

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 103 or <mailto:refdesk@njstatelib.org>.

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

RWH 6/5/08

P.L. 2007, CHAPTER 322, *approved January 13, 2008*
Assembly, No. 3022

1 AN ACT concerning the payment of temporary disability benefits
2 and amending P.L.1948, c.110.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 15 of P.L.1948, c.110 (C.43:21-39) is amended to
8 read as follows:

9 15. Limitation of benefits. Notwithstanding any other provision
10 of the "Temporary Disability Benefits Law," P.L.1948, c.110
11 (C.43:21-25 et seq.), no benefits shall be payable under the State
12 plan to any person:

13 (a) for the first seven consecutive days of each period of
14 disability; except that if benefits shall be payable for three
15 consecutive weeks with respect to any period of disability
16 commencing on or after January 1, 1968, then benefits shall also be
17 payable with respect to the first seven days thereof;

18 (b) for more than 26 weeks with respect to any one period of
19 disability;

20 (c) for any period of disability which did not commence while
21 the claimant was a covered individual;

22 (d) for any period during which the claimant is not under the care
23 of a legally licensed physician, dentist, optometrist, podiatrist,
24 practicing psychologist, advanced practice nurse, or chiropractor,
25 who, when requested by the division, shall certify within the scope
26 of the practitioner's practice, the disability of the claimant, the
27 probable duration thereof, and, where applicable, the medical facts
28 within the practitioner's knowledge;

29 (e) (Deleted by amendment, P.L.1980, c.90.)

30 (f) for any period of disability due to willfully and intentionally
31 self-inflicted injury, or to injury sustained in the perpetration by the
32 claimant of a crime of the first, second, **[or]** third, or fourth degree,
33 or for any period during which a covered individual would be
34 disqualified for unemployment compensation benefits for gross
35 misconduct under subsection (b) of R.S. 43:21-5;

36 (g) for any period during which the claimant performs any work
37 for remuneration or profit;

38 (h) in a weekly amount which together with any remuneration
39 the claimant continues to receive from the employer would exceed
40 regular weekly wages immediately prior to disability;

41 (i) for any period during which a covered individual would be
42 disqualified for unemployment compensation benefits under
43 subsection (d) of R.S.43:21-5, unless the disability commenced
44 prior to such disqualification; and there shall be no other cause 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.

1 disqualification or ineligibility to receive disability benefits
2 hereunder except as may be specifically provided in this act.
3 (cf: P.L.2004, c.168, s.2)

4

5 2. This act shall take effect immediately but the provisions of
6 this act shall not apply to any claim for benefits filed before the
7 effective date of the act.

8

9

10

STATEMENT

11

12 This bill modifies the provisions for the payment of temporary
13 disability benefits by prohibiting the payment of benefits to any
14 person who was injured during the commission of a fourth degree
15 crime, or who has been fired for gross misconduct connected with
16 the job. Currently, the Temporary Disability Benefits Law only
17 prohibits payments for disabilities incurred during the commission
18 of a crime of the first, second, or third degree.

19

20

21

22

23 Prohibits payment of temporary disability benefits when
24 disability is incurred as result of fourth degree crime or gross
25 misconduct.

ASSEMBLY, No. 3022

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED MAY 15, 2006

Sponsored by:

Assemblyman MICHAEL J. PANTER

District 12 (Mercer and Monmouth)

Assemblyman UPENDRA J. CHIVUKULA

District 17 (Middlesex and Somerset)

Co-Sponsored by:

Senators Karcher and Sarlo

SYNOPSIS

Prohibits payment of temporary disability benefits when disability is incurred as result of fourth degree crime or gross misconduct.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/4/2008)

1 AN ACT concerning the payment of temporary disability benefits
2 and amending P.L.1948, c.110.

3

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

6

7 1. Section 15 of P.L.1948, c.110 (C.43:21-39) is amended to
8 read as follows:

9 15. Limitation of benefits. Notwithstanding any other provision
10 of the "Temporary Disability Benefits Law," P.L.1948, c.110
11 (C.43:21-25 et seq.), no benefits shall be payable under the State
12 plan to any person:

13 (a) for the first seven consecutive days of each period of
14 disability; except that if benefits shall be payable for three
15 consecutive weeks with respect to any period of disability
16 commencing on or after January 1, 1968, then benefits shall also be
17 payable with respect to the first seven days thereof;

18 (b) for more than 26 weeks with respect to any one period of
19 disability;

20 (c) for any period of disability which did not commence while
21 the claimant was a covered individual;

22 (d) for any period during which the claimant is not under the care
23 of a legally licensed physician, dentist, optometrist, podiatrist,
24 practicing psychologist, advanced practice nurse, or chiropractor,
25 who, when requested by the division, shall certify within the scope
26 of the practitioner's practice, the disability of the claimant, the
27 probable duration thereof, and, where applicable, the medical facts
28 within the practitioner's knowledge;

29 (e) (Deleted by amendment, P.L.1980, c.90.)

30 (f) for any period of disability due to willfully and intentionally
31 self-inflicted injury, or to injury sustained in the perpetration by the
32 claimant of a crime of the first, second, **[or]** third, or fourth degree,
33 or for any period during which a covered individual would be
34 disqualified for unemployment compensation benefits for gross
35 misconduct under subsection (b) of R.S. 43:21-5;

36 (g) for any period during which the claimant performs any work
37 for remuneration or profit;

38 (h) in a weekly amount which together with any remuneration
39 the claimant continues to receive from the employer would exceed
40 regular weekly wages immediately prior to disability;

41 (i) for any period during which a covered individual would be
42 disqualified for unemployment compensation benefits under
43 subsection (d) of R.S.43:21-5, unless the disability commenced
44 prior to such disqualification; and there shall be no other cause 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.

1 disqualification or ineligibility to receive disability benefits
2 hereunder except as may be specifically provided in this act.
3 (cf: P.L.2004, c.168, s.2)

4

5 2. This act shall take effect immediately but the provisions of
6 this act shall not apply to any claim for benefits filed before the
7 effective date of the act.

8

9

10

STATEMENT

11

12 This bill modifies the provisions for the payment of temporary
13 disability benefits by prohibiting the payment of benefits to any
14 person who was injured during the commission of a fourth degree
15 crime, or who has been fired for gross misconduct connected with
16 the job. Currently, the Temporary Disability Benefits Law only
17 prohibits payments for disabilities incurred during the commission
18 of a crime of the first, second, or third degree.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3022

STATE OF NEW JERSEY

DATED: JUNE 1, 2006

The Assembly Labor Committee reports favorably Assembly Bill No. 3022.

This bill modifies the provisions for the payment of temporary disability benefits by prohibiting the payment of benefits to any person who was injured during the commission of a fourth degree crime, or who has been fired for gross misconduct connected with the job. Currently, the Temporary Disability Benefits Law only prohibits payments for disabilities incurred during the commission of a crime of the first, second, or third degree.

SENATE LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3022

STATE OF NEW JERSEY

DATED: OCTOBER 16, 2006

The Senate Labor Committee reports favorably Assembly Bill No. 3022.

This bill modifies the provisions for the payment of temporary disability benefits by prohibiting the payment of benefits to any person who was injured during the commission of a fourth degree crime, or for any period for which the person would have been disqualified from unemployment benefits for gross misconduct connected with the job. Currently, the Temporary Disability Benefits Law only prohibits payments for disabilities incurred during the commission of a crime of the first, second, or third degree.

The bill does not apply to any claim for benefits filed before the effective date of the bill.

As reported, this bill is identical to Senate Bill No. 1923.

SENATE, No. 1923

STATE OF NEW JERSEY

212th LEGISLATURE

INTRODUCED JUNE 8, 2006

Sponsored by:

Senator ELLEN KARCHER

District 12 (Mercer and Monmouth)

Senator PAUL A. SARLO

District 36 (Bergen, Essex and Passaic)

SYNOPSIS

Prohibits payment of temporary disability benefits when disability is incurred as result of fourth degree crime or gross misconduct.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/9/2007)

S1923 KARCHER, SARLO

2

1 AN ACT concerning the payment of temporary disability benefits
2 and amending P.L.1948, c.110.

3

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

6

7 1. Section 15 of P.L.1948, c.110 (C.43:21-39) is amended to
8 read as follows:

9 15. Limitation of benefits. Notwithstanding any other provision
10 of the "Temporary Disability Benefits Law," P.L.1948, c.110
11 (C.43:21-25 et seq.), no benefits shall be payable under the State
12 plan to any person:

13 (a) for the first seven consecutive days of each period of
14 disability; except that if benefits shall be payable for three
15 consecutive weeks with respect to any period of disability
16 commencing on or after January 1, 1968, then benefits shall also be
17 payable with respect to the first seven days thereof;

18 (b) for more than 26 weeks with respect to any one period of
19 disability;

20 (c) for any period of disability which did not commence while
21 the claimant was a covered individual;

22 (d) for any period during which the claimant is not under the care
23 of a legally licensed physician, dentist, optometrist, podiatrist,
24 practicing psychologist, advanced practice nurse, or chiropractor,
25 who, when requested by the division, shall certify within the scope
26 of the practitioner's practice, the disability of the claimant, the
27 probable duration thereof, and, where applicable, the medical facts
28 within the practitioner's knowledge;

29 (e) (Deleted by amendment, P.L.1980, c.90.)

30 (f) for any period of disability due to willfully and intentionally
31 self-inflicted injury, or to injury sustained in the perpetration by the
32 claimant of a crime of the first, second, **[or]** third, or fourth degree,
33 or for any period during which a covered individual would be
34 disqualified for unemployment compensation benefits for gross
35 misconduct under subsection (b) of R.S.43:21-5;

36 (g) for any period during which the claimant performs any work
37 for remuneration or profit;

38 (h) in a weekly amount which together with any remuneration
39 the claimant continues to receive from the employer would exceed
40 regular weekly wages immediately prior to disability;

41 (i) for any period during which a covered individual would be
42 disqualified for unemployment compensation benefits under
43 subsection (d) of R.S.43:21-5, unless the disability commenced
44 prior to such disqualification; and there shall be no other cause of
45 disqualification or ineligibility to receive disability 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.

1 hereunder except as may be specifically provided in this act.
2 (cf: P.L.2004, c.168, s.2)

3

4 2. This act shall take effect immediately but the provisions of
5 this act shall not apply to any claim for benefits filed before the
6 effective date of the act.

7

8

9

STATEMENT

10

11 This bill modifies the provisions for the payment of temporary
12 disability benefits by prohibiting the payment of benefits to any
13 person who was injured during the commission of a fourth degree
14 crime, or who has been fired for gross misconduct connected with
15 the job. Currently, the Temporary Disability Benefits Law only
16 prohibits payments for disabilities incurred during the commission
17 of a crime of the first, second, or third degree.

18 The bill does not apply to any claim for benefits filed before the
19 effective date of the bill.

SENATE LABOR COMMITTEE

STATEMENT TO

SENATE, No. 1923

STATE OF NEW JERSEY

DATED: OCTOBER 16, 2006

The Senate Labor Committee reports favorably Senate Bill No. 1923.

This bill modifies the provisions for the payment of temporary disability benefits by prohibiting the payment of benefits to any person who was injured during the commission of a fourth degree crime, or for any period for which the person would have been disqualified from unemployment benefits for gross misconduct connected with the job. Currently, the Temporary Disability Benefits Law only prohibits payments for disabilities incurred during the commission of a crime of the first, second, or third degree.

The bill does not apply to any claim for benefits filed before the effective date of the bill.

As reported, this bill is identical to Assembly Bill No. 3022.