

43:16A-13.2 and Note to 43:1-3
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2025 **CHAPTER:** 157

NJSA: 43:16A-13.2 and Note to 43:1-3, Removes certain limitations on receipt of retirement or death benefits under PFRS under certain circumstances.

BILL NO: A5049 (Substituted for S3812 (1R))

SPONSOR(S) Greenwald, Louis D. and others

DATE INTRODUCED: 11/14/2024

COMMITTEE: **ASSEMBLY:** State & Local Government
Appropriations
Budget

SENATE: --

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 06/30/2025

SENATE: 06/30/2025

DATE OF APPROVAL: 11/13/2025

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (A5049 AcaAca (2R) enacted)

ADVANCE LAW Yes

PAMPHLET LAW Yes

A5049

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

REPRINT(S): Yes AAP 3/20/25 1R
ABU 6/26/25 2R

TECHNICAL REVIEW OF BILL: No

COMMITTEE STATEMENT: **ASSEMBLY:** Yes State & Local Government
Appropriations
Budget

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes 03/13/2025
03/26/2025
07/02/2025

S3812 (1R)

INTRODUCED BILL: (Includes sponsor(s) statement)	Yes	
REPRINT(S):	Yes	Senate 6/2/25 1R
TECHNICAL REVIEW OF BILL:	No	
COMMITTEE STATEMENT:		
ASSEMBLY:	No	
SENATE:	Yes	State Government, Wagering, Tourism & Historic Preservation Budget & Appropriations

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, ***may possibly*** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	Yes	06/02/2025
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LEGISLATIVE FISCAL ESTIMATE:	Yes	01/14/2025 07/02/2025
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VETO MESSAGE:	No
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GOVERNOR'S PRESS RELEASE ON SIGNING:	No
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LEGISLATOR STATEMENT:	No
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FOLLOWING WERE PRINTED:

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REPORTS:	No
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HEARINGS:	No
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NEWSPAPER ARTICLES:	No
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CL/MMcB

P.L. 2025, CHAPTER 157, *approved November 13, 2025*

Assembly, No. 5049 (*Second Reprint*)

1 AN ACT concerning certain limitations on the receipt of retirement
2 or death benefits granted under the Police and Firemen's
3 Retirement System and supplementing P.L.1944, c.255
4 (C.43:16A-1 et seq.).

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

9 1. a. Notwithstanding any law, rule, or regulation to the
10 contrary, the Board of Trustees of the Police and Firemen's
11 Retirement System of New Jersey shall not hold in abeyance the
12 retirement or death benefits to which a member of the Police and
13 Firemen's Retirement System is entitled on the basis of any
14 ongoing civil litigation to which the member is a party ¹ [or that
15 concerns the members employment]^{1 2}, except that the board may
16 hold in abeyance such benefits on the basis of civil litigation in
17 which the member is challenging a final determination of the board
18 to deny or adjust the member's benefits² .

b. Nothing herein shall be construed to limit the board's authority to hold in abeyance the retirement or death benefits to which the member is entitled when a member is subject to criminal charges or dismissed from public employment due to administrative charges.

c. The board shall have the authority to adjust the member's retirement or death benefits based upon the disposition of any legal proceeding to which the member was a party.

28 2. This act shall take effect immediately.

33 Removes certain limitations on receipt of retirement or death
34 benefits under PFRS under certain circumstances.

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:

¹Assembly AAP committee amendments adopted March 20, 2025.

²Assembly ABU committee amendments adopted June 26, 2025.

CHAPTER 157

AN ACT concerning certain limitations on the receipt of retirement or death benefits granted under the Police and Firemen's Retirement System and supplementing P.L.1944, c.255 (C.43:16A-1 et seq.).

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

C.43:16A-13.2 Removal of certain limitation on receipt of retirement, death benefits, PFRS.

1. a. Notwithstanding any law, rule, or regulation to the contrary, the Board of Trustees of the Police and Firemen's Retirement System of New Jersey shall not hold in abeyance the retirement or death benefits to which a member of the Police and Firemen's Retirement System is entitled on the basis of any ongoing civil litigation to which the member is a party, except that the board may hold in abeyance such benefits on the basis of civil litigation in which the member is challenging a final determination of the board to deny or adjust the member's benefits.

b. Nothing herein shall be construed to limit the board's authority to hold in abeyance the retirement or death benefits to which the member is entitled when a member is subject to criminal charges or dismissed from public employment due to administrative charges.

c. The board shall have the authority to adjust the member's retirement or death benefits based upon the disposition of any legal proceeding to which the member was a party.

2. This act shall take effect immediately.

Approved November 13, 2025.

ASSEMBLY, No. 5049

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED NOVEMBER 14, 2024

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Assemblyman ROBERT J. KARABINCHAK

District 18 (Middlesex)

Assemblyman DAN HUTCHISON

District 4 (Atlantic, Camden and Gloucester)

Co-Sponsored by:

**Assemblywomen Bagolie, Lopez, Assemblymen Myhre, Rumpf, Peterson,
Bailey and Miller**

SYNOPSIS

Removes certain limitations on receipt of retirement or death benefits under PFRS.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/20/2025)

[First Reprint]

ASSEMBLY, No. 5049

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED NOVEMBER 14, 2024

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Assemblyman ROBERT J. KARABINCHAK

District 18 (Middlesex)

Assemblyman DAN HUTCHISON

District 4 (Atlantic, Camden and Gloucester)

Co-Sponsored by:

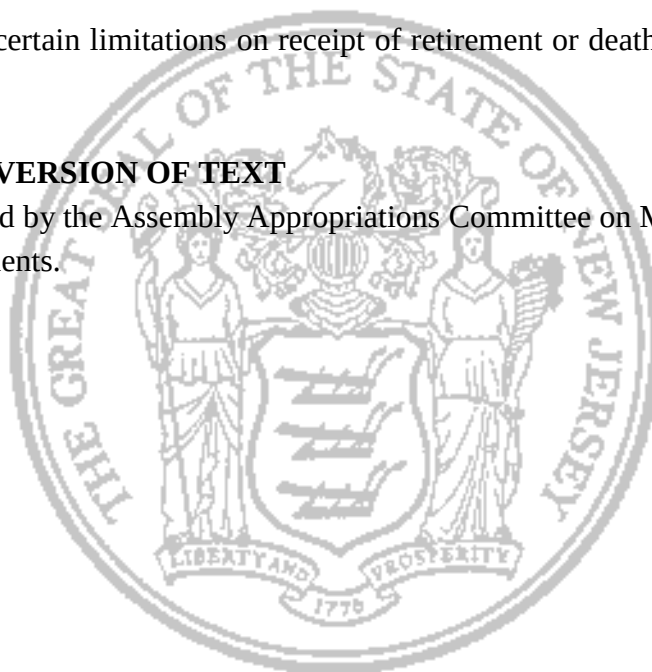
**Assemblywomen Bagolie, Lopez, Assemblymen Myhre, Rumpf, Peterson,
Bailey, Miller and Assemblywoman Dunn**

SYNOPSIS

Removes certain limitations on receipt of retirement or death benefits under PFRS.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on March 20, 2025, with amendments.



(Sponsorship Updated As Of: 5/5/2025)

1 **AN ACT** concerning certain limitations on the receipt of retirement
2 or death benefits granted under the Police and Firemen's
3 Retirement System and supplementing P.L.1944, c.255
4 (C.43:16A-1 et seq.).

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

8
9 1. a. Notwithstanding any law, rule, or regulation to the
10 contrary, the Board of Trustees of the Police and Firemen's
11 Retirement System of New Jersey shall not hold in abeyance the
12 retirement or death benefits to which a member of the Police and
13 Firemen's Retirement System is entitled on the basis of any
14 ongoing civil litigation to which the member is a party ¹**【or that**
15 concerns the members employment**】**¹.

16 b. Nothing herein shall be construed to limit the board's
17 authority to hold in abeyance the retirement or death benefits to
18 which the member is entitled when a member is subject to criminal
19 charges or dismissed from public employment due to administrative
20 charges.

21 c. The board shall have the authority to adjust the member's
22 retirement or death benefits based upon the disposition of any legal
23 proceeding to which the member was a party.

24
25 2. This act shall take effect immediately.

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:

¹Assembly AAP committee amendments adopted March 20, 2025.

[Second Reprint]

ASSEMBLY, No. 5049

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED NOVEMBER 14, 2024

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Assemblyman ROBERT J. KARABINCHAK

District 18 (Middlesex)

Assemblyman DAN HUTCHISON

District 4 (Atlantic, Camden and Gloucester)

Senator JAMES BEACH

District 6 (Burlington and Camden)

Senator ANTHONY M. BUCCO

District 25 (Morris and Passaic)

Co-Sponsored by:

Assemblywomen Bagolie, Lopez, Assemblymen Myhre, Rumpf, Peterson, Bailey, Miller, Assemblywomen Dunn, Reynolds-Jackson, Murphy, Senators Sarlo, Polistina, Tiver, Amato, Diegnan, Steinhardt, Greenstein, Cruz-Perez, McKeon, Bramnick, Space, Schepisi, Henry, Moriarty and Singleton

SYNOPSIS

Removes certain limitations on receipt of retirement or death benefits under PFRS under certain circumstances.

CURRENT VERSION OF TEXT

As reported by the Assembly Budget Committee on June 26, 2025, with amendments.

(Sponsorship Updated As Of: 6/30/2025)

1 AN ACT concerning certain limitations on the receipt of retirement
2 or death benefits granted under the Police and Firemen's
3 Retirement System and supplementing P.L.1944, c.255
4 (C.43:16A-1 et seq.).

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

8
9 1. a. Notwithstanding any law, rule, or regulation to the
10 contrary, the Board of Trustees of the Police and Firemen's
11 Retirement System of New Jersey shall not hold in abeyance the
12 retirement or death benefits to which a member of the Police and
13 Firemen's Retirement System is entitled on the basis of any
14 ongoing civil litigation to which the member is a party ¹~~or that~~
15 ~~concerns the members employment~~^{1 2}, except that the board may
16 hold in abeyance such benefits on the basis of civil litigation in
17 which the member is challenging a final determination of the board
18 to deny or adjust the member's benefits².

19 b. Nothing herein shall be construed to limit the board's
20 authority to hold in abeyance the retirement or death benefits to
21 which the member is entitled when a member is subject to criminal
22 charges or dismissed from public employment due to administrative
23 charges.

24 c. The board shall have the authority to adjust the member's
25 retirement or death benefits based upon the disposition of any legal
26 proceeding to which the member was a party.

27

28 2. This act shall take effect immediately.

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:

¹Assembly AAP committee amendments adopted March 20, 2025.

²Assembly ABU committee amendments adopted June 26, 2025.

ASSEMBLY STATE AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5049

STATE OF NEW JERSEY

DATED: FEBRUARY 20, 2025

The Assembly State and Local Government Committee reports favorably Assembly Bill No. 5049.

This bill removes certain limitations on the receipt of retirement or death benefits granted to members under the Police and Firemen's Retirement System (PFRS).

Pursuant to regulation, the Board of Trustees of PFRS withholds retirement or death benefits if the entitled member is subject to criminal charges, dismissed from public employment due to administrative charges, or the member has pending civil litigation pertaining to the member's employment. This bill removes the board's ability to withhold retirement or death benefits on the basis the entitled member has pending civil litigation. Under the bill, the board will have the ability to adjust the member's retirement or death benefits following the disposition of any legal proceeding.

This substitute is identical to Senate Bill No. 900 (SCS).

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5049

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 20, 2025

The Assembly Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 5049.

As amended and reported, this bill removes certain limitations on the receipt of retirement or death benefits granted to members under the Police and Firemen's Retirement System (PFRS).

Pursuant to regulation, the Board of Trustees of PFRS withholds retirement or death benefits if the entitled member is subject to criminal charges, dismissed from public employment due to administrative charges, or the member has pending civil litigation.

This bill removes the board's ability to withhold retirement or death benefits on the basis the entitled member has pending civil litigation. Under the bill, the board will have the ability to adjust the member's retirement or death benefits following the disposition of any legal proceeding.

COMMITTEE AMENDMENTS:

The committee amendments remove language which additionally specified that the Board of Trustees of PFRS is prohibited from holding in abeyance a member's benefits on the basis of litigation concerning the member's employment.

The board will still be prohibited from holding the member's benefits in abeyance on the basis of any civil litigation to which the member is a party, which may include litigation concerning the member's employment.

FISCAL IMPACT:

The Office of Legislative Services determines that the removal of certain limitations on the receipt of retirement or death benefits under PFRS may result in the system losing interest income annually from undisbursed pension payments.

Under the bill, the Board of Trustees of PFRS is no longer permitted to hold in abeyance retirement or death benefits if a member is a party to pending civil litigation. Consequently, the system will no longer earn interest income from undisbursed pension payments. The OLS is unable to quantify this potential loss to the pension system.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 5049

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 26, 2025

The Assembly Budget Committee reports favorably and with committee amendments Assembly Bill No. 5049 (1R).

As amended by the committee, this bill removes certain limitations on the receipt of retirement or death benefits granted to members under the Police and Firemen's Retirement System (PFRS).

Pursuant to regulation, the Board of Trustees of PFRS withholds retirement or death benefits if the entitled member is subject to criminal charges, dismissed from public employment due to administrative charges, or the member has pending civil litigation pertaining to the member's employment. This bill removes the board's ability to withhold retirement or death benefits on the basis the entitled member has pending civil litigation. Under the bill, the board will have the ability to adjust the member's retirement or death benefits following the disposition of any legal proceeding.

COMMITTEE AMENDMENTS:

The committee amendments allow the PFRS board to hold a member's retirement or death benefits in abeyance if the member is challenging a final determination of the board to deny or adjust the member's benefits through civil litigation.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 5049
STATE OF NEW JERSEY
221st LEGISLATURE

DATED: MARCH 13, 2025

SUMMARY

- Synopsis:** Removes certain limitations on receipt of retirement or death benefits under PFRS.
- Type of Impact:** Potential annual loss of interest income from undispersed pension payments – Police and Firemen’s Retirement System.
- Agencies Affected:** Department of the Treasury.

Office of Legislative Services Estimate

Annual Fiscal Impact	
Police and Firemen’s Retirement System- potential annual loss of interest income from undispersed pension payments	Indeterminate

- The Office of Legislative Services (OLS) determines that the removal of certain limitations on the receipt of retirement or death benefits under the Police and Firemen’s Retirement System may result in the system losing interest income annually from undisbursed pension payments.
- Under the bill, the Board of Trustees of the Police and Firemen’s Retirement System is no longer permitted to hold in abeyance retirement or death benefits if a member is a party to pending civil litigation. Consequently, the system will no longer earn interest income from undisbursed pension payments. The OLS is unable to quantify this potential loss to the pension system.

BILL DESCRIPTION

This bill removes certain limitations on the receipt of retirement or death benefits under the Police and Firemen’s Retirement System.

Under current regulation, the Board of Trustees of the Police and Firemen’s Retirement System is permitted to hold in abeyance retirement or death benefits to which a member of the retirement system is entitled to if the member is subject to criminal charges, dismissed from public employment due to administrative charges, or the member has pending civil litigation pertaining to the member’s employment.

The bill removes the board’s authority to hold in abeyance retirement or death benefits if a member is a party to pending civil litigation. Under the bill, the board retains the authority to hold in abeyance retirement or death benefits if a member is subject to criminal charges or dismissed from public employment due to administrative charges. The bill also codifies the board’s authority to adjust a member’s retirement or death benefits based upon the disposition of any legal proceeding to which the member was a party.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS determines that the removal of certain limitations on the receipt of retirement or death benefits under the Police and Firemen’s Retirement System may result in the system losing interest income annually from undisbursed pension payments.

Under the bill, the Board of Trustees of the Police and Firemen’s Retirement System is no longer permitted to hold in abeyance retirement or death benefits if a member is a party to pending civil litigation. Consequently, the system will no longer earn interest income from undisbursed pension payments. The OLS is unable to quantify this potential loss to the pension system because it lacks the informational basis to estimate the number of members that will be affected in a given year, the amount of the pension payments that would have otherwise remained undisbursed, and the duration of any ongoing litigation.

Section: *State Government*

Analyst: *Camryn Mathews*
 Assistant Fiscal Analyst

Approved: *Thomas Koenig*
 Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 5049

STATE OF NEW JERSEY

221st LEGISLATURE

DATED: MARCH 26, 2025

SUMMARY

Synopsis:	Removes certain limitations on receipt of retirement or death benefits under PFRS.
Type of Impact:	Potential annual loss of interest income from undispersed pension payments – Police and Firemen’s Retirement System.
Agencies Affected:	Department of the Treasury.

Office of Legislative Services Estimate

Fiscal Impact	
Police and Firemen’s Retirement System – potential annual loss of interest income from undispersed pension payments	Indeterminate

- The Office of Legislative Services (OLS) determines that the removal of certain limitations on the receipt of retirement or death benefits under the Police and Firemen’s Retirement System may result in the system losing interest income annually from undisbursed pension payments.
- Under the bill, the Board of Trustees of the Police and Firemen’s Retirement System is no longer permitted to hold in abeyance retirement or death benefits if a member is a party to pending civil litigation. Consequently, the system will no longer earn interest income from undisbursed pension payments. The OLS is unable to quantify this potential loss to the pension system.

BILL DESCRIPTION

This bill removes certain limitations on the receipt of retirement or death benefits under the Police and Firemen’s Retirement System.

Under current regulation, the Board of Trustees of the Police and Firemen’s Retirement System is permitted to hold in abeyance retirement or death benefits to which a member of the retirement system is entitled to if the member is subject to criminal charges, dismissed from public

employment due to administrative charges, or the member has pending civil litigation pertaining to the member's employment.

The bill removes the board's authority to hold in abeyance retirement or death benefits if a member is a party to pending civil litigation. Under the bill, the board retains the authority to hold in abeyance retirement or death benefits if a member is subject to criminal charges or dismissed from public employment due to administrative charges. The bill also codifies the board's authority to adjust a member's retirement or death benefits based upon the disposition of any legal proceeding to which the member was a party.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS determines that the removal of certain limitations on the receipt of retirement or death benefits under the Police and Firemen's Retirement System may result in the system losing interest income annually from undisbursed pension payments.

Under the bill, the Board of Trustees of the Police and Firemen's Retirement System is no longer permitted to hold in abeyance retirement or death benefits if a member is a party to pending civil litigation. Consequently, the system will no longer earn interest income from undisbursed pension payments. The OLS is unable to quantify this potential loss to the pension system because it lacks the informational basis to estimate the number of members that will be affected in a given year, the amount of the pension payments that would have otherwise remained undisbursed, and the duration of any ongoing litigation.

Section: State Government

Analyst: Camryn Mathews
Assistant Fiscal Analyst

Approved: Thomas Koenig
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

ASSEMBLY, No. 5049
STATE OF NEW JERSEY
221st LEGISLATURE

DATED: JULY 2, 2025

SUMMARY

Synopsis:	Removes certain limitations on receipt of retirement or death benefits under PFRS under certain circumstances.
Type of Impact:	Potential annual loss of interest income from undispersed pension payments – Police and Firemen’s Retirement System.
Agencies Affected:	Department of the Treasury.

Office of Legislative Services Estimate

Annual Fiscal Impact	
Police and Firemen’s Retirement System – potential annual loss of interest income from undispersed pension payments	Indeterminate

- The Office of Legislative Services (OLS) determines that the removal of certain limitations on the receipt of retirement or death benefits under the Police and Firemen’s Retirement System may result in the system losing interest income annually from undisbursed pension payments.
- Under the bill, the Board of Trustees of the Police and Firemen’s Retirement System is no longer permitted to hold in abeyance retirement or death benefits if a member is a party to certain pending civil litigation. Consequently, the system will no longer earn interest income from undisbursed pension payments. The OLS is unable to quantify this potential loss to the pension system.

BILL DESCRIPTION

This bill removes certain limitations on the receipt of retirement or death benefits under the Police and Firemen’s Retirement System.

Under current regulation, the Board of Trustees of the Police and Firemen’s Retirement System is permitted to hold in abeyance retirement or death benefits to which a member of the retirement system is entitled to if the member is subject to criminal charges, dismissed from public

employment due to administrative charges, or the member has pending civil litigation pertaining to the member's employment.

The bill removes the board's authority to hold in abeyance retirement or death benefits if a member is a party to pending civil litigation. Under the bill, the board retains the authority to hold in abeyance retirement or death benefits if a member is subject to criminal charges or dismissed from public employment due to administrative charges. The bill also grants the board the authority to hold such benefits in abeyance if the member is challenging a final determination of the board to deny or adjust the member's benefits through civil litigation. Additionally, the bill codifies the board's authority to adjust a member's retirement or death benefits based upon the disposition of any legal proceeding to which the member was a party.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS determines that the removal of certain limitations on the receipt of retirement or death benefits under the Police and Firemen's Retirement System may result in the system losing interest income annually from undisbursed pension payments.

Under the bill, the Board of Trustees of the Police and Firemen's Retirement System is no longer permitted to hold in abeyance retirement or death benefits if a member is a party to pending civil litigation, unless the civil litigation pertains to the member challenging a final determination of the board to deny or adjust the member's benefits. Consequently, the system will no longer earn interest income from undisbursed pension payments. The OLS is unable to quantify this potential loss to the pension system because it lacks the informational basis to estimate the number of members that will be affected in a given year, the amount of the pension payments that would have otherwise remained undisbursed, and the duration of any ongoing litigation.

Section: State Government
Analyst: Camryn Mathews
Assistant Fiscal Analyst
Approved: Thomas Koenig
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE, No. 3812

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED OCTOBER 21, 2024

Sponsored by:

Senator JAMES BEACH

District 6 (Burlington and Camden)

Senator ANTHONY M. BUCCO

District 25 (Morris and Passaic)

Co-Sponsored by:

Senators Sarlo, Polistina, Tiver, Amato, Diegnan, Steinhardt, Greenstein, Cruz-Perez, McKeon, Bramnick, Space, Schepisi, Henry, Moriarty and Singleton

SYNOPSIS

Removes certain limitations on receipt of retirement or death benefits under PFRS.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/12/2025)

1 **AN ACT** concerning certain limitations on the receipt of retirement
2 or death benefits granted under the Police and Firemen's
3 Retirement System and supplementing P.L.1944, c.255
4 (C.43:16A-1 et seq.).

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

9 1. a. Notwithstanding any law, rule, or regulation to the
10 contrary, the Board of Trustees of the Police and Firemen's
11 Retirement System of New Jersey shall not hold in abeyance the
12 retirement or death benefits to which a member of the Police and
13 Firemen's Retirement System is entitled on the basis of any
14 ongoing civil litigation to which the member is a party.

b. Nothing herein shall be construed to limit the board's authority to hold in abeyance the retirement or death benefits to which the member is entitled when a member is subject to criminal charges or dismissed from public employment due to administrative charges.

c. The board shall have the authority to adjust the member's retirement or death benefits based upon the disposition of any legal proceeding to which the member was a party.

24 2. This act shall take effect immediately.

STATEMENT

29 This bill removes certain limitations on the receipt of retirement
30 or death benefits granted to members under the Police and
31 Firemen's Retirement System (PFRS).

Pursuant to regulation, the Board of Trustees of PFRS withholds retirement or death benefits if the entitled member is subject to criminal charges, dismissed from public employment due to administrative charges, or the member has pending civil litigation pertaining to the member's employment. This bill removes the board's ability to withhold retirement or death benefits on the basis the entitled member has pending civil litigation. Under the bill, the board will have the ability to adjust the member's retirement or death benefits following the disposition of any legal proceeding.

[First Reprint]

SENATE, No. 3812

STATE OF NEW JERSEY
221st LEGISLATURE

INTRODUCED OCTOBER 21, 2024

Sponsored by:

Senator JAMES BEACH

District 6 (Burlington and Camden)

Senator ANTHONY M. BUCCO

District 25 (Morris and Passaic)

Co-Sponsored by:

**Senators Sarlo, Polistina, Tiver, Amato, Diegnan, Steinhardt, Greenstein,
Cruz-Perez, McKeon, Bramnick, Space, Schepisi, Henry, Moriarty and
Singleton**

SYNOPSIS

Removes certain limitations on receipt of retirement or death benefits under PFRS under certain circumstances.

CURRENT VERSION OF TEXT

As amended by the Senate on June 2, 2025.



(Sponsorship Updated As Of: 5/12/2025)

1 **AN ACT** concerning certain limitations on the receipt of retirement
2 or death benefits granted under the Police and Firemen's
3 Retirement System and supplementing P.L.1944, c.255
4 (C.43:16A-1 et seq.).

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

8
9 1. a. Notwithstanding any law, rule, or regulation to the contrary,
10 the Board of Trustees of the Police and Firemen's Retirement System
11 of New Jersey shall not hold in abeyance the retirement or death
12 benefits to which a member of the Police and Firemen's Retirement
13 System is entitled on the basis of any ongoing civil litigation to which
14 the member is a party ¹, except that the board may hold in abeyance
15 such benefits on the basis of civil litigation in which the member is
16 challenging a final determination of the board to deny or adjust the
17 member's benefits¹.

18 b. Nothing herein shall be construed to limit the board's authority
19 to hold in abeyance the retirement or death benefits to which the
20 member is entitled when a member is subject to criminal charges or
21 dismissed from public employment due to administrative charges.

22 c. The board shall have the authority to adjust the member's
23 retirement or death benefits based upon the disposition of any legal
24 proceeding to which the member was a party.

25
26 2. This act shall take effect immediately.

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 floor amendments adopted June 2, 2025.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

SENATE, No. 3812

STATE OF NEW JERSEY

DATED: DECEMBER 19, 2024

The Senate State Government, Wagering, Tourism & Historic Preservation Committee reports favorably Senate Bill No. 3812.

This bill removes certain limitations on the receipt of retirement or death benefits granted to members under the Police and Firemen's Retirement System (PFRS).

Pursuant to regulation, the Board of Trustees of PFRS withholds retirement or death benefits if the entitled member is subject to criminal charges, dismissed from public employment due to administrative charges, or the member has pending civil litigation pertaining to the member's employment. This bill removes the board's ability to withhold retirement or death benefits on the basis the entitled member has pending civil litigation. Under the bill, the board will have the ability to adjust the member's retirement or death benefits following the disposition of any legal proceeding.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 3812

STATE OF NEW JERSEY

DATED: MARCH 17, 2025

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 3812.

As reported, this bill removes certain limitations on the receipt of retirement or death benefits granted to members under the Police and Firemen's Retirement System (PFRS).

Pursuant to regulation, the Board of Trustees of PFRS withholds retirement or death benefits if the entitled member is subject to criminal charges, dismissed from public employment due to administrative charges, or the member has pending civil litigation pertaining to the member's employment. This bill removes the board's ability to withhold retirement or death benefits on the basis the entitled member has pending civil litigation. Under the bill, the board will have the ability to adjust the member's retirement or death benefits following the disposition of any legal proceeding.

FISCAL IMPACT:

The Office of Legislative Services (OLS) determines that the removal of certain limitations on the receipt of retirement or death benefits under the Police and Firemen's Retirement System may result in the system losing interest income annually from undisbursed pension payments.

Under the bill, the Board of Trustees of the Police and Firemen's Retirement System is no longer permitted to hold in abeyance retirement or death benefits if a member is a party to pending civil litigation. Consequently, the system will no longer earn interest income from undisbursed pension payments. The OLS is unable to quantify this potential loss to the pension system.

STATEMENT TO

SENATE, No. 3812

with Senate Floor Amendments
(Proposed by Senator BEACH)

ADOPTED: JUNE 2, 2025

These floor amendments would allow the PFRS board to hold a member's retirement or death benefits in abeyance if the member is challenging a final determination of the board to deny or adjust the member's benefits through civil litigation.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 3812
STATE OF NEW JERSEY
221st LEGISLATURE

DATED: JANUARY 14, 2025

SUMMARY

Synopsis: Removes certain limitations on receipt of retirement or death benefits under PFRS.

Type of Impact: Potential annual loss of interest income from undispersed pension payments – Police and Firemen’s Retirement System.

Agencies Affected: Department of the Treasury.

Office of Legislative Services Estimate

Annual Fiscal Impact	
Police and Firemen’s Retirement System- potential annual loss of interest income from undispersed pension payments	Indeterminate

- The Office of Legislative Services (OLS) determines that the removal of certain limitations on the receipt of retirement or death benefits under the Police and Firemen’s Retirement System may result in the system losing interest income annually from undisbursed pension payments.
- Under the bill, the Board of Trustees of the Police and Firemen’s Retirement System is no longer permitted to hold in abeyance retirement or death benefits if a member is a party to pending civil litigation. Consequently, the system will no longer earn interest income from undisbursed pension payments. The OLS is unable to quantify this potential loss to the pension system.

BILL DESCRIPTION

This bill removes certain limitations on the receipt of retirement or death benefits under the Police and Firemen’s Retirement System.

Under current regulation, the Board of Trustees of the Police and Firemen’s Retirement System is permitted to hold in abeyance retirement or death benefits to which a member of the retirement system is entitled to if the member is subject to criminal charges, dismissed from public

employment due to administrative charges, or the member has pending civil litigation pertaining to the member's employment.

The bill removes the board's authority to hold in abeyance retirement or death benefits if a member is a party to pending civil litigation. Under the bill, the board retains the authority to hold in abeyance retirement or death benefits if a member is subject to criminal charges or dismissed from public employment due to administrative charges. The bill also codifies the board's authority to adjust a member's retirement or death benefits based upon the disposition of any legal proceeding to which the member was a party.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS determines that the removal of certain limitations on the receipt of retirement or death benefits under the Police and Firemen's Retirement System may result in the system losing interest income annually from undisbursed pension payments.

Under the bill, the Board of Trustees of the Police and Firemen's Retirement System is no longer permitted to hold in abeyance retirement or death benefits if a member is a party to pending civil litigation. Consequently, the system will no longer earn interest income from undisbursed pension payments. The OLS is unable to quantify this potential loss to the pension system because it lacks the informational basis to estimate the number of members that will be affected in a given year, the amount of the pension payments that would have otherwise remained undisbursed, and the duration of any ongoing litigation.

Section: State Government

*Analyst: Camryn Mathews
Assistant Fiscal Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE
[First Reprint]
SENATE, No. 3812
STATE OF NEW JERSEY
221st LEGISLATURE

DATED: JULY 2, 2025

SUMMARY

- Synopsis:** Removes certain limitations on receipt of retirement or death benefits under PFRS under certain circumstances.
- Type of Impact:** Potential annual loss of interest income from undispersed pension payments – Police and Firemen’s Retirement System.
- Agencies Affected:** Department of the Treasury.

Office of Legislative Services Estimate

Annual Fiscal Impact	
Police and Firemen’s Retirement System- potential annual loss of interest income from undispersed pension payments	Indeterminate

- The Office of Legislative Services (OLS) determines that the removal of certain limitations on the receipt of retirement or death benefits under the Police and Firemen’s Retirement System may result in the system losing interest income annually from undisbursed pension payments.
- Under the bill, the Board of Trustees of the Police and Firemen’s Retirement System is no longer permitted to hold in abeyance retirement or death benefits if a member is a party to certain pending civil litigation. Consequently, the system will no longer earn interest income from undisbursed pension payments. The OLS is unable to quantify this potential loss to the pension system.

BILL DESCRIPTION

This bill removes certain limitations on the receipt of retirement or death benefits under the Police and Firemen’s Retirement System.

Under current regulation, the Board of Trustees of the Police and Firemen’s Retirement System is permitted to hold in abeyance retirement or death benefits to which a member of the retirement system is entitled to if the member is subject to criminal charges, dismissed from public

employment due to administrative charges, or the member has pending civil litigation pertaining to the member's employment.

The bill removes the board's authority to hold in abeyance retirement or death benefits if a member is a party to pending civil litigation. Under the bill, the board retains the authority to hold in abeyance retirement or death benefits if a member is subject to criminal charges or dismissed from public employment due to administrative charges. The bill also grants the board the authority to hold such benefits in abeyance if the member is challenging a final determination of the board to deny or adjust the member's benefits through civil litigation. Additionally, the bill codifies the board's authority to adjust a member's retirement or death benefits based upon the disposition of any legal proceeding to which the member was a party.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS determines that the removal of certain limitations on the receipt of retirement or death benefits under the Police and Firemen's Retirement System may result in the system losing interest income annually from undisbursed pension payments.

Under the bill, the Board of Trustees of the Police and Firemen's Retirement System is no longer permitted to hold in abeyance retirement or death benefits if a member is a party to pending civil litigation, unless the civil litigation pertains to the member challenging a final determination of the board to deny or adjust the member's benefits. Consequently, the system will no longer earn interest income from undisbursed pension payments. The OLS is unable to quantify this potential loss to the pension system because it lacks the informational basis to estimate the number of members that will be affected in a given year, the amount of the pension payments that would have otherwise remained undisbursed, and the duration of any ongoing litigation.

Section: State Government
Analyst: Camryn Mathews
Assistant Fiscal Analyst
Approved: Thomas Koenig
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

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