

40A:14-127.1

LEGISLATIVE HISTORY CHECKLIST
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(Police inter-municipal transfers--
relax age requirements)

NJSA: 40A:14-127.1

LAWS OF: 1993 **CHAPTER:** 319

BILL NO: S1181

SPONSOR(S) Dorsey

DATE INTRODUCED: October 1, 1992

COMMITTEE: **ASSEMBLY:** ---
SENATE: State Government

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** December 16, 1993
SENATE: December 16, 1993

DATE OF APPROVAL: December 23, 1993

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

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

26 b. For the purposes of meeting the maximum age requirement
27 for appointment established by N.J.S.40A:14-127 and for the
28 purpose of taking any civil service examination for appointment
29 as a municipal police officer, the Commissioner of Personnel, for
30 good cause shown, may deem an individual a former State
31 trooper, sheriff's officer or deputy, or county or municipal police
32 officer in accordance with subsection a. of this section, even
33 though that individual's separation from current service will not
34 occur except upon a new appointment.

35 (cf: P.L.1991, c.492, s.1)

36 2. This act shall take effect immediately.

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STATEMENT

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41 The purpose of this bill is to grant the Commissioner of
42 Personnel the discretion, upon a showing of good cause, to deem
43 an individual a former State trooper, sheriff's officer or deputy.

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 or county or municipal police officer, even though the individual
2 is currently in service, for the purpose of reducing his age to be
3 eligible for an appointment as a municipal police officer in
4 another jurisdiction. Under the current law a police officer must
5 resign from his service before his years of service can be used to
6 reduce his age to be eligible for a new appointment. While this
7 rule helps protect municipalities from losing experienced police
8 officers to other municipalities offering increased compensation,
9 it is inflexible in certain situations such as when an officer is
10 experiencing harassment from superiors in his current service.

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15 Permits Commissioner of Personnel to deem individual a former
16 officer in certain circumstances.

SENATE, No. 1181

STATE OF NEW JERSEY

INTRODUCED OCTOBER 1, 1992

By Senator DORSEY

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12 removal for cause on charges of misconduct or delinquency, shall
13 be deemed to meet the maximum age requirement for
14 appointment established by N.J.S.40A:14-127, if his actual age,
15 less the number of years of his previous service as a law
16 enforcement officer, would meet the maximum age requirement
17 established by said section, but no person may be appointed who
18 is over the age of 45 as of the date of his reappointment; except
19 that in the case of a State trooper, sheriff's officer or deputy, or
20 county or municipal [policeman] police officer whose separation
21 from service was involuntary due to a lay-off or reduction in
22 force, such person shall be deemed to meet the maximum age
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25 time of reappointment.

26 b. For the purposes of meeting the maximum age requirement
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28 purpose of taking any civil service examination for appointment
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SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 1181

STATE OF NEW JERSEY

DATED: DECEMBER 6, 1993

The Senate State Government Committee reports favorably Senate Bill No. 1181.

Under existing law, a former State trooper, sheriff's officer or deputy, or county or municipal police officer must be separated from service before the individual's years of service can be used to reduce the individual's age in order for the individual to meet the maximum age requirement for appointment. This bill grants the Commissioner of Personnel the discretion to deem an individual currently in service as a former State trooper, sheriff's officer or deputy, or county or municipal police officer for the purpose of meeting the maximum age requirement for appointment so that the individual may take a civil service examination for appointment as a municipal police officer.