

# ASSEMBLY, No. 3930

## STATE OF NEW JERSEY 221st LEGISLATURE

INTRODUCED MARCH 4, 2024

**Sponsored by:**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**Assemblyman WILLIAM B. SAMPSON, IV**

**District 31 (Hudson)**

**Assemblyman GABRIEL RODRIGUEZ**

**District 33 (Hudson)**

**SYNOPSIS**

Permits service credit in Prosecutors Part of PERS for judicial clerk service.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 3/18/2024)

A3930 QUIJANO, SAMPSON

2

1 AN ACT concerning certain service credit for certain members of  
2 the Prosecutors Part of the Public Employees' Retirement  
3 System and amending P.L.2001, c.366.

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

7  
8 1. Section 2 of P.L.2001, c.366 (C.43:15A-156) is amended to  
9 read as follows:

10 2. a. Notwithstanding the provisions of any other law,  
11 prosecutors shall be members of the Prosecutors Part, established  
12 pursuant to P.L.2001, c.366 (C.43:15A-155 et seq.), of the Public  
13 Employees' Retirement System, established pursuant to P.L.1954,  
14 c.84 (C.43:15A-1 et seq.), and shall be subject to the same  
15 membership and benefit provisions as State employees, except as  
16 provided by P.L.2001, c.366. Membership in the retirement system  
17 shall be a condition of employment for service as a prosecutor. Any  
18 service credit which has been established in the Public Employees'  
19 Retirement System prior to the effective date of this act, P.L.2021,  
20 c.226, shall be established in the Prosecutors Part without further  
21 assessment of cost to the prosecutor; provided, however, any  
22 service credit which has been established in the Public Employees'  
23 Retirement System and the Judicial Retirement System not deferred  
24 pursuant to section 1 of P.L.2019, c.287 (C.43:6A-11.1) by a  
25 member of the retirement system in any position prior to service as  
26 a county prosecutor, nominated and appointed pursuant to Article  
27 VII, Section II, paragraph 1 of the New Jersey Constitution, shall be  
28 established in the Prosecutors Part without further assessment of  
29 cost to the prosecutor.

30 Any county prosecutor, nominated and appointed pursuant to  
31 Article VII, Section II, paragraph 1 of the New Jersey Constitution  
32 before or after the effective date of P.L. , c. (pending before the  
33 Legislature as this bill), who purchases, after appointment as a  
34 county prosecutor, credit for service as a law clerk to a judge of the  
35 New Jersey Superior Court or justice of the New Jersey Supreme  
36 Court in the same manner and subject to the same terms and  
37 conditions provided for the purchase of previous membership  
38 service by section 8 of P.L.1954, c.84 (C.43:15A-8) shall have that  
39 service established in the Prosecutors Part.

40 Any county prosecutor or acting county prosecutor enrolled in  
41 the Defined Contribution Retirement Program as a county  
42 prosecutor or acting county prosecutor shall be eligible for service  
43 credit in the Prosecutors Part, except that the county prosecutor or  
44 acting county prosecutor shall first pay the amount equivalent to  
45 that amount contributed pursuant to section 3 of P.L.2007, c.92

**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 (C.43:15C-3) during each fiscal year of membership in the Defined  
2 Contribution Retirement Program to be credited.

3 b. All outstanding obligations, such as loans, purchases and  
4 other arrearage, shall be satisfied by a prosecutor as previously  
5 scheduled for payment to the Public Employees' Retirement  
6 System.

7 (cf: P.L.2021, c.226, s.1)

8

9 2. This act shall take effect immediately.

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#### STATEMENT

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14 This bill allows a county prosecutor, nominated and appointed  
15 pursuant to the State Constitution, to receive credit in the  
16 Prosecutors Part of the Public Employees' Retirement System  
17 (PERS) for service as a judicial law clerk in a State Court if the  
18 county prosecutor purchases credit for that service after being  
19 appointed to serve as a county prosecutor. Under current law, such  
20 a purchase after appointment is not recognized as service credit in  
21 the Prosecutors Part.