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CL/JA

P.L. 2023, CHAPTER 151, *approved August 28, 2023*
Assembly, No. 5275 (*First Reprint*)

1 AN ACT concerning municipal fire department chaplains and
2 amending P.L.1971, c.197.
3

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

7 1. Section 1 of P.L.1971, c.197 (C.40A:14-24) is amended to read
8 as follows:

9 1. a. The governing body of any municipality, by ordinance, may
10 provide for the appointment of one or more chaplains to the paid or
11 part-paid fire department and force of the municipality. Any person so
12 appointed to qualify shall be an ordained clergyman in good standing
13 in the religious body from which **[he]** the person is selected. The
14 chaplains shall become members of the municipal paid or part-paid
15 fire department and force with the rank of battalion chief. Their
16 salaries shall be fixed by the governing body of the municipality and
17 payable in the same manner as in the case of the other paid members
18 of the fire department and force.

19 b. A municipal fire department and force chaplain employed on
20 the effective date of P.L. c. (C.) (pending before the
21 Legislature as this bill) shall not be dismissed or reduced in
22 compensation except for ¹**[inefficiency]** reasons of economy or
23 efficiency¹, incapacity, or conduct unbecoming such a chaplain or
24 other just cause as determined by the municipal governing body.

25 c. A municipal fire department and force chaplain initially
26 appointed after the effective date of P.L. , c. (C.) (pending
27 before the Legislature as this bill), shall become a member of the
28 municipal paid or part-paid fire department and force with or without
29 the rank and salary as specified in the ordinance. A chaplain's rank,
30 salary, and benefits, if any, shall be determined by the governing body
31 of the municipality.

32 (cf: P.L.1971, c.197, s.1)
33

34 2. This act shall take effect immediately.
35
36
37

38
39 _____
40 Allows municipality to determine if newly appointed individual
41 serving as municipal fire department chaplain will hold rank and
receive salary and 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

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SCU committee amendments adopted June 1, 2023.

ASSEMBLY, No. 5275

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED FEBRUARY 28, 2023

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblyman REGINALD W. ATKINS

District 20 (Union)

Co-Sponsored by:

Assemblyman DeAngelo

SYNOPSIS

Allows municipality to determine if newly appointed individual serving as municipal fire department chaplain will hold rank and receive salary and benefits.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/18/2023)

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14 selected. The chaplains shall become members of the municipal
15 paid or part-paid fire department and force with the rank of
16 battalion chief. Their salaries shall be fixed by the governing body
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24 the municipal governing body.

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27 before the Legislature as this bill), shall become a member of the
28 municipal paid or part-paid fire department and force with or
29 without the rank and salary as specified in the ordinance. A
30 chaplain's rank, salary, and benefits, if any, shall be determined by
31 the governing body of the municipality.

32 (cf: P.L.1971, c.197, s.1)

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34 2. This act shall take effect immediately.

35

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37

STATEMENT

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39 P.L.1971, c.197 provides that any person appointed by a
40 municipal governing body to serve as a chaplain to the paid or part-
41 paid municipal fire department and force will hold the rank of
42 battalion chief and will have their salary determined by the
43 municipal governing body. This bill amends that law to provide
44 that an individual initially appointed as chaplain, after the bill's
45 effective date, may hold the position without a requirement of

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

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A5275 BENSON, ATKINS

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1 salary or rank, and specifies that the governing body of the
2 municipality may determine if a chaplain will hold rank and receive
3 a salary and benefits. The bill also provides that the services of all
4 municipal fire department and force chaplains appointed and
5 employed on the bill's effective date cannot be dismissed or
6 reduced in compensation except for inefficiency, incapacity, or
7 conduct unbecoming such a chaplain or other just cause as
8 determined by the municipal governing body.

ASSEMBLY STATE AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5275

STATE OF NEW JERSEY

DATED: MAY 11, 2023

The Assembly State and Local Government Committee reports favorably Assembly Bill No. 5275.

P.L.1971, c.197 (C.40A:14-24) provides that any person appointed by a municipal governing body to serve as a chaplain to the paid or part-paid municipal fire department and force will hold the rank of battalion chief and will have their salary determined by the municipal governing body. This bill amends that law to provide that an individual initially appointed as chaplain, after the bill's effective date, may hold the position without a requirement of salary or rank, and specifies that the governing body of the municipality may determine if a chaplain will hold rank and receive a salary and benefits. The bill also provides that the services of all municipal fire department and force chaplains appointed and employed on the bill's effective date cannot be dismissed or reduced in compensation except for inefficiency, incapacity, or conduct unbecoming such a chaplain or other just cause as determined by the municipal governing body.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5275

STATE OF NEW JERSEY

DATED: JUNE 1, 2023

The Senate Community and Urban Affairs Committee reports favorably and with committee amendments Assembly Bill No. 5275.

This bill, as amended, amends existing law to provide that an individual initially appointed as chaplain, after the bill's effective date, may hold the position without a requirement of salary or rank, and specifies that the governing body of the municipality may determine if a chaplain will hold rank and receive a salary and benefits. The bill also provides that the services of all municipal fire department and force chaplains appointed and employed on the bill's effective date cannot be dismissed or reduced in compensation except for reasons of economy or efficiency, incapacity, or conduct unbecoming a chaplain or other just cause as determined by the municipal governing body.

As amended and reported by the committee, Assembly Bill No. 5275 is identical to Senate Bill No. 3671, which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to remove the word "inefficiency" as a reason for termination and replaced that language with "economy or efficiency."

SENATE, No. 3671

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED FEBRUARY 28, 2023

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Allows municipality to determine if newly appointed individual serving as municipal fire department chaplain will hold rank and receive salary and benefits.

CURRENT VERSION OF TEXT

As introduced.



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2 amending P.L.1971, c.197.

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13 in good standing in the religious body from which **[he]** the person
14 is selected. The chaplains shall become members of the municipal
15 paid or part-paid fire department and force with the rank of
16 battalion chief. Their salaries shall be fixed by the governing body
17 of the municipality and payable in the same manner as in the case of
18 the other paid members of the fire department and force.

19 b. A municipal fire department and force chaplain employed on
20 the effective date of P.L. , c. (C.) (pending before the
21 Legislature as this bill) shall not be dismissed or reduced in
22 compensation except for inefficiency, incapacity, or conduct
23 unbecoming such a chaplain or other just cause as determined by
24 the municipal governing body.

25 c. A municipal fire department and force chaplain initially
26 appointed after the effective date of P.L. , c. (C.) (pending
27 before the Legislature as this bill), shall become a member of the
28 municipal paid or part-paid fire department and force with or
29 without the rank and salary as specified in the ordinance. A
30 chaplain's rank, salary, and benefits, if any, shall be determined by
31 the governing body of the municipality.

32 (cf: P.L.1971, c.197, s.1)

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34 2. This act shall take effect immediately.

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STATEMENT

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39 P.L.1971, c.197 provides that any person appointed by a
40 municipal governing body to serve as a chaplain to the paid or part-
41 paid municipal fire department and force will hold the rank of
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S3671 GREENSTEIN

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2 municipality may determine if a chaplain will hold rank and receive
3 a salary and benefits. The bill also provides that the services of all
4 municipal fire department and force chaplains appointed and
5 employed on the bill's effective date cannot be dismissed or
6 reduced in compensation except for inefficiency, incapacity, or
7 conduct unbecoming such a chaplain or other just cause as
8 determined by the municipal governing body.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 3671

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 1, 2023

The Senate Community and Urban Affairs Committee reports favorably and with committee amendments Senate Bill No. 3671.

This bill, as amended, amends existing law to provide that an individual initially appointed as chaplain, after the bill's effective date, may hold the position without a requirement of salary or rank, and specifies that the governing body of the municipality may determine if a chaplain will hold rank and receive a salary and benefits. The bill also provides that the services of all municipal fire department and force chaplains appointed and employed on the bill's effective date cannot be dismissed or reduced in compensation except for reasons of economy or efficiency, incapacity, or conduct unbecoming a chaplain or other just cause as determined by the municipal governing body.

As amended and reported by the committee, Senate Bill No. 3671 is identical to Assembly Bill No. 5275, which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to remove the word "inefficiency" as a reason for termination and replaced that language with "economy or efficiency."

Acting Governor Scutari Signs Firefighters Chaplain Bill Into Law

08/28/2023

RAHWAY— Acting Governor Nicholas Scutari today signed A-5275/S-3671, providing municipal governing bodies more flexibility in appointing chaplains to their fire departments.

Under current law, the governing body of any municipality, by ordinance, may provide for the appointment of one or more ordained members of the clergy as chaplains to the paid or part-paid fire department and force of the municipality, with the rank of battalion chief and their salaries fixed by the governing body. The bill provides that, for any municipal fire department and force chaplain initially appointed after enactment, the municipality may specify in the ordinance appointing the chaplain whether the chaplain will have a rank and salary. The bill also codifies job protections for any chaplain employed prior to the bill's enactment; they cannot be dismissed, nor can their salary be diminished, except for specific causes.

"Chaplains provide an invaluable service for local fire departments and the communities they serve," said **Acting Governor Scutari**. "They support the men and women who put their lives on the line when protecting the safety of the residents. This law enables local government to appoint fire chaplains that meet their needs without undue expense."

Primary sponsors of the bill include Senators Linda R. Greenstein and Shirley K. Turner and Assemblymembers Daniel R. Benson and Reginald W. Atkins.

"Fully supporting our first responders is a top priority for me, including making changes to increase opportunities for the critical role of chaplain," said **Senator Linda Greenstein**. "Our fire houses can expand this role, or have the flexibility to tailor this role to the needs of their communities."

"New Jersey is home to people of diverse backgrounds and beliefs," said **Senator Turner**. "By creating the position of Fire Chaplain and allowing greater flexibility for municipalities can help ensure firefighters around the state have access to a chaplain that shares their faith."

"This law will enable municipalities in New Jersey to determine the most appropriate compensation for chaplains or those who volunteer in their fire departments to offer spiritual and personal counseling to the men and women who come to our aid on our worst days," said **Assemblyman Dan Benson**. "The new measure will enable local governments to make the best decisions for their communities and first responders."

"Whether they are volunteers or paid staff, fire chaplains perform an important job aiding and comforting firefighters and their families during trying times," said **Assemblyman Reginald W. Atkins**. "Giving municipalities the flexibility to decide the job parameters for a newly appointed fire department chaplain is the right thing to do."

"Fire Department chaplains are an integral part of New Jersey's fire service," said **Eddie Donnelly, President, NJ FMBA**. "Whether supporting our members and families in times of grief or being that consoling voice at a memorial service the NJ FMBA appreciates our Fire Chaplains. Thank you Senator Greenstein and Assemblyman Benson for sponsoring our Bill. Thank you, Acting Governor Scutari for memorializing this piece of legislation today."

"This bill amends the law to allow municipalities to create the position of Fire Chaplain without a requirement of salary or rank. This gives municipalities the freedom to create the position of Fire Chaplain without financial concerns and civil service requirements," said **Deacon Bob Tharp**. "The Fire Chaplain can be an important lifeline to firefighters in dealing with the stresses that are inherent in their daily work as well as being there to support them in dealing with situations involving severe trauma or loss of life. They can also be there to offer support to members of the community when faced with life changing situations."

"At a time when it is challenging to attract and retain people to serve as firefighters, particularly volunteers, this bill provides necessary flexibility regarding fire chaplains," said **Robert Ordway, President of the NJ State Firemen's Association**. "As the relief association for 54,000 members of career and volunteer firefighters, we support smart public policy to recruit and protect the safety of firefighters at all ranks, and which, in this case, also brings equal treatment under the law of both police and firefighter chaplains. We commend the Legislative sponsors, Governor's Office and Acting Governor Scutari for their efforts to enact this law."