

# SENATE, No. 894

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JANUARY 27, 2022

**Sponsored by:**

**Senator JAMES W. HOLZAPFEL**

**District 10 (Ocean)**

**Co-Sponsored by:**

**Senators Diegnan and Connors**

**SYNOPSIS**

Allows shore municipalities to provide spouse and dependent children of veterans free or reduced cost access to beaches.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/28/2022)**

S894 HOLZAPFEL

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1 AN ACT permitting shore municipalities to provide free or reduced  
2 cost access to the spouse and dependent children of veterans and  
3 amending P.L.1955, c.49.

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

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

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

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

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

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

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

**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 (4) persons who are active members of the New Jersey National  
2 Guard who have completed Initial Active Duty Training and to their  
3 spouse or dependent children over the age of 12 years. As used in  
4 this paragraph, "Initial Active Duty Training" means Basic Military  
5 Training, for members of the New Jersey Air National Guard, and  
6 Basic Combat Training and Advanced Individual Training, for  
7 members of the New Jersey Army National Guard;

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

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

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

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

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

44 For purposes of this section, "disabled veteran" means any  
45 resident of the State who has been honorably discharged or released  
46 under honorable circumstances from active service in any branch of  
47 the Armed Forces of the United States and who has been declared

1 by the United States Department of Veterans Affairs, or its  
2 successor, to have a service-connected disability of any degree.

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

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5 2. This act shall take effect immediately.

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STATEMENT

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10 This bill would permit shore municipalities, by ordinance, to  
11 provide free or reduced fee beach access to the spouse and  
12 dependent children, over the age of 12 years, of veterans who have  
13 served in any of the Armed Forces of the United States and who  
14 were discharged or released therefrom under conditions other than  
15 dishonorable and who either served at least 90 days in active duty  
16 or were discharged or released from active duty by reason of a  
17 service-incurred injury or disability.

18 Current law permits municipalities, by ordinance, to provide free  
19 or reduced fee beach access to the spouse or dependent children,  
20 over the age of 12 years, of persons who are in active military  
21 service in any of the Armed Forces of the United States or who are  
22 active members of the New Jersey National Guard and who have  
23 completed Initial Active Duty Training. This bill would authorize  
24 municipalities to provide the same benefit to the spouse and  
25 dependent children of qualifying veterans.