

SENATE, No. 3604

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED APRIL 19, 2021

Sponsored by:

Senator CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

SYNOPSIS

Permits municipalities to charge reduced or no beach fee for children ages 12 to 17; revises law concerning beach fees for veterans.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning reduced beach fees and amending P.L.1955,
2 c.49.

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

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

9 1. a. The governing body of any municipality bordering on the
10 Atlantic Ocean, tidal water bays or rivers which owns or shall
11 acquire, by any deed of dedication or otherwise, lands bordering on
12 the ocean, tidal water bays or rivers, or easement rights therein, for
13 a place of resort for public health and recreation and for other
14 public purposes shall have the exclusive control, government and
15 care thereof and of any boardwalk, bathing and recreational
16 facilities, safeguards and equipment, now or hereafter constructed
17 or provided thereon, and may, by ordinance, make and enforce rules
18 and regulations for the government and policing of such lands,
19 boardwalk, bathing facilities, safeguards and equipment; provided,
20 that such power of control, government, care and policing shall not
21 be construed in any manner to exclude or interfere with the
22 operation of any State law or authority with respect to such lands,
23 property and facilities. Any such municipality may, in order to
24 provide funds to improve, maintain and police the same and to
25 protect the same from erosion, encroachment and damage by sea or
26 otherwise, and to provide facilities and safeguards for public
27 bathing and recreation, including the employment of lifeguards, by
28 ordinance, make and enforce rules and regulations for the
29 government, use, maintenance and policing thereof and provide for
30 the charging and collecting of reasonable fees for the registration of
31 persons using said lands and bathing facilities, for access to the
32 beach and bathing and recreational grounds so provided and for the
33 use of the bathing and recreational facilities, but no such fees shall
34 be charged or collected from children under the age of 12 years.

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

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

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

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

44 (4) persons who are active members of the New Jersey National
45 Guard who have completed Initial Active Duty Training and to their
46 spouse or dependent children over the age of 12 years. As used in

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 this paragraph, "Initial Active Duty Training" means Basic Military
2 Training, for members of the New Jersey Air National Guard, and
3 Basic Combat Training and Advanced Individual Training, for
4 members of the New Jersey Army National Guard;

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

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

17 (7) children between the ages of 12 and 17 years .

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

23 d. A person who qualifies for free access to beaches and
24 bathing and recreational grounds and free use of bathing and
25 recreational facilities pursuant to paragraph (3), (4), (5), or (6) of
26 subsection b. of this section may, in lieu of obtaining and presenting
27 a municipal beach tag or similar admission pass to gain such access
28 and use, present a DD-214, DD-215, or DD-256 form as issued by
29 the federal government, NGB-22 or other approved separation
30 forms as outlined by all branches of the Armed Forces, a county-
31 issued veteran identification card pursuant to P.L.2012, c.30
32 (40A:9-78.1 et seq.), a veteran identification card as issued by the
33 United States Department of Veterans Affairs under the "Veterans
34 Identification Card Act of 2015," (38 U.S.C. 5706,) or similar
35 document, or State driver's license or identification card indicating
36 that the holder is a veteran of the Armed Forces of the United States
37 or a Gold Star Family member.

38 e. A municipality that issues a permit to operate a motorized
39 vehicle on a beach shall not charge a disabled veteran a fee to
40 obtain, replace, or renew the permit.

41 For purposes of this section, "disabled veteran" means any
42 resident of the State who has been honorably discharged or released
43 under honorable circumstances from active service in any branch of
44 the Armed Forces of the United States and who has been declared
45 by the United States Department of Veterans Affairs, or its
46 successor, to have a service-connected disability of any degree.

47 (cf: P.L.2019, c.500, s.7)

1 2. This act shall take effect immediately.

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STATEMENT

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6 This bill would allow a municipality, by ordinance, to charge no
7 fee or a reduced beach fee to children between the ages of 12 and
8 17. This bill would also provide that a municipality, by ordinance,
9 may charge no fee or a reduced beach fee to honorably discharged
10 veterans, regardless of length of active duty or disability.

11 Under current law, a municipality, by ordinance, may charge no
12 fee or a reduced fee to: (1) persons 65 or more years of age; (2)
13 persons who meet the disability criteria for disability benefits under
14 Title II of the federal Social Security Act; (3) persons in active
15 military service in any of the Armed Forces of the United States and
16 their spouse and dependent children over the age of 12 years; (4)
17 persons who are active members of the New Jersey National Guard
18 who have completed Initial Active Duty Training and their spouse
19 and dependent children over the age of 12 years; (5) persons who
20 have served in any of the Armed Forces of the United States and
21 who were discharged or released therefrom under conditions other
22 than dishonorable and who either have served at least 90 days in
23 active duty or have been discharged or released from active duty by
24 reason of a service-incurred injury or disability; and (6) persons
25 holding a driver's license or identification card with a Gold Star
26 Family designation.

27 This bill would expand the list of individuals who could receive
28 no fee or a reduced beach fee to children between the ages of 12
29 and 17. In addition, the bill would delete language in current law
30 limiting the exemption and reduced fee to veterans who have either
31 served at least 90 days in active duty or have been discharged or
32 released from active duty by reason of a service-incurred injury or
33 disability.