

P.L. 2018, CHAPTER 63, *approved July 3, 2018*
Senate, No. 1207

1 AN ACT concerning health care benefits coverage for certain
2 retirees of the State Police Retirement System and their
3 dependents, and amending P.L.1965, c.89.

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

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8 1. Section 8 of P.L.1965, c.89 (C.53:5A-8) is amended to read as
9 follows:

10 8. a. The Legislature finds and declares that the public health,
11 safety and welfare require the ongoing health and fitness of all
12 members of the New Jersey State Police so that they may safely and
13 efficiently protect the public. The Legislature further finds and
14 declares that such continued health and fitness cannot be determined
15 except with reference to age, and therefore finds and concludes that
16 retirement of all members of the State Police at age 55, except as
17 provided for in subsection c. of this section, shall constitute a bona fide
18 occupational qualification which is reasonably necessary to the normal
19 operation of the State Police, which qualification the Legislature
20 hereby promulgates and establishes.

21 b. Any member of the retirement system may retire on a service
22 retirement allowance upon the completion of at least 20 years of
23 creditable service as a State policeman, which includes the creditable
24 service of those members appointed to the Division of State Police
25 under section 3 of P.L.1983, c.403 (C.39:2-9.3) and the creditable
26 service of those members appointed to the Division of State Police
27 under section 1 of P.L.1997, c.19 (C.53:1-8.2). Upon the filing of a
28 written and duly executed application with the retirement system,
29 setting forth at what time, not less than one month subsequent to the
30 filing thereof, he desires to be retired, any such member retiring for
31 service shall receive a service retirement allowance which shall consist
32 of:

33 (1) An annuity which shall be the actuarial equivalent of his
34 aggregate contributions; and

35 (2) A pension in the amount which, when added to the member's
36 annuity, will provide a total retirement allowance of 50% of his final
37 compensation.

38 c. Except for the Superintendent of State Police, any member of
39 the retirement system, including a member appointed to the State
40 Police under section 3 of P.L.1983, c.403 (C.39:2-9.3) and a member

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 appointed to the State Police under section 1 of P.L.1997, c.19
2 (C.53:1-8.2), who has attained the age of 55 years, shall be retired
3 forthwith on the first day of the next calendar month following the
4 effective date of this 1985 amendatory act. Any member of the
5 retirement system so retired shall receive a service retirement
6 allowance pursuant to this section or section 27 of P.L.1965, c.89
7 (C.53:5A-27), as appropriate.

8 d. Any member of the retirement system who is required to retire
9 pursuant to subsection c. of this section and who has more than 20 but
10 fewer than 25 years of creditable service at the time of retirement shall
11 be entitled to continued health benefits coverage during retirement as
12 provided in the "New Jersey State Health Benefits Program Act,"
13 P.L.1961, c.49 (C.52:14-17.25 et seq.). Notwithstanding the
14 provisions of section 8 of P.L.1961, c.49 (C.52:14-17.32) , or any
15 other law enacted prior to the effective date of P.L. , c. (pending
16 before the Legislature as this bill) requiring persons who have retired
17 from public employment to make contributions toward the cost of
18 health care benefits coverage in retirement, to the contrary, the State
19 shall pay in full the premium or periodic charge for the benefits
20 provided under this subsection to a member retiring under subsection
21 c. of this section with fewer than 25 years of service credited in the
22 retirement system, and the member's dependents covered under the
23 program, but not including survivors. This provision shall be the sole
24 provision applicable to these specified members of the retirement
25 system with regard to the obligations of the State for the payment of
26 premiums and periodic charges and any contributions toward the cost
27 of health care benefits coverage during retirement for a retired member
28 and the member's dependents.

29 e. Any member of the retirement system as of the effective date
30 of P.L.1985, c.175 who is required to retire pursuant to subsection c.
31 of this section shall be entitled to the retirement allowance provided
32 for by subsection b. of this section, notwithstanding that the member
33 shall have fewer than 20 years' creditable service.

34 f. Any member of the retirement system as of the effective date
35 of P.L.1985, c.175 who is required to retire pursuant to subsection c.
36 of this section and who has more than 20 but less than 25 years of
37 creditable service at the time of retirement shall be entitled to the
38 retirement allowance provided for by subsection b. of this section plus
39 3% of his final compensation multiplied by the number of years of
40 creditable service over 20 but not over 25.

41 g. Upon the receipt of proper proofs of the death of a member
42 who has retired on a service retirement allowance, there shall be paid
43 to the member's beneficiary an amount equal to one-half of the final
44 compensation received by the member.

45 (cf: P.L.2001, c.316, s.1)

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47 2. The provisions of subsection d. of section 8 of P.L.1965, c.89
48 (C.53:5A-8), as amended by P.L. , c. (pending before the

1 Legislature as this bill), shall apply to each eligible retiree of the State
2 Police Retirement System who had more than 20 but fewer than 25
3 years of service credit as of the date of retirement and who retired
4 within 24 months before the effective date of P.L. , c. (pending
5 before the Legislature as this bill). The State Health Benefits Program
6 shall reimburse each eligible retiree of the State Police Retirement
7 System for whom the provisions of subsection d. of section 8 of
8 P.L.1965, c.89 (C.53:5A-8), as amended by P.L. , c. (pending
9 before the Legislature as this bill), have been made applicable pursuant
10 to this section the total amount of contributions made by the eligible
11 retiree for the cost of health care benefits coverage for the retiree and
12 the retiree's dependents during the 24 months prior to the effective
13 date of P.L. , c. (pending before the Legislature as this bill). The
14 reimbursement shall be made within 30 days following that effective
15 date.

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17 3. This act shall take effect immediately.

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STATEMENT

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22 This bill provides that any member of the State Police
23 Retirement System who is required to retire at the mandatory age of
24 55 and who has at least 20 but less than 25 years of service credit in
25 the retirement system will receive health care benefits coverage
26 through the State Health Benefits Program for the member and the
27 member's dependents that is paid in full by the State. The retiree
28 shall not be required to make any contribution for the cost of the
29 coverage.

30 The bill will apply retroactively to each eligible retiree of the
31 State Police Retirement System who had at least 20 but less than 25
32 years of service on the date of mandatory retirement that occurred
33 with 24 months prior to the effective date of this bill. Retirees who
34 made contributions for the cost of health care benefits coverage
35 within 24 months before the bill's effective date will have those
36 contributions reimbursed by the State Health Benefits Program.

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42 Requires State to pay full cost of health care benefits coverage in
43 retirement for SPRS members who retire at mandatory retirement
age of 55 with more than 20 but less than 25 years of service.