations. The
6 applicant shall bear the cost for the criminal history record
7 background check, including all costs of administering and
8 processing the check.

9 d. A person whose application has been approved by the
10 superintendent shall complete the required education and training
11 program established in section 5 of this act. Upon satisfactory
12 completion of this program, and upon the payment of a fee in an
13 amount established by the superintendent, the applicant shall be
14 entitled to and the superintendent shall issue and deliver to the
15 applicant a security officer certificate of registration.

16 e. The superintendent may revoke or suspend such certificate
17 of registration for a violation of any of the provisions of this act or
18 for other good cause. A certificate of registration shall be
19 surrendered to the superintendent within 72 hours after its term has
20 expired or after notice in writing to the holder that the certificate of
21 registration has been revoked.

22 f. The certificate of registration shall be renewed every two
23 years by an applicant for an unarmed security officer position and
24 each year by an applicant for an armed security officer position
25 upon forms prescribed by the superintendent. The applicant shall
26 pay a fee in an amount established by the superintendent by rule
27 and regulation and shall complete an eight-hour refresher course of
28 classroom instruction taught by a certified security officer
29 instructor. The certificate of registration may be renewed without
30 further investigation unless it is deemed by the superintendent that
31 the applicant no longer qualifies or verified objections to the
32 renewal are received by the superintendent prior to issuance.

33 g. The revocation or suspension of any certificate of
34 registration by the superintendent shall be subject to notice and a
35 hearing.

36 h. Notwithstanding subsection c. of this section, a veteran who
37 has been convicted of a crime of the third or fourth degree, or a
38 lesser offense involving the unlawful use, possession, or sale of a
39 controlled dangerous substance as defined in N.J.S.2C:35-2, prior to
40 service in the armed forces may be issued a certificate of
41 registration as a security officer under the provisions of this section
42 if the individual meets all other statutory requirements for
43 registration, submits documentary evidence required by the
44 superintendent demonstrating that he or she is a veteran, has not
45 been convicted of any criminal offense since enlistment and
46 acceptance in the armed forces, and the superintendent determines
47 that the registration of the individual would not be contrary to the
48 public interest.

1 For purposes of this subsection, "veteran" means any person who
2 has been honorably discharged or released under honorable
3 circumstances from active service in any branch of the **[armed**
4 **forces]** Armed Forces of the United States, or a discharged LGBTQ
5 veteran, as defined in section 1 of P.L. , c. (C.) (pending before
6 the Legislature as this bill), from active service in any branch of the
7 Armed Forces of the United States.

8 (cf: P.L.2017, c.351, s.1)

9
10 21. Section 1 of P.L.2019, c.206 (C.46:8-51) is amended to read
11 as follows:

12 1. a. A landlord, or any agent thereof, shall count a military or
13 veteran housing allowance, supported by United States Department
14 of Veterans Affairs documentation, as income for purposes of
15 determining whether a qualified prospective tenant meets any
16 minimum income qualifications to rent housing from the landlord.

17 b. As used in this section:

18 "Landlord" means any person who rents or leases or offers to
19 rent or lease, for a term of at least one month, dwelling units.

20 "Military" means the Armed Forces of the United States,
21 including the Army, Navy, Air Force, Marine Corps, and Coast
22 Guard, the National Guard and any other reserve component of the
23 armed forces, and the merchant marine when organized under the
24 federal law as a public military force.

25 "Military or veteran housing allowance" means any federal
26 housing allowance or stipend provided to a service member of the
27 military or a veteran, including, but not limited to, the basic
28 allowance for housing authorized pursuant to 37 U.S.C. s.403 and
29 the housing stipend authorized pursuant to 38 U.S.C. s.3313.

30 "Qualified prospective tenant" means any service member of the
31 military or a veteran who is receiving a military or veteran housing
32 allowance.

33 "Veteran" means a person who has served on active duty in the
34 Armed Forces of the United States and who was discharged or
35 released therefrom under conditions other than dishonorable, or a
36 discharged LGBTQ veteran, as defined in section 1 of
37 P.L. , c. (C.) (pending before the Legislature as this bill), who
38 has served on active duty in the Armed Forces of the United States.

39 (cf: P.L.2019, c.206, s.1)

40
41 22. Section 2 of P.L.2017, c.258 (C.52:27D-517) is amended to
42 read as follows:

43 2. As used in this act:

44 "Director" means the Director of the Division of Housing and
45 Community Resources in the Department of Community Affairs.

46 "Disabled" means a person who fulfills the definition of having a
47 "disability" pursuant to section 3 of the "Americans with
48 Disabilities Act of 1990," 42 U.S.C. s.12102.

1 "Division" means the Division of Housing and Community
2 Resources in the Department of Community Affairs.

3 "Eligible veteran" means a disabled or low-income veteran.

4 "Energy efficient features or equipment" means features or
5 equipment within a primary residence that help to reduce the
6 amount of electricity used to heat, cool, or ventilate the residence,
7 including but not limited to insulation, weatherstripping, air sealing,
8 repaired heating systems, or duct sealing.

9 "Family member" means a spouse, child, parent, sibling, aunt,
10 uncle, niece, nephew, first cousin, grandparent, grandchild, father-
11 in-law, mother-in-law, son-in-law, daughter-in-law, stepparent,
12 stepchild, stepbrother, stepsister, half brother, or half sister, whether
13 the individual is related by blood, marriage, or adoption.

14 "Low-income veteran" means a veteran occupying a household
15 with a gross household income equal to 50 percent or less of the
16 median gross household income for households of the same size,
17 and within the same housing region, as defined by subsection b. of
18 section 4 of P.L.1985, c.222 (C.52:27D-304).

19 "Primary residence" means a dwelling unit that is owned by the
20 eligible veteran or by a family member of the eligible veteran, and
21 occupied by the eligible veteran as his or her principal residence.

22 "Qualified organization" means a nonprofit veterans'
23 organization that qualifies as a section 501(c)(3) or 501(c)(19) tax
24 exempt organization under the Internal Revenue Code.

25 "Veteran" means any resident of the State who has been
26 honorably discharged or released under honorable circumstances
27 from active service in any branch of the **[armed forces]** Armed
28 Forces of the United States, or a discharged LGBTQ veteran, as
29 defined in section 1 of P.L. , c. (C.) (pending before the
30 Legislature as this bill), from active service in any branch of the
31 Armed Forces of the United States, and is a resident of the State, or
32 any honorably discharged member of the American Merchant
33 Marine who served during World War II and is declared by the
34 United States Department of Defense to be eligible for federal
35 veterans' benefits.

36 (cf: P.L.2017, c.258, s.2)

37

38 23. Section 2 of P.L.2011, c.147 (C.52:32-50) is amended to
39 read as follows:

40 2. As used in this act:

41 "Authority" means the New Jersey Economic Development
42 Authority.

43 "Contracting agency" means the State or any board, commission,
44 authority or agency of the State.

45 "Department" means the New Jersey Department of the Treasury.

46 "Veteran" means any citizen and resident of this State now or
47 hereafter honorably discharged or released under honorable
48 circumstances who served in any branch of the Armed Forces of the

1 United States or a Reserve component thereof for at least 90 days
2 and shall include disabled veterans, or a discharged LGBTQ
3 veteran, as defined in section 1 of P.L. , c. (C.) (pending before
4 the Legislature as this bill), and is a citizen and resident of this
5 State.

6 "Veteran-owned business" means a business that has its principal
7 place of business in the State, is independently owned and operated
8 and at least **【51%】** 51 percent of the business is owned and
9 controlled by persons who are veterans.
10 (cf: P.L.2011, c.147, s.2)

11
12 24. Section 3 of P.L.1965, c.89 (C.53:5A-3) is amended to read
13 as follows:

14 3. As used in this act:

15 a. "Aggregate contributions" means the sum of all the amounts,
16 deducted from the salary of a member or contributed by him or on
17 his behalf, standing to the credit of his individual account in the
18 Annuity Savings Fund. Interest credited on contributions to the
19 former "State Police Retirement and Benevolent Fund" shall be
20 included in a member's aggregate contributions.

21 b. "Annuity" means payments for life derived from the
22 aggregate contributions of a member.

23 c. "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, computed upon the basis of such mortality tables
26 recommended by the actuary as the board of trustees adopts and
27 regular interest.

28 d. "Beneficiary" means any person entitled to receive any
29 benefit pursuant to the provisions of this act by reason of the death
30 of a member or retirant.

31 e. "Board of trustees" or "board" means the board provided for
32 in section 30 of this act.

33 f. "Child" means a deceased member's or retirant's unmarried
34 child either (a) under the age of 18, or (b) 18 years of age or older
35 and enrolled in a secondary school, or (c) under the age of 24 and
36 enrolled in a degree program in an institution of higher education
37 for at least 12 credit hours in each semester, provided that the
38 member died in active service as a result of an accident met in the
39 actual performance of duty at some definite time and place, and the
40 death was not the result of the member's willful misconduct, or (d)
41 of any age who, at the time of the member's or retirant's death, is
42 disabled because of an intellectual disability or physical incapacity,
43 is unable to do any substantial, gainful work because of the
44 impairment and his impairment has lasted or can be expected to last
45 for a continuous period of not less than 12 months, as affirmed by
46 the medical board.

- 1 g. "Creditable service" means service rendered for which credit
2 is allowed on the basis of contributions made by the member or the
3 State.
- 4 h. "Parent" means the parent of a member who was receiving at
5 least one-half of his support from the member in the 12-month
6 period immediately preceding the member's death or the accident
7 which was the direct cause of the member's death. The dependency
8 of such a parent will be considered terminated by marriage of the
9 parent subsequent to the death of the member.
- 10 i. (1) "Final compensation" means the average compensation
11 received by the member in the last 12 months of creditable service
12 preceding his retirement or death. Such term includes the value of
13 the member's maintenance allowance for this same period.
- 14 (2) In the case of a person who becomes a member of the
15 retirement system on or after the effective date of P.L.2010, c.1,
16 "final compensation" means the average annual compensation for
17 service for which contributions are made during any three fiscal
18 years of membership providing the largest possible benefit to the
19 member or the member's beneficiary. Such term includes the value
20 of the member's maintenance allowance for this same period.
- 21 j. (1) "Final salary" means the average salary received by the
22 member in the last 12 months of creditable service preceding his
23 retirement or death. Such term shall not include the value of the
24 member's maintenance allowance.
- 25 (2) In the case of a person who becomes a member of the
26 retirement system on or after the effective date of P.L.2010, c.1,
27 "final salary" means the average annual salary for service for which
28 contributions are made during any three fiscal years of membership
29 providing the largest possible benefit to the member or the
30 member's beneficiary. Such term shall not include the value of the
31 member's maintenance allowance.
- 32 k. "Fiscal year" means any year commencing with July 1 and
33 ending with June 30 next following.
- 34 l. "Medical board" means the board of physicians provided for
35 in section 30 of this act.
- 36 m. "Member" means any full-time, commissioned officer, non-
37 commissioned officer or trooper of the Division of State Police of
38 the Department of Law and Public Safety of the State of New Jersey
39 enrolled in the retirement system established by this act.
- 40 n. "Pension" means payment for life derived from contributions
41 by the State.
- 42 o. "Pension reserve" means the present value of all payments to
43 be made on account of any pension or benefit in lieu of any pension
44 computed on the basis of such mortality tables recommended by the
45 actuary as shall be adopted by the board of trustees and regular
46 interest.
- 47 p. "Regular interest" means interest as determined by the State
48 Treasurer, after consultation with the Directors of the Divisions of

1 Investment and Pensions, the board of trustees and the actuary. It
2 shall bear a reasonable relationship to the percentage rate of
3 earnings on investments based on the market value of the assets but
4 shall not exceed the assumed percentage rate of increase applied to
5 salaries plus **【3%】** three percent, provided however that the board
6 of trustees shall not set the average percentage rate of increase
7 applied to salaries below **【6%】** six percent.

8 q. "Retirant" means any former member receiving a retirement
9 allowance as provided by this act.

10 r. "Retirement allowance" means the pension plus the annuity.

11 s. "State Police Retirement System of New Jersey," herein also
12 referred to as the "retirement system" or "system," is the corporate
13 name of the arrangement for the payment of retirement allowances
14 and of the benefits under the provisions of this act including the
15 several funds placed under said system. By that name, all of its
16 business shall be transacted, its funds invested, warrants for moneys
17 drawn, and payments made and all of its cash and securities and
18 other property held. All assets held in the name of the former
19 "State Police Retirement and Benevolent Fund" shall be transferred
20 to the retirement system established by this act.

21 t. "Surviving spouse" means the person to whom a member or
22 a retirant was married, or a domestic partner as defined in section 3
23 of P.L.2003, c.246 (C.26:8A-3), on the date of the death of the
24 member or retirant. The dependency of such a surviving spouse will
25 be considered terminated by the marriage of, or establishment of a
26 domestic partnership by, the surviving spouse subsequent to the
27 member's or the retirant's death, except that in the event of the
28 payment of accidental death benefits, pursuant to section 14 of
29 P.L.1965, c.89 (C.53:5A-14), the dependency of such a surviving
30 spouse or domestic partner will not be considered terminated by the
31 marriage of, or establishment of a domestic partnership by, the
32 surviving spouse subsequent to the member's death.

33 u. (1) "Compensation" for purposes of computing pension
34 contributions means the base salary, for services as a member as
35 defined in this act, which is in accordance with established salary
36 policies of the State for all employees in the same position but shall
37 not include individual salary adjustments which are granted
38 primarily in anticipation of the member's retirement or additional
39 remuneration for performing temporary duties beyond the regular
40 workday or shift.

41 (2) In the case of a person who becomes a member of the
42 retirement system on or after the effective date of P.L.2010, c.1,
43 "compensation" means the amount of base salary equivalent to the
44 annual maximum wage contribution base for Social Security,
45 pursuant to the Federal Insurance Contributions Act, for services as
46 a member as defined in this act, which is in accordance with
47 established salary policies of the State for all employees in the same
48 position but shall not include individual salary adjustments which

1 are granted primarily in anticipation of the member's retirement or
2 additional remuneration for performing temporary duties beyond
3 the regular workday or shift.

4 v. "Veteran" means any person who has served in the United
5 States Armed Forces and has or shall be discharged or released
6 therefrom under conditions other than dishonorable, or a discharged
7 LGBTQ veteran, as defined in section 1 of P.L. _____, c. (C. _____)
8 (pending before the Legislature as this bill), in any of the following
9 wars or emergencies, and who has presented to the retirement
10 system evidence of such record of service in form and content
11 satisfactory to the retirement system:

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

28 (2) Lebanon peacekeeping mission, on or after September 26,
29 1982, who has served in Lebanon or on board any ship actively
30 engaged in patrolling the territorial waters of that nation for a
31 period, continuous or in the aggregate, of at least 14 days
32 commencing on or before December 1, 1987 or the date of
33 termination of that mission, as proclaimed by the President of the
34 United States or Congress, whichever date of termination is the
35 latest, in such active service; provided, that any person receiving an
36 actual service-incurred injury or disability shall be classed as a
37 veteran whether or not that person has completed the 14 days'
38 service as herein provided;

39 (3) Grenada peacekeeping mission, on or after October 23,
40 1983, who has served in Grenada 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 November 21, 1983 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 (4) Panama peacekeeping mission, on or after December 20,
4 1989 or the date of inception of that mission, as proclaimed by the
5 President of the United States or Congress, whichever date of
6 inception is earliest, who has served in Panama or on board any ship
7 actively engaged in patrolling the territorial waters of that nation for
8 a period, continuous or in the aggregate, of at least 14 days
9 commencing on or before January 31, 1990 or the date of
10 termination of that mission, as proclaimed by the President of the
11 United States or Congress, whichever date of termination is the
12 latest, in such active service; provided, that any person receiving an
13 actual service-incurred injury or disability shall be classed as a
14 veteran whether or not that person has completed the 14 days'
15 service as herein provided;

16 (5) Operation "Desert Shield/Desert Storm" mission in the
17 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
18 or the date of inception of that operation, as proclaimed by the
19 President of the United States or Congress, whichever date of
20 inception is earliest, who has served in the Arabian peninsula or on
21 board any ship actively engaged in patrolling the Persian Gulf for a
22 period, continuous or in the aggregate, of at least 14 days
23 commencing on or before the date of termination of that mission, as
24 proclaimed by the President of the United States or Congress,
25 whichever date of termination is the latest, in such active service;
26 provided, that any person receiving an actual service-incurred injury
27 or disability shall be classed as a veteran whether or not that person
28 has completed the 14 days' service as herein provided;

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

44 (7) Operation "Restore Hope" in Somalia, on or after December
45 5, 1992, or the date of inception of that operation as proclaimed by
46 the President of the United States or Congress, whichever date is
47 earliest, who has served in Somalia or on board any ship actively
48 engaged in patrolling the territorial waters of that nation for a

1 period, continuously or in the aggregate, of at least 14 days in such
2 active service commencing on or before March 31, 1994; provided
3 that any person receiving an actual service-incurred injury or
4 disability shall be classed as a veteran whether or not that person
5 has completed the 14-day service as herein provided;

6 (8) Operations "Joint Endeavor" and "Joint Guard" in the
7 Republic of Bosnia and Herzegovina, on or after November 20,
8 1995, who served in such active service in direct support of one or
9 both of the operations for at least 14 days, continuously or in the
10 aggregate, commencing on or before June 20, 1998, and (1) was
11 deployed in that nation or in another area in the region, or (2) was
12 on board a United States naval vessel operating in the Adriatic Sea,
13 or (3) operated in airspace above the Republic of Bosnia and
14 Herzegovina; provided that any person receiving an actual service-
15 incurred injury or disability shall be classed as a veteran whether or
16 not that person completed the 14-day service requirement;

17 (9) Operation "Enduring Freedom", on or after September 11,
18 2001, who served in a theater of operation and 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; and

27 (10) Operation "Iraqi Freedom", on or after the date the
28 President of the United States or the United States Secretary of
29 Defense designates as the inception date of that operation, who
30 served in Iraq or in another area in the region 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.

39 (cf: P.L.2016, c.26, s.1)

40

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

43 1. (a) "Active service in time of war" means active service by
44 a person, while in the United States Armed Forces, at some time
45 during one of the following periods:

46 Operation "Iraqi Freedom", on or after the date the President of
47 the United States or the United States Secretary of Defense
48 designates as the inception date of that operation, who served in

1 Iraq or in another area in the region in direct support of that
2 operation for a period, continuously or in the aggregate, of at least
3 14 days in such active service commencing on or before the date the
4 President of the United States or the United States Secretary of
5 Defense designates as the termination date of that operation;
6 provided, that any person receiving an actual service-incurred injury
7 or disability while engaged in such service shall be classed as a
8 veteran whether or not that person has completed the 14 days'
9 service as herein provided;

10 The period of rescue and recovery of the victims of the terrorist
11 attack on the World Trade Center in New York, New York, on
12 September 11, 2001, who served on the pile of rubble that resulted
13 from the attacks on the World Trade Center in direct support of that
14 rescue and recovery effort for a period, continuously or in the
15 aggregate, of at least 14 days in such active service commencing on
16 September 11, 2001 and ending on May 30, 2002; provided, that
17 any person receiving an actual service-incurred injury or disability
18 while engaged in such service shall be classed as a veteran whether
19 or not that person has completed the 14 days' service as herein
20 provided;

21 Operation "Enduring Freedom", on or after September 11, 2001,
22 who served in a theater of operation and in direct support of that
23 operation for a period, continuously or in the aggregate, of at least
24 14 days in such active service commencing on or before the date the
25 President of the United States or the United States Secretary of
26 Defense designates as the termination date of that operation;
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 Operation "Restore Hope" in Somalia, on or after December 5,
32 1992, or the date of inception of that operation as proclaimed by the
33 President of the United States or Congress, whichever date is
34 earliest, who has served in Somalia or on board any ship actively
35 engaged in patrolling the territorial waters of that nation for a
36 period, continuously or in the aggregate, of at least 14 days in such
37 active service commencing on or before March 31, 1994; provided
38 that any person receiving an actual service-incurred injury or
39 disability shall be classed as a veteran whether or not that person
40 has completed the 14-day service as herein provided;

41 Operations "Joint Endeavor" and "Joint Guard" in the Republic
42 of Bosnia and Herzegovina, on or after November 20, 1995, who
43 served in such active service in direct support of one or both of the
44 operations for at least 14 days, continuously or in the aggregate,
45 commencing on or before June 20, 1998, and (1) was deployed in
46 that nation or in another area in the region, or (2) was on board a
47 United States naval vessel operating in the Adriatic Sea, or (3)
48 operated in airspace above the Republic of Bosnia and

1 Herzegovina; provided that any person receiving an actual service-
2 incurred injury or disability shall be classed as a veteran whether or
3 not that person completed the 14-day service requirement;

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

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

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

44 The Grenada peacekeeping mission, on or after October 23,
45 1983, who has served in Grenada or on board any ship actively
46 engaged in patrolling the territorial waters of that nation for a
47 period, continuous or in the aggregate, of at least 14 days
48 commencing on or before November 21, 1983 or the date of

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

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

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

19 The Lebanon crisis, on or after July 1, 1958, who has served in
20 Lebanon or on board any ship actively engaged in patrolling the
21 territorial waters of that nation for a period, continuous or in the
22 aggregate, of at least 14 days commencing on or before November
23 1, 1958 or the date of termination of that conflict, as proclaimed by
24 the President of the United States or Congress, whichever date of
25 termination is the latest, in such active service; provided, that any
26 person receiving an actual service-incurred injury or disability shall
27 be classed as a veteran whether or not that person has completed the
28 14 days' service as herein provided;

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

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

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

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

35 Civil War, April 15, 1861 to May 26, 1865; or, as to any
36 subsequent war, during the period from the date of declaration of
37 war to the date on which actual hostilities shall cease.

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

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

44 (d) "Honorably discharged or released under honorable
45 circumstances from active service in time of war," means and
46 includes every form of separation from active, full-time duty with
47 military or naval pay and allowances in some branch of the Armed
48 Forces of the United States in time of war, other than those marked

1 "dishonorable," "undesirable," "bad conduct," "by sentence of
2 general court martial," "by sentence of summary court martial" or
3 similar expression indicating that the discharge or release was not
4 under honorable circumstances. A disenrollment certificate or other
5 form of release terminating temporary service in a military or naval
6 branch of the armed forces rendered on a voluntary and part-time
7 basis without pay, or a release from or deferment of induction into
8 the active military or naval service shall not be deemed to be
9 included in the aforementioned phrase.

10 (e) "Pre-tax year" means the particular calendar year
11 immediately preceding the "tax year."

12 (f) "Resident" means one legally domiciled within the State of
13 New Jersey. Mere seasonal or temporary residence within the State,
14 of whatever duration, shall not constitute domicile within the State
15 for the purposes of this act. Absence from this State for a period of
16 12 months shall be prima facie evidence of abandonment of
17 domicile in this State. The burden of establishing legal domicile
18 within the State shall be upon the claimant.

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

21 (h) "Veteran" means any citizen and resident of this State
22 honorably discharged or released under honorable circumstances, or
23 a discharged LGBTQ veteran, as defined in section 1 of
24 P.L. , c. (C.) (pending before the Legislature as this bill), and is
25 a citizen and resident of this State, from active service in time of
26 war in any branch of the Armed Forces of the United States.

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

29 (j) "Surviving spouse" means the surviving wife or husband of
30 any of the following, while he or she is a resident of this State,
31 during widowhood or widowerhood:

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

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

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

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

7 (m) "Continuing care retirement community" means a residential
8 facility primarily for retired persons where lodging and nursing,
9 medical or other health related services at the same or another
10 location are provided as continuing care to a resident of the facility
11 pursuant to an agreement effective for the life of the resident and in
12 consideration of the payment of an entrance fee with or without
13 other periodic charges, which agreement requires the individual to
14 bear a share of the property taxes that are assessed upon the
15 continuing care retirement community, if a share is attributable to
16 the unit that the resident occupies.

17 (cf: P.L.2019, c.203, s.1)

18

19 26. This act shall take effect immediately.

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21

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STATEMENT

23

24 This bill updates the definition of veteran in various statutes to
25 include discharged LGBTQ veterans. This bill also requires the
26 Department of Military and Veterans' Affairs (DMVA) to develop a
27 review process for discharged LGBTQ veterans concerning lost
28 benefits.

29 An estimated 100,000 LGBTQ veterans were discharged from
30 the military under less than honorable conditions from the start of
31 World War II until the 2011 repeal of the military's 1993 "Don't
32 Ask, Don't Tell" policy. Transgender veterans continued to be
33 banned and discharged from service until the June 2016 Directive-
34 Type Memorandum-16-005, issued by then-Secretary of Defense
35 Ashton Carter, which was subsequently reversed by the March 2019
36 Directive-Type Memorandum-19-004, issued by Deputy Secretary
37 of Defense David Norquist. These veterans lost their right to both
38 state and federal benefits by being discharged under less than
39 honorable conditions.

40 This bill adds a definition of "discharged LGBTQ veteran" to
41 various statutory definitions of "veteran." "Discharged LGBTQ
42 veteran" means a veteran who was discharged less than honorably
43 from military or naval service due to their sexual orientation or
44 gender identity or expression, or statements, consensual sexual
45 conduct, or consensual acts relating to sexual orientation or gender
46 identity or expression, or the disclosure of such statements, conduct,

1 or acts that were prohibited by the Armed Forces of the United
2 States at the time of discharge. The added definition, along with the
3 addition of a DMVA review process for discharged LGBTQ
4 veterans, will restore State benefits for those veterans.