

ASSEMBLY, No. 46

STATE OF NEW JERSEY

INTRODUCED JANUARY 17, 1955

By Mr. DEL TUFO

(Without Reference)

AN ACT concerning age as a bar to eligibility for pension funds, and amending  
section 43:1-1 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*  
2 *Jersey:*

1 1. Section 43:1-1 of the Revised Statutes is amended to read as fol-  
2 lows:

3 43:1-1. **[Except as otherwise provided by sections 43:10-1 and 43:14-2.3**  
4 **of this title, any]** *Any person of the age of 40 years or over, who accepts any*  
5 *employment in the State or any county or municipality thereof shall not be*  
6 *eligible to join any pension fund maintained by the State or any county or*  
7 *municipality thereof, except that such person may join the pension fund es-*  
8 *tablished pursuant to the "Public Employees' Retirement-Social Security*  
9 *Integration Act," approved June 28, 1954 (P. L. 1954, c. 84), the pension fund*  
10 *established pursuant to "An act to provide for the creation, setting apart,*  
11 *maintenance and administration of a city employees' retirement system in*  
12 *cities of the first class having, at the time of the enactment of this act, a popu-*  
13 *lation in excess of 400,000 inhabitants; and merging and superseding the pro-*  
14 *visions of pension funds established pursuant to article 2 of chapter 13, chap-*  
15 *ters 18 and 19, of Title 43 of the Revised Statutes, in said cities," approved*  
16 *November 22, 1954 (P. L. 1954, c. 218), the pension fund created pursuant to*

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted  
and is intended to be omitted in the law.

17 *"An act to provide for the creation, setting apart, maintenance and admin-*  
18 *istration of a county employees' pension fund in counties having a population*  
19 *exceeding 800,000 inhabitants."* approved April 8, 1943 (P. L. 1943, c. 160)  
20 *or any pension fund established pursuant to article 1 of chapter 10 of Title*  
21 *43 of the Revised Statutes.*

22 This section shall not apply to "teachers" as defined in section 18:13-25  
23 of the Title Education, nor to any person eligible to membership in the Teach-  
24 ers' Pension and Annuity Fund.

1 2. This act shall take effect immediately.

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#### STATEMENT

The purpose of this bill is to clarify that the general statute barring new employees over 40 from membership in any pension system supported by the State or any county or municipality is not applicable to the new Public Employees' Retirement System or to the Consolidated Newark Pension Fund.