

40A:14-127.1

LEGISLATIVE HISTORY CHECKLIST
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(Police appointments--
maximum age)

NJSA: 40A:14-127.1

LAWS OF: 1991 CHAPTER: 492

BILL NO: A3582

SPONSOR(S): Duch

DATE INTRODUCED: May 21, 1990

COMMITTEE: ASSEMBLY: Municipal Government
SENATE: County & Municipal Government

AMENDED DURING PASSAGE: Yes Amendments during passage
denoted by asterisks

DATE OF PASSAGE: ASSEMBLY: June 13, 1991
SENATE: January 6, 1992

DATE OF APPROVAL: January 18, 1992

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG/pp

[SECOND REPRINT]
ASSEMBLY, No. 3582

STATE OF NEW JERSEY

INTRODUCED MAY 21, 1990

By Assemblyman DUCH

1 AN ACT concerning age requirements for appointment as a
2 policeman and amending P.L.1979, c.461.

3

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

6 1. Section 1 of P.L.1979, c.461 (C.40A:14-127.1) is amended to
7 read as follows:

8 1. Notwithstanding the provisions of any other law to the
9 contrary, any former ¹State trooper, sheriff's officer or deputy,
10 county or municipal policeman who has separated from service
11 voluntarily or involuntarily other than by removal for cause on
12 charges of misconduct or delinquency, shall be deemed to meet
13 the maximum age requirement for appointment established by
14 N.J.S.40A:14-127, if his actual age, less the number of years of
15 his previous service as a ¹[policeman] law enforcement officer¹,
16 would meet the maximum age requirement established by said
17 section, but no person may be appointed who is over the age of 45
18 as of the date of his reappointment; except that in the case of a
19 ¹State trooper, sheriff's officer or deputy,¹ county or municipal
20 policeman whose separation from service was involuntary due to
21 a lay-off or reduction in force, such person shall be deemed to
22 meet the maximum age requirement for appointment by
23 complying with the procedure established hereinbefore without
24 regard to his actual age at the time of reappointment.

25 (cf: P.L.1980, c.41, s.1)

26 ²2. Section 2 of P.L.1979, c.461 (C.40A:14-127.2) is amended
27 to read as follows:

28 2. No former State trooper, sheriff's officer or deputy, or
29 county or municipal policeman who meets the age requirements
30 for reappointment under the provisions of [this act] section 1 of
31 P.L.1979, c.461 (C.40A:14-127.1) shall be exempt from meeting
32 the general qualifications for appointment provided in
33 N.J.S.40A:14-122.²

34 (cf: P.L.1979, c.461, s.2)

35 ³3. Section 3 of P.L.1979, c.461 (C.40A:14-127.3) is amended
36 to read as follows:

37 3. The Board of Trustees of the Police and Firemen's
38 Retirement System of New Jersey shall accept as a member 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.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AMG committee amendments adopted June 25, 1990.

² Senate SCM committee amendments adopted December 9, 1991.

1 the retirement system any policeman otherwise eligible for
2 membership appointed pursuant to [this act] section 1 of
3 P.L.1979, c.461 (C.40A:14-127.1), provided that he shall
4 contribute to the retirement system at a rate based on his
5 current age at the time of reenrollment; except that in the case
6 where reappointment occurs within 2 years following the person's
7 separation and such person has not withdrawn his contributions
8 from the retirement system pursuant to section 11 of P.L.1944,
9 c.255 (C.43:16A-11), the person's rate of contribution upon
10 reappointment shall be the same as it was at the time of
11 separation.²

12 (cf: P.L.1980, c.41, s.2)

13 ²[2.] 4.² This act shall take effect immediately.

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LOCAL GOVERNMENT

17

18 Permits reduction of actual age by years of service as county
19 policeman, State trooper, or sheriff's officer or deputy to meet
20 maximum age requirement for appointment as municipal
21 policeman.

ASSEMBLY, No. 3582
STATE OF NEW JERSEY

INTRODUCED MAY 21, 1990

By Assemblyman DUCH

1 AN ACT concerning age requirements for appointment as a
2 policeman and amending P.L.1979, c.461.

3

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

6 1. Section 1 of P.L.1979, c.461 (C.40A:14-127.1) is amended to
7 read as follows:

8 1. Notwithstanding the provisions of any other law to the
9 contrary, any former county or municipal policeman who has
10 separated from service voluntarily or involuntarily other than by
11 removal for cause on charges of misconduct or delinquency, shall
12 be deemed to meet the maximum age requirement for
13 appointment established by N.J.S.40A:14-127, if his actual age,
14 less the number of years of his previous service as a policeman,
15 would meet the maximum age requirement established by said
16 section, but no person may be appointed who is over the age of 45
17 as of the date of his reappointment; except that in the case of a
18 county or municipal policeman whose separation from service was
19 involuntary due to a lay-off or reduction in force, such person
20 shall be deemed to meet the maximum age requirement for
21 appointment by complying with the procedure established
22 hereinbefore without regard to his actual age at the time of
23 reappointment.

24 (cf: P.L.1980, c.41, s.1)

25 2. This act shall take effect immediately.

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STATEMENT

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29 This bill is intended to permit a person to subtract previous
30 service as a county police officer from his actual age for the
31 purpose of meeting the maximum age requirement, established
32 pursuant to N.J.S.40A:14-21, for appointment as a municipal
33 police officer. Under current law only previous service as a
34 municipal police officer can be subtracted to meet the maximum
35 age requirement.

36

37

LOCAL GOVERNMENT

38

39 Permits subtraction of county policeman service from actual age
40 to meet maximum age requirement for appointment as municipal
41 policeman.

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.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3582

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 25, 1990

The Assembly Municipal Government committee favorably reports Assembly Bill No. 3582 with Assembly committee amendments.

This bill is intended to permit a person to subtract previous law enforcement service from his actual age for the purpose of meeting the maximum age requirement, established pursuant to N.J.S.40A:14-127, for appointment as a municipal police officer. Under current law only previous service as a municipal police officer can be subtracted to meet the maximum age requirement. The committee amended the bill to specify that previous service as a State trooper or as a sheriff's officer or deputy, in addition to previous service as a county police officer, could be used to reduce a person's age for the purposes of N.J.S.40A:14-127.

SENATE COUNTY AND MUNICIPAL
GOVERNMENT COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 3582

with Senate committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 9, 1991

The Senate County and Municipal Government Committee reports favorably Assembly Bill No. 3582 (1R), with committee amendments.

Assembly Bill No. 3582 (1R), as amended by the committee, allows any former State trooper, sheriff's officer or deputy, or county policeman who separated from service to be eligible for appointment as a municipal police officer if, upon subtracting his prior years' service from his age, his adjusted age is not over 35 years. Under current law, only previous service as a municipal police officer can be subtracted to meet the maximum age requirement.

Additionally, the bill provides that no former State trooper, sheriff's officer or deputy, or county policeman who meets the age requirements for reappointment under the bill shall be exempt from meeting the general qualifications for appointment, as set forth in N.J.S.40A:14-122.

The committee amended the bill to conform the provisions of P.L.1979, c.461, which originally allowed previous service as a municipal police officer to be subtracted, to the new positions added by this bill.

Specifically, the committee amended section 2 of P.L.1979, c.461 (C.40A:14-127.2) to provide that no former policeman, State trooper, sheriff's officer or deputy or county policeman who meets the age requirements for reappointment shall be exempt from meeting the general qualifications for appointment provided in N.J.S.40A:14-122.

Additionally, the committee amended the bill to make the reenrollment provisions in connection with the Police and Firemen's Retirement System of New Jersey, as set forth in section 3 of P.L.1979, c.461 (C.40A:14-127.3), applicable to former State troopers, sheriff's officers or deputies or county policemen, who are the focus of this bill.