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end

P.L. 2022, CHAPTER 94, *approved August 5, 2022*  
Senate, No. 1603 (*First Reprint*)

1 AN ACT concerning annuities for certain members of the Judicial  
2 Retirement System who filed for deferred retirement and  
3 amending P.L.2019, c.287.  
4

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

7  
8 1. Section 1 of P.L. 2019 c.287 (C.43:6A-11.1) is amended to  
9 read as follows:

10 1. Notwithstanding the provisions of any law or regulation to  
11 the contrary, a member of the Judicial Retirement System who has  
12 been appointed by the Governor, with the advice and consent of the  
13 Senate, to the position of county prosecutor in accordance with  
14 N.J.S.2A:158-1 or who has been appointed by the Chief Justice of  
15 the Supreme Court to the position of Administrative Director of the  
16 Courts in accordance with Article VI, Section VII, paragraph 1 of  
17 the New Jersey Constitution may file, prior to commencing service  
18 as the county prosecutor or as the Administrative Director of the  
19 Courts, a written and duly executed application for retirement for  
20 any reason other than disability if the member has attained the age  
21 of 65 years, has the necessary judicial service credit for a full  
22 judicial retirement, and has served for 20 years as a judge for any  
23 court in New Jersey. The approval process shall be expedited. If  
24 the application is approved, the effective date of retirement for that  
25 member shall be deferred to the first day of the month following the  
26 termination of the member's service in the position of county  
27 prosecutor or of Administrative Director of the Courts. The  
28 application for retirement shall be accompanied by a copy of the  
29 member's written resignation from the judicial office effective as of  
30 the date of the approval of the retirement application.

31 If such a person attains the age of 70 years while serving as a  
32 county prosecutor or as the Administrative Director of the Courts  
33 and has an approved application for the member's retirement the  
34 effective date of which has been deferred, this section shall  
35 specifically override the JRS mandatory retirement age of 70  
36 enacted in section 7 of P.L.1973, c.140 (C.43:6A-7) and in the  
37 administrative code, and shall allow for the deferment of the  
38 mandatory retirement for JRS to the first day of the month  
39 following the termination of the member's service in the position of  
40 county prosecutor or of Administrative Director of the Courts.

**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:

<sup>1</sup>Senate SSG committee amendments adopted March 3, 2022.

1 If such a person dies while in service as a county prosecutor or  
2 as the Administrative Director of the Courts, the death shall not be  
3 considered a death in active service. The beneficiary shall be  
4 eligible for a pension or survivor's benefit, and for any death  
5 benefits, based on the approved retirement application and the  
6 retirement shall be effective as of the date of death. The election by  
7 the member of an option in accordance with section 1 of P.L.2002,  
8 c.54 (C.43:6A-16.1) shall become effective and payable.

9 Notwithstanding any other provision of law to the contrary, a  
10 person who files an application for retirement pursuant to this  
11 section and serves in the position of county prosecutor or of  
12 Administrative Director of the Courts shall not be eligible to  
13 participate in the Defined Contribution Retirement System, enroll in  
14 any other State-administered retirement system, or receive any other  
15 payments from the county or State deemed to be payments for  
16 retirement accounts, funds, or pensions, **[or]** not including  
17 annuities. The person and the person's dependents shall be eligible  
18 for health care benefits coverage provided for the position of county  
19 prosecutor or of Administrative Director of the Courts during  
20 service in that position.

21 This section shall be effective if the qualified status of the  
22 retirement system under federal law can be maintained upon its  
23 application, and such modifications to the system as may be  
24 available shall be made to allow for its application.

25 (cf: P.L.2021, c.329, s.1)

26

27 2. This act shall take effect immediately <sup>1</sup>, and shall be  
28 retroactive to November 1, 2020<sup>1</sup>.

29

30

31

32

33 Removes restriction on receipt of retirement annuities by certain  
34 members of JRS who file for deferred retirement.

# SENATE, No. 1603

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED FEBRUARY 14, 2022

**Sponsored by:**

**Senator BOB SMITH**

**District 17 (Middlesex and Somerset)**

**SYNOPSIS**

Removes restriction on receipt of retirement annuities by certain members of JRS who file for deferred retirement.

**CURRENT VERSION OF TEXT**

As introduced.



S1603 B.SMITH

2

1 AN ACT concerning annuities for certain members of the Judicial  
2 Retirement System who filed for deferred retirement and  
3 amending P.L.2019, c.287.

4

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

7

8 1. Section 1 of P.L. 2019 c.287 (C.43:6A-11.1) is amended to read  
9 as follows:

10 1. Notwithstanding the provisions of any law or regulation to the  
11 contrary, a member of the Judicial Retirement System who has been  
12 appointed by the Governor, with the advice and consent of the Senate,  
13 to the position of county prosecutor in accordance with  
14 N.J.S.2A:158-1 or who has been appointed by the Chief Justice of  
15 the Supreme Court to the position of Administrative Director of the  
16 Courts in accordance with Article VI, Section VII, paragraph 1 of the  
17 New Jersey Constitution may file, prior to commencing service as the  
18 county prosecutor or as the Administrative Director of the Courts, a  
19 written and duly executed application for retirement for any reason  
20 other than disability if the member has attained the age of 65 years,  
21 has the necessary judicial service credit for a full judicial retirement,  
22 and has served for 20 years as a judge for any court in New Jersey.  
23 The approval process shall be expedited. If the application is  
24 approved, the effective date of retirement for that member shall be  
25 deferred to the first day of the month following the termination of the  
26 member's service in the position of county prosecutor or of  
27 Administrative Director of the Courts. The application for retirement  
28 shall be accompanied by a copy of the member's written resignation  
29 from the judicial office effective as of the date of the approval of the  
30 retirement application.

31 If such a person attains the age of 70 years while serving as a  
32 county prosecutor or as the Administrative Director of the Courts and  
33 has an approved application for the member's retirement the effective  
34 date of which has been deferred, this section shall specifically  
35 override the JRS mandatory retirement age of 70 enacted in section  
36 7 of P.L.1973, c.140 (C.43:6A-7) and in the administrative code, and  
37 shall allow for the deferment of the mandatory retirement for JRS to  
38 the first day of the month following the termination of the member's  
39 service in the position of county prosecutor or of Administrative  
40 Director of the Courts.

41 If such a person dies while in service as a county prosecutor or as  
42 the Administrative Director of the Courts, the death shall not be  
43 considered a death in active service. The beneficiary shall be eligible  
44 for a pension or survivor's benefit, and for any death benefits, based  
45 on the approved retirement application and the retirement shall be  
46 effective as of the date of death. The election by the member of an

**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.

**S1603 B.SMITH**

1 option in accordance with section 1 of P.L.2002, c.54 (C.43:6A-16.1)  
2 shall become effective and payable.

3 Notwithstanding any other provision of law to the contrary, a  
4 person who files an application for retirement pursuant to this section  
5 and serves in the position of county prosecutor or of Administrative  
6 Director of the Courts shall not be eligible to participate in the  
7 Defined Contribution Retirement System, enroll in any other State-  
8 administered retirement system, or receive any other payments from  
9 the county or State deemed to be payments for retirement accounts,  
10 funds, or pensions, **[or]** not including annuities. The person and the  
11 person's dependents shall be eligible for health care benefits coverage  
12 provided for the position of county prosecutor or of Administrative  
13 Director of the Courts during service in that position.

14 This section shall be effective if the qualified status of the  
15 retirement system under federal law can be maintained upon its  
16 application, and such modifications to the system as may be available  
17 shall be made to allow for its application.

18 (cf: P.L.2021, c.329, s.1)

19

20 2. This act shall take effect immediately.

21

22

23

STATEMENT

24

25 Under current law, a judge may file for deferred retirement from  
26 the Judicial Retirement System in order to serve as a county  
27 prosecutor or the Administrative Director of the Courts, and in so  
28 doing will not be eligible to receive any other payments from the  
29 county or State deemed to be payments for retirement accounts,  
30 funds, pensions, or annuities. This bill removes the restriction on the  
31 receipt of retirement annuities.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &  
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

**SENATE, No. 1603**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MARCH 3, 2022

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably and with committee amendments Senate Bill No. 1603.

Under current law, a judge may file for deferred retirement from the Judicial Retirement System in order to serve as a county prosecutor or the Administrative Director of the Courts, and in so doing will not be eligible to receive any other payments from the county or State deemed to be payments for retirement accounts, funds, pensions, or annuities. This bill removes the restriction on the receipt of retirement annuities.

As amended by the committee, the bill is retroactive to November 1, 2020.

COMMITTEE AMENDMENTS:

The committee amended the bill to make the bill retroactive to November 1, 2020.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

[First Reprint]

**SENATE, No. 1603**

**STATE OF NEW JERSEY**

DATED: MAY 12, 2022

The Assembly Judiciary Committee reports favorably Senate Bill No. 1603 (1R).

Under current law, a judge may file for deferred retirement from the Judicial Retirement System in order to serve as a county prosecutor or the Administrative Director of the Courts, and in so doing will not be eligible to receive any other payments from the county or State deemed to be payments for retirement accounts, funds, pensions, or annuities. This bill removes the restriction on the receipt of retirement annuities.

The bill is retroactive to November 1, 2020.

As reported by the committee, Senate Bill No.1603 (1R) is identical to Assembly Bill No. 3771 which was also reported by the committee on this date.

# ASSEMBLY, No. 3771

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MAY 2, 2022

**Sponsored by:**

**Assemblyman RAJ MUKHERJI**  
**District 33 (Hudson)**

**Co-Sponsored by:**

**Assemblyman Kennedy**

**SYNOPSIS**

Removes restriction on receipt of retirement annuities by certain members of JRS who file for deferred retirement.

**CURRENT VERSION OF TEXT**

As introduced.



A3771 MUKHERJI

2

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3 amending P.L.2019, c.287.

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13 Senate, to the position of county prosecutor in accordance with  
14 N.J.S.2A:158-1 or who has been appointed by the Chief Justice of  
15 the Supreme Court to the position of Administrative Director of the  
16 Courts in accordance with Article VI, Section VII, paragraph 1 of  
17 the New Jersey Constitution may file, prior to commencing service  
18 as the county prosecutor or as the Administrative Director of the  
19 Courts, a written and duly executed application for retirement for  
20 any reason other than disability if the member has attained the age  
21 of 65 years, has the necessary judicial service credit for a full  
22 judicial retirement, and has served for 20 years as a judge for any  
23 court in New Jersey. The approval process shall be expedited. If  
24 the application is approved, the effective date of retirement for that  
25 member shall be deferred to the first day of the month following the  
26 termination of the member's service in the position of county  
27 prosecutor or of Administrative Director of the Courts. The  
28 application for retirement shall be accompanied by a copy of the  
29 member's written resignation from the judicial office effective as of  
30 the date of the approval of the retirement application.

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32 county prosecutor or as the Administrative Director of the Courts  
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45 benefits, based on the approved retirement application and the

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**Matter underlined thus is new matter.**

A3771 MUKHERJI

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2 the member of an option in accordance with section 1 of P.L.2002,  
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4 Notwithstanding any other provision of law to the contrary, a  
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17 retirement system under federal law can be maintained upon its  
18 application, and such modifications to the system as may be  
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20 (cf: P.L.2021, c.329, s.1)

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22 2. This act shall take effect immediately, and shall be  
23 retroactive to November 1, 2020.

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31 doing will not be eligible to receive any other payments from the  
32 county or State deemed to be payments for retirement accounts,  
33 funds, pensions, or annuities. This bill removes the restriction on  
34 the receipt of retirement annuities.

35 The bill is retroactive to November 1, 2020.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3771**

**STATE OF NEW JERSEY**

DATED: MAY 12, 2022

The Assembly Judiciary Committee reports favorably Assembly Bill No. 3771.

Under current law, a judge may file for deferred retirement from the Judicial Retirement System in order to serve as a county prosecutor or the Administrative Director of the Courts, and in so doing will not be eligible to receive any other payments from the county or State deemed to be payments for retirement accounts, funds, pensions, or annuities. This bill removes the restriction on the receipt of retirement annuities.

The bill is retroactive to November 1, 2020.

As reported by the committee, Assembly Bill No. 3771 is identical to Senate Bill No.1603 (1R) which was also reported by the committee on this date.

# Governor Murphy Takes Action on Legislation

08/5/2022

**TRENTON** – Today, Governor Phil Murphy signed the following bills into law:

**S-481/A-4291 (Scutari, Bramnick/Greenwald, Conaway, Stanley)** - Requires automobile insurance policies to provide certain minimum amounts of liability, uninsured motorist, and underinsured motorist coverage

**S-521/A-3661 (Cruz-Perez, Pou/Spearman)** - Expressly authorizes medical cannabis patients under 18 years of age to have up to four designated caregivers

**S-525/A-280 (Ruiz, Singleton/Umba, Sawyer, Wirths)** - Enhances, and allocates funds for, pre-apprenticeship programs

**S-1368/A-2687 (Scutari/Mukherji)** - Requires business owners and rental unit owners to maintain certain liability insurance policies

**S-1535/A-2-861 (Greenstein, Turner/Benson, Verrelli, Reynolds-Jackson, Thomson)** - Permits counties to operate airports as county utilities; provides that bonds for county and municipal airport purposes be issued in accordance with provisions of "Local Bond Law."

**S-1603/A-3771 (Smith/Mukherji)** - Removes restriction on receipt of retirement annuities by certain members of JRS who file for deferred retirement

**S-2843/A-4293 (Scutari, Bramnick/Mukherji, Quijano, Wimberly)** - Requires certain insurers to disclose policy limits upon request by an attorney under certain circumstances

**A-4239/S-2424 (Lopez, Atkins, Moen/Gopal)** - Concerns imposition and collection of sales and use tax for fabrication and installation of signs