

ASSEMBLY, No. 4428

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MAY 20, 2024

Sponsored by:
Assemblywoman JESSICA RAMIREZ
District 32 (Hudson)

SYNOPSIS

Updates definition of veteran to include discharged LGBTQ veteran;
requires DMVA develop review process for such veterans.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning benefits for LGBTQ veterans, and amending
2 various parts of the statutory law and supplementing Title 38A of
3 the New Jersey Statutes.

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

7
8 1. (New section) As used in this act:

9 “Discharged LGBTQ veteran” means a veteran who was
10 discharged less than honorably from the Armed Forces of the
11 United States due to their sexual orientation or gender identity or
12 expression, or statements, consensual sexual conduct, or consensual
13 acts relating to sexual orientation or gender identity or expression,
14 or the disclosure of such statements, conduct, or acts that were
15 prohibited by the Armed Forces at the time of discharge.

16 “Gender expression” means a person's gender-related appearance
17 and behavior, whether or not stereotypically associated with the
18 person's assigned sex at birth.

19 “Gender identity” means a person's internal sense of their own
20 gender, regardless of the sex the person was assigned at birth.

21 “Sexual orientation” means male or female heterosexuality,
22 homosexuality, or bisexuality by inclination, practice, identity, or
23 expression, having a history thereof or being perceived, presumed,
24 or identified by others as having such an orientation.

25
26 2. (New section) The department shall establish a consistent
27 and uniform process to determine whether a veteran qualifies as a
28 discharged LGBTQ veteran, as defined in section 1 of P.L. , c.
29 (C.) (pending before the Legislature as this bill), including, at a
30 minimum, standards for verifying a veteran's status as a discharged
31 LGBTQ veteran, and a method of demonstrating eligibility as a
32 discharged LGBTQ veteran. The department shall create an
33 eligibility form to be issued upon verification of status as a
34 discharged LGBTQ veteran.

35
36 3. Section 1 of P.L.1983, c.197 (C.10:5-39) is amended to read
37 as follows:

38 1. As used in this act:

39 a. "Affirmative action program for veterans" means a plan
40 guaranteeing to veterans an equal employment opportunity, which
41 includes but is not limited to the following areas: recruitment,
42 selection, hiring, training, promotion, transfer, layoff, return from
43 layoff, compensation, and fringe benefits.

44 b. "Public works contract" means any contract exceeding
45 \$250,000.00 in price to be performed for or on behalf of the State

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 for the construction, alteration, or repair of any building or public
2 work.

3 c. "Veteran " means any soldier, sailor, marine, airman, nurse
4 or army field clerk, who has served at least 90 days in the active
5 military, naval or air service of the United States and has been
6 discharged or released therefrom under conditions other than
7 dishonorable, or any discharged LGBTQ veteran, as defined in
8 section 1 of P.L. , c. (C.) (pending before the Legislature as
9 this bill), who has served at least 90 days of active service, and who
10 has presented to the Civil Service Commission of New Jersey full
11 and convincing evidence of such record of service on or before the
12 date of making application for a position governed by this act. The
13 90-day requirement for active service is exclusive of any time such
14 veteran was assigned: (1) for a course of education or training under
15 the Army Specialized Training Program or the Navy College
16 Training Program, which course was a continuation of his civilian
17 course and was pursued to completion; or (2) as a cadet or
18 midshipman at one of the service academies; and exclusive of any
19 service performed pursuant to the provisions of section 511(d) of
20 Title 10, United States Code, pursuant to an enlistment in the Army
21 or Air Force National Guard or as a reserve for service in the Army
22 Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve,
23 or Coast Guard Reserve; provided, that any person receiving an
24 actual, service-incurred injury or disability shall be classed as a
25 veteran, whether or not he has completed the 90 days' service as
26 herein provided.

27 (cf: P.L.2017, c.184, s.5)

28

29 4. N.J.S.11A:5-1 is amended to read as follows:

30 11A:5-1. As used in this chapter:

31 a. "Disabled veteran" means any veteran who is eligible to be
32 compensated for a service-connected disability from war service by
33 the United States Veterans Administration or who receives or is
34 entitled to receive equivalent compensation for a service-connected
35 disability which arises out of military or naval service as set forth in
36 this chapter and who has submitted sufficient evidence of the record
37 of disability incurred in the line of duty to the Adjutant General of
38 the Department of Military and Veterans' Affairs and received a
39 determination of status no later than eight days prior to the issuance
40 of an employment list, for which that individual received a passing
41 score on an examination;

42 b. "Veteran" means any honorably discharged soldier, sailor,
43 marine or nurse who served in any army or navy of the allies of the
44 United States in World War I, between July 14, 1914 and November
45 11, 1918, or who served in any army or navy of the allies of the
46 United States in World War II, between September 1, 1939 and
47 September 2, 1945 and who was inducted into that service through
48 voluntary enlistment, and was a citizen of the United States at the

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1 time of the enlistment, and who did not renounce or lose his or her
2 United States citizenship; or any soldier, sailor, marine, airman,
3 nurse or army field clerk who has served in the active military or
4 naval service of the United States and has been discharged or
5 released under other than dishonorable conditions from that service,
6 or any discharged LGBTQ veteran, as defined in section 1 of P.L. ,
7 c. (C.) (pending before the Legislature as this bill), from active
8 service in any branch of the Armed Forces of the United States, in
9 any of the following wars or conflicts and who has presented to the
10 Adjutant General of the Department of Military and Veterans'
11 Affairs sufficient evidence of the record of service and received a
12 determination of status no later than eight days prior to the issuance
13 of an employment list, for which that individual received a passing
14 score on an examination:

15 (1) World War I, between April 6, 1917 and November 11, 1918;

16 (2) World War II, on or after September 16, 1940, who shall
17 have served at least 90 days beginning on or before December 31,
18 1946 in such active service, exclusive of any period of assignment
19 for a course of education or training under the Army Specialized
20 Training Program or the Navy College Training Program, which
21 course was a continuation of a civilian course and was pursued to
22 completion, or as a cadet or midshipman at one of the service
23 academies; except that any person receiving an actual service-
24 incurred injury or disability shall be classed a veteran whether or
25 not that person has completed the 90-day service;

26 (3) Korean conflict, on or after June 23, 1950, who shall have
27 served at least 90 days beginning on or before January 31, 1955 in
28 active service, exclusive of any period of assignment for a course of
29 education or training under the Army Specialized Training Program
30 or the Navy College Training Program, which course was a
31 continuation of a civilian course and was pursued to completion, or
32 as a cadet or midshipman at one of the service academies; except
33 that any person receiving an actual service-incurred injury or
34 disability shall be classed as a veteran, whether or not that person
35 has completed the 90-day service;

36 (4) Lebanon crisis, on or after July 1, 1958, who has served in
37 Lebanon or on board any ship actively engaged in patrolling the
38 territorial waters of that nation for a period, continuous or in the
39 aggregate, of at least 14 days commencing on or before November
40 1, 1958 or the date of termination of that conflict, as proclaimed by
41 the President of the United States or Congress, whichever date of
42 termination is the latest, in such active service; provided that any
43 person receiving an actual service-incurred injury or disability shall
44 be classed as a veteran whether or not that person has completed the
45 14 days' service as herein provided;

46 (5) Vietnam conflict, on or after December 31, 1960, who shall
47 have served at least 90 days beginning on or before May 7, 1975 in
48 active service, exclusive of any period of assignment for a course of

1 education or training under the Army Specialized Training Program
2 or the Navy College Training Program, which course was a
3 continuation of a civilian course and was pursued to completion, or
4 as a cadet or midshipman at one of the service academies, and
5 exclusive of any service performed pursuant to the provisions of
6 section 511(d) of Title 10, United States Code, or exclusive of any
7 service performed pursuant to enlistment in the National Guard or
8 the Army Reserve, Naval Reserve, Air Force Reserve, Marine
9 Corps Reserve, or Coast Guard Reserve; except that any person
10 receiving an actual service-incurred injury or disability shall be
11 classed as a veteran, whether or not that person has completed the
12 90-day service as provided;

13 (6) Lebanon peacekeeping mission, on or after September 26,
14 1982, who has served in Lebanon or on board any ship actively
15 engaged in patrolling the territorial waters of that nation for a
16 period, continuous or in the aggregate, of at least 14 days
17 commencing on or before December 1, 1987 or the date of
18 termination of that mission, as proclaimed by the President of the
19 United States or Congress, whichever date of termination is the
20 latest, in such active service; provided that any person receiving an
21 actual service-incurred injury or disability shall be classed as a
22 veteran whether or not that person has completed the 14 days'
23 service as herein provided;

24 (7) Grenada peacekeeping mission, on or after October 23, 1983,
25 who has served in Grenada or on board any ship actively engaged in
26 patrolling the territorial waters of that nation for a period,
27 continuous or in the aggregate, of at least 14 days commencing on
28 or before November 21, 1983 or the date of termination of that
29 mission, as proclaimed by the President of the United States or
30 Congress, whichever date of termination is the latest, in such active
31 service; provided that any person receiving an actual service-
32 incurred injury or disability shall be classed as a veteran whether or
33 not that person has completed the 14 days' service as herein
34 provided;

35 (8) Panama peacekeeping mission, on or after December 20,
36 1989 or the date of inception of that mission, as proclaimed by the
37 President of the United States or Congress, whichever date of
38 inception is earliest, who has served in Panama or on board any ship
39 actively engaged in patrolling the territorial waters of that nation for
40 a period, continuous or in the aggregate, of at least 14 days
41 commencing on or before January 31, 1990 or the date of
42 termination of that mission, as proclaimed by the President of the
43 United States or Congress, whichever date of termination is the
44 latest, in such active service; provided that any person receiving an
45 actual service-incurred injury or disability shall be classed as a
46 veteran whether or not that person has completed the 14 days'
47 service as herein provided;

1 (9) Operation "Desert Shield/Desert Storm" mission in the
2 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
3 or the date of inception of that operation, as proclaimed by the
4 President of the United States or Congress, whichever date of
5 inception is earliest, who has served in the Arabian peninsula or on
6 board any ship actively engaged in patrolling the Persian Gulf for a
7 period, continuous or in the aggregate, of at least 14 days
8 commencing on or before the date of termination of that mission, as
9 proclaimed by the President of the United States or Congress,
10 whichever date of termination is the latest, in such active service;
11 provided that any person receiving an actual service-incurred injury
12 or disability shall be classed as a veteran whether or not that person
13 has completed the 14 days' service as herein provided;

14 (10) Operation Northern Watch and Operation Southern Watch,
15 on or after August 27, 1992 or the date of inception of that
16 operation, as proclaimed by the President of the United States,
17 Congress or United States Secretary of Defense, whichever date of
18 inception is earliest, who served in the theater of operation,
19 including in the Arabian peninsula and the Persian Gulf, and in
20 direct support of that operation for a period, continuously or in the
21 aggregate, of at least 14 days in such active service commencing on
22 or before the date of termination of that operation, as proclaimed by
23 the President of the United States, Congress or United States
24 Secretary of Defense, whichever date of termination is the latest;
25 provided that any person receiving an actual service-incurred injury
26 or disability while engaged in such service shall be classed as a
27 veteran whether or not that person has completed the 14 days'
28 service as herein provided;

29 (11) Operation "Restore Hope" in Somalia, on or after December
30 5, 1992 or the date of inception of that operation as proclaimed by
31 the President of the United States or the Congress, whichever date
32 is earliest, who has served in Somalia or on board any ship actively
33 engaged in patrolling the territorial waters of that nation for a
34 period, continuously or in the aggregate, of at least 14 days in such
35 active service commencing on or before March 31, 1994; provided
36 that any person receiving an actual service-incurred injury or
37 disability shall be classed as a veteran whether or not that person
38 has completed the 14-day service as herein provided;

39 (12) Operations "Joint Endeavor" and "Joint Guard" in the
40 Republic of Bosnia and Herzegovina, on or after November 20,
41 1995, who served in such active service in direct support of one or
42 both of the operations for at least 14 days, continuously or in the
43 aggregate, commencing on or before June 20, 1998, and (1) was
44 deployed in that nation or in another area in the region, or (2) was
45 on board a United States naval vessel operating in the Adriatic Sea,
46 or (3) operated in airspace above the Republic of Bosnia and
47 Herzegovina; provided that any person receiving an actual service-

1 incurred injury or disability shall be classed as a veteran whether or
2 not that person completed the 14-day service requirement;

3 (13) Operation "Uphold Democracy" in Haiti, on or after
4 September 19, 1994, who served in Haiti or on board any ship
5 actively engaged in patrolling the territorial waters of that nation for
6 a period, continuously or in the aggregate, of at least 14 days in
7 such active service commencing on or before March 31, 1995 and
8 who received an Armed Forces Expeditionary Medal for such
9 service; provided that any person receiving an actual service-
10 incurred injury or disability shall be classed as a veteran whether or
11 not that person has completed the 14 days' service as herein
12 provided or received an Armed Forces Expeditionary Medal;

13 (14) Operation "Enduring Freedom", on or after September 11,
14 2001, who served in a theater of operation and in direct support of
15 that operation for a period, continuously or in the aggregate, of at
16 least 14 days in such active service commencing on or before the
17 date the President of the United States or the United States
18 Secretary of Defense designates as the termination date of that
19 operation; provided that any person receiving an actual service-
20 incurred injury or disability while engaged in such service shall be
21 classed as a veteran whether or not that person has completed the 14
22 days' service as herein provided;

23 (15) Operation "Iraqi Freedom", on or after the date the President
24 of the United States or the United States Secretary of Defense
25 designates as the inception date of that operation, who served in
26 Iraq or in another area in the region in direct support of that
27 operation for a period, continuously or in the aggregate, of at least
28 14 days in such active service commencing on or before the date the
29 President of the United States or the United States Secretary of
30 Defense designates as the termination date of that operation;
31 provided that any person receiving an actual service-incurred injury
32 or disability while engaged in such service shall be classed as a
33 veteran whether or not that person has completed the 14 days'
34 service as herein provided; and

35 (16) In a campaign or expedition for which a medal has been
36 authorized and recognized by the Veterans' Preference Act of 1944,
37 as amended and codified under Title 5, United States Code, for civil
38 service preference and which has been awarded to the veteran.

39 c. "War service" means service by a veteran in any war or
40 conflict described in this chapter during the periods specified.

41 (cf: P.L. 2021, c.429, s.1)

42

43 5. Section 1 of P.L.2007, c.275 (C.13:1L-12.1) is amended to
44 read as follows:

45 1. a. (1) The department shall not charge an admission fee for
46 entrance into a State park or forest by any veteran during an event
47 held by a veterans' organization. In addition, the department shall

1 not charge a facilities fee of any kind to any veterans' organization
2 using a State park or forest for an event.

3 (2) The department shall not charge an admission fee or
4 facilities fee of any kind for entrance into a State park or forest by a
5 person holding a driver's license or identification card with a Gold
6 Star Family designation issued pursuant to section 1 of P.L.2013,
7 c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47 (C.39:3-29.3),
8 respectively.

9 b. As used in this section:

10 "Veteran" means any resident of the State now or hereafter who
11 has been discharged honorably or under general honorable
12 conditions in any branch of the Armed Forces of the United States,
13 or a Reserve component thereof, or the National Guard of this State
14 or another state as defined in section 1 of P.L.1963, c.109
15 (C.38A:1-1), or any discharged LGBTQ veteran, as defined in
16 section 1 of P.L. , c. (C.) (pending before the Legislature as
17 this bill), in any branch of the Armed Forces of the United States, or
18 any honorably discharged member of the American Merchant
19 Marine who served during World War II and is declared by the
20 United States Department of Defense to be eligible for federal
21 veterans' benefits; and

22 "Veterans' organization" means the American Legion, Veterans
23 of Foreign Wars, or other veterans' organizations chartered under
24 federal law, or any service foundation of such an organization
25 recognized in its bylaws.

26 (cf: P.L.2019, c.500, s.1)

27

28 6. Section 1 of P.L.2015, c.297 (C.18A:36-13.2) is amended to
29 read as follows:

30 1. a. Notwithstanding any law, rule, or regulation to the
31 contrary, any pupil of a public school who is absent from school on
32 November 11, Veterans Day, attending a ceremony honoring a
33 veteran or a member of the United States Armed Forces or the New
34 Jersey National Guard returning from overseas deployments, or
35 assisting a veteran at a hospital, food shelter, or any similar facility,
36 shall have the absence for those reasons recorded as an excused
37 absence on the pupil's attendance record or on that of any group or
38 class of which he is a member. Any transcript, application,
39 employment form, or any similar form on which information
40 concerning a pupil's attendance record is requested shall show, with
41 respect to absences, only absences other than excused absences
42 authorized pursuant to this subsection. In making a determination
43 on whether or not a student has a perfect attendance record for the
44 school year, a school district shall not consider as an absence an
45 excused absence authorized pursuant to this subsection.

46 b. A pupil shall provide such documentation as the
47 superintendent or administrative principal of the school district

1 deems necessary to prove the pupil meets the requirements for the
2 excused absence under subsection a. of this section.

3 c. As used in this section, "veteran" means a person who has
4 served on active duty in the Armed Forces of the United States and
5 who was discharged or released therefrom under conditions other
6 than dishonorable, or a discharged LGBTQ veteran, as defined in
7 section 1 of P.L. , c. (C.) (pending before the Legislature as
8 this bill), who has served on active duty in the Armed Forces of the
9 United States.

10 (cf: P.L.2015, c.297, s.1)

11

12 7. Section 2 of P.L.2015, c.32 (C.18A:62-4.1b) is amended to
13 read as follows:

14 2. a. A veteran or covered individual who is living in New
15 Jersey and is attending a public institution of higher education in
16 New Jersey shall be regarded as a resident of the State for the
17 purpose of determining tuition, regardless of the veteran or covered
18 individual's state of residence.

19 b. As used in this section:

20 "Covered individual" means:

21 (1) an individual who is entitled to educational assistance under
22 provisions of the federal "Post-9/11 Educational Assistance"
23 program (38 U.S.C. s.3311(b)(9) or 3319) by virtue of such
24 individual's relationship to a veteran ; and

25 (2) an individual who is entitled to educational assistance under
26 provisions of the United States Department of Veterans Affairs'
27 "Vocational Rehabilitation and Employment Program" (38 U.S.C.
28 s.3100 et seq.) effective for courses, semesters, or terms that begin
29 after March 1, 2019.

30 "Veteran" means a person who has served on active duty in the
31 Uniformed Services of the United States and who was discharged or
32 released, or a discharged LGBTQ veteran, as defined in section 1 of
33 P.L. , c. (C.) (pending before the Legislature as this bill), who
34 has served on active duty in the Uniformed Services of the United
35 States, and who qualifies for educational assistance under the
36 federal "All-Volunteer Force Educational Assistance Program" (38
37 U.S.C. s.3001 et seq.) or "Post-9/11 Educational Assistance"
38 program (38 U.S.C. s.3301 et seq.).

39 (cf: P.L.2019, c.264, s.1)

40

41 8. N.J.S.18A:66-2 is amended to read as follows:

42 18A:66-2. As used in this article:

43 a. "Accumulated deductions" means the sum of all the
44 amounts, deducted from the compensation of a member or
45 contributed by or in behalf of the member, including interest
46 credited to January 1, 1956, standing to the credit of the member's
47 individual account in the annuity savings fund.

1 b. "Annuity" means payments for life derived from the
2 accumulated deductions of a member as provided in this article.

3 c. "Beneficiary" means any person receiving a retirement
4 allowance or other benefit as provided in this article.

5 d. (1) "Compensation" means the contractual salary, for
6 services as a teacher as defined in this article, which is in
7 accordance with established salary policies of the member's
8 employer for all employees in the same position but shall not
9 include individual salary adjustments which are granted primarily in
10 anticipation of the member's retirement or additional remuneration
11 for performing temporary or extracurricular duties beyond the
12 regular school day or the regular school year.

13 (2) In the case of a person who becomes a member of the
14 retirement system on or after July 1, 2007, "compensation" means
15 the amount of the contractual salary equivalent to the annual
16 maximum wage contribution base for Social Security, pursuant to
17 the Federal Insurance Contributions Act, for services as a teacher as
18 defined in this article, which is in accordance with established
19 salary policies of the member's employer for all employees in the
20 same position but shall not include individual salary adjustments
21 which are granted primarily in anticipation of the member's
22 retirement or additional remuneration for performing temporary or
23 extracurricular duties beyond the regular school day or the regular
24 school year. This paragraph shall not apply to a person who at the
25 time of enrollment in the retirement system on or after July 1, 2007
26 transfers service credit from another State-administered retirement
27 system pursuant to N.J.S.18A:66-15.1, but shall apply to a former
28 member of the retirement system who has been granted a retirement
29 allowance and is reenrolled in the retirement system on or after July
30 1, 2007 pursuant to N.J.S.18A:66-53.2 after becoming employed
31 again in a position that makes the person eligible to be a member of
32 the retirement system.

33 For the period of July 1, 2009 through June 30, 2011,
34 "contractual salary" for State employees shall include wage
35 increases under a collective negotiations agreement notwithstanding
36 that, by amendment to that collective negotiations agreement, the
37 effective date of the contractual increase has been deferred. For the
38 purpose of this paragraph, "State employee" means an employee in
39 the Executive Branch of State government of New Jersey.

40 e. "Employer" means the State, the board of education or any
41 educational institution or agency of or within the State by which a
42 teacher is paid.

43 f. (1) "Final compensation" means the average annual
44 compensation for which contributions are made for the three years
45 of creditable service in New Jersey immediately preceding the
46 member's retirement or death, or it shall mean the average annual
47 compensation for New Jersey service for which contributions are
48 made during any three fiscal years of his or her membership

1 providing the largest possible benefit to the member or the
2 member's beneficiary.

3 (2) In the case of a person who becomes a member of the
4 retirement system on or after the effective date of P.L.2010, c.1,
5 "final compensation" means the average annual compensation for
6 which contributions are made for the five years of creditable service
7 in New Jersey immediately preceding the member's retirement or
8 death, or it shall mean the average annual compensation for New
9 Jersey service for which contributions are made during any five
10 fiscal years of his or her membership providing the largest possible
11 benefit to the member or the member's beneficiary.

12 g. "Fiscal year" means any year commencing with July 1, and
13 ending with June 30, next following.

14 h. "Pension" means payments for life derived from
15 appropriations made by the State or employers to the Teachers'
16 Pension and Annuity Fund.

17 i. "Annuity reserve" means the present value of all payments
18 to be made on account of any annuity or benefit in lieu of an
19 annuity, granted under the provisions of this article, computed on
20 the basis of such mortality tables recommended by the actuary as
21 the board of trustees adopts, with regular interest.

22 j. "Pension reserve" means the present value of all payments to
23 be made on account of any pension or benefit in lieu of a pension
24 granted to a member from the Teachers' Pension and Annuity Fund,
25 computed on the basis of such mortality tables recommended by the
26 actuary as the board of trustees adopts, with regular interest.

27 k. "Present-entrant" means any member of the Teachers'
28 Pension and Annuity Fund who had established status as a "present-
29 entrant member" of said fund prior to January 1, 1956.

30 l. "Rate of contribution initially certified" means the rate of
31 contribution certified by the retirement system in accordance with
32 N.J.S.18A:66-29.

33 m. "Regular interest" shall mean interest as determined by the
34 State Treasurer, after consultation with the Directors of the
35 Divisions of Investment and Pensions, the board of trustees and the
36 actuary. It shall bear a reasonable relationship to the percentage rate
37 of earnings on investments based on the market value of assets but
38 shall not exceed the assumed percentage rate of increase applied to
39 salaries plus **[3%]** three percent, provided however that the board
40 of trustees shall not set the average percentage rate of increase
41 applied to salaries below **[6%]** six percent.

42 n. "Retirement allowance" means the pension plus the annuity.

43 o. "School service" means any service as a "teacher" as defined
44 in this section.

45 p. "Teacher" means any regular teacher, special teacher,
46 helping teacher, teacher clerk, principal, vice-principal, supervisor,
47 supervising principal, director, superintendent, city superintendent,
48 assistant city superintendent, county superintendent, State

1 Commissioner or Assistant Commissioner of Education, members
2 of the State Department of Education who are certificated,
3 unclassified professional staff and other members of the teaching or
4 professional staff of any class, public school, renaissance school
5 project established pursuant to P.L.2011, c.176 (C.18A:36C-
6 1 et seq.) upon commencement of employment, high school, normal
7 school, model school, training school, vocational school, truant
8 reformatory school, or parental school, and of any and all classes or
9 schools within the State conducted under the order and
10 superintendence, and wholly or partly at the expense of the State
11 Board of Education, of a duly elected or appointed board of
12 education, board of school directors, or board of trustees of the
13 State or of any school district or normal school district thereof, and
14 any persons under contract or engagement to perform one or more
15 of these functions. It shall also mean any person who serves, while
16 on an approved leave of absence from regular duties as a teacher, as
17 an officer of a local, county or State labor organization which
18 represents, or is affiliated with an organization which represents,
19 teachers as defined in this subsection. No person shall be deemed a
20 teacher within the meaning of this article who is a substitute
21 teacher. In all cases of doubt the board of trustees shall determine
22 whether any person is a teacher as defined in this article.

23 q. "Teachers' Pension and Annuity Fund," hereinafter referred
24 to as the "retirement system" or "system," is the corporate name of
25 the arrangement for the payment of retirement allowances and other
26 benefits under the provisions of this article, including the several
27 funds placed under said system. By that name all its business shall
28 be transacted, its funds invested, warrants for money drawn, and
29 payments made and all of its cash and securities and other property
30 held.

31 r. "Veteran" means any honorably discharged officer, soldier,
32 sailor, airman, marine or nurse who served in any Army, Air Force
33 or Navy of the Allies of the United States in World War I between
34 July 14, 1914, and November 11, 1918, or who served in any Army,
35 Air Force or Navy of the Allies of the United States in World War
36 II, between September 1, 1939, and September 2, 1945, and who
37 was inducted into such service through voluntary enlistment, and
38 was a citizen of the United States at the time of such enlistment, and
39 who did not, during or by reason of such service, renounce or lose
40 United States citizenship, and any officer, soldier, sailor, marine,
41 airman, nurse or army field clerk who has served in the active
42 military or naval service of the United States and has or shall be
43 discharged or released therefrom under conditions other than
44 dishonorable, or any discharged LGBTQ veteran, as defined in
45 section 1 of P.L. , c. (C.) (pending before the Legislature as
46 this bill), from active service in any branch of the Armed Forces of
47 the United States, in any of the following wars, uprisings,
48 insurrections, expeditions or emergencies, and who has presented to

1 the retirement system evidence of such record of service in form
2 and content satisfactory to said retirement system:

3 (1) The Indian wars and uprisings during any of the periods
4 recognized by the War Department of the United States as periods
5 of active hostility;

6 (2) The Spanish-American War between April 20, 1898, and
7 April 11, 1899;

8 (3) The Philippine insurrections and expeditions during the
9 periods recognized by the War Department of the United States as
10 of active hostility from February 4, 1899, to the end of 1913;

11 (4) The Peking relief expedition between June 20, 1900, and
12 May 27, 1902;

13 (5) The army of Cuban occupation between July 18, 1898, and
14 May 20, 1902;

15 (6) The army of Cuban pacification between October 6, 1906,
16 and April 1, 1909;

17 (7) The Mexican punitive expedition between March 14, 1916,
18 and February 7, 1917;

19 (8) The Mexican border patrol, having actually participated in
20 engagements against Mexicans between April 12, 1911, and June
21 16, 1919;

22 (9) World War I, between April 6, 1917, and November 11,
23 1918;

24 (10) World War II, between September 16, 1940, and
25 December 31, 1946, who shall have served at least 90 days in such
26 active service, exclusive of any period of assignment (1) for a
27 course of education or training under the Army Specialized
28 Training Program or the Navy College Training Program, which
29 course was a continuation of a civilian course and was pursued to
30 completion, or (2) as a cadet or midshipman at one of the service
31 academies, any part of which 90 days was served between said
32 dates; provided that any person receiving an actual service-incurred
33 injury or disability shall be classed as a veteran, whether or not that
34 person has completed the 90-day service as herein provided;

35 (11) Korean conflict on or after June 23, 1950, and on or prior
36 to January 31, 1955, who shall have served at least 90 days in such
37 active service, exclusive of any period of assignment (1) for a
38 course of education or training under the Army Specialized
39 Training Program or the Navy College Training Program, which
40 course was a continuation of a civilian course and was pursued to
41 completion, or (2) as a cadet or midshipman at one of the service
42 academies, any part of which 90 days was served between said
43 dates; provided that any person receiving an actual service-incurred
44 injury or disability shall be classed as a veteran, whether or not that
45 person has completed the 90-day service as herein provided; and
46 provided further that any member classed as a veteran pursuant to
47 this subsection prior to August 1, 1966, shall continue to be classed

1 as a veteran, whether or not that person completed the 90-day
2 service between said dates as herein provided;

3 (12) Lebanon crisis, on or after July 1, 1958, who has served in
4 Lebanon or on board any ship actively engaged in patrolling the
5 territorial waters of that nation for a period, continuous or in the
6 aggregate, of at least 14 days commencing on or before November
7 1, 1958 or the date of termination of that conflict, as proclaimed by
8 the President of the United States or Congress, whichever date of
9 termination is the latest, in such active service; provided, that any
10 person receiving an actual service-incurred injury or disability shall
11 be classed as a veteran whether or not that person has completed the
12 14 days' service as herein provided;

13 (13) Vietnam conflict, on or after December 31, 1960, and on
14 or prior to May 7, 1975, who shall have served at least 90 days in
15 such active service, exclusive of any period of assignment (1) for a
16 course of education or training under the Army Specialized
17 Training Program or the Navy College Training Program, which
18 course was a continuation of a civilian course and was pursued to
19 completion, or (2) as a cadet or midshipman at one of the service
20 academies, any part of which 90 days was served between said
21 dates; and exclusive of any service performed pursuant to the
22 provisions of section 511(d) of Title 10, United States Code,
23 pursuant to an enlistment in the Army National Guard or as a
24 reserve for service in the Army Reserve, Naval Reserve, Air Force
25 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided
26 that any person receiving an actual service-incurred injury or
27 disability shall be classed as a veteran, whether or not that person
28 has completed the 90-day service as herein provided;

29 (14) Lebanon peacekeeping mission, on or after September 26,
30 1982, who has served in Lebanon or on board any ship actively
31 engaged in patrolling the territorial waters of that nation for a
32 period, continuous or in the aggregate, of at least 14 days
33 commencing on or before December 1, 1987 or the date of
34 termination of that mission, as proclaimed by the President of the
35 United States or Congress, whichever date of termination is the
36 latest, in such active service; provided, that any person receiving an
37 actual service-incurred injury or disability shall be classed as a
38 veteran whether or not that person has completed the 14 days'
39 service as herein provided;

40 (15) Grenada peacekeeping mission, on or after October 23,
41 1983, who has served in Grenada or on board any ship actively
42 engaged in patrolling the territorial waters of that nation for a
43 period, continuous or in the aggregate, of at least 14 days
44 commencing on or before November 21, 1983 or the date of
45 termination of that mission, as proclaimed by the President of the
46 United States or Congress, whichever date of termination is the
47 latest, in such active service; provided, that any person receiving an
48 actual service-incurred injury or disability shall be classed as a

1 veteran whether or not that person has completed the 14 days'
2 service as herein provided;

3 (16) Panama peacekeeping mission, on or after December 20,
4 1989 or the date of inception of that mission, as proclaimed by the
5 President of the United States or Congress, whichever date of
6 inception is earliest, who has served in Panama or on board any ship
7 actively engaged in patrolling the territorial waters of that nation for
8 a period, continuous or in the aggregate, of at least 14 days
9 commencing on or before January 31, 1990 or the date of
10 termination of that mission, as proclaimed by the President of the
11 United States or Congress, whichever date of termination is the
12 latest, in such active service; provided, that any person receiving an
13 actual service-incurred injury or disability shall be classed as a
14 veteran whether or not that person has completed the 14 days'
15 service as herein provided;

16 (17) Operation "Desert Shield/Desert Storm" mission in the
17 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
18 or the date of inception of that operation, as proclaimed by the
19 President of the United States or Congress, whichever date of
20 inception is earliest, who has served in the Arabian peninsula or on
21 board any ship actively engaged in patrolling the Persian Gulf for a
22 period, continuous or in the aggregate, of at least 14 days
23 commencing on or before the date of termination of that mission, as
24 proclaimed by the President of the United States or Congress,
25 whichever date of termination is the latest, in such active service;
26 provided, that any person receiving an actual service-incurred injury
27 or disability shall be classed as a veteran whether or not that person
28 has completed the 14 days' service as herein provided;

29 (18) Operation Northern Watch and Operation Southern Watch,
30 on or after August 27, 1992, or the date of inception of that
31 operation, as proclaimed by the President of the United States,
32 Congress or United States Secretary of Defense, whichever date of
33 inception is earliest, who served in the theater of operation,
34 including in the Arabian peninsula and the Persian Gulf, and in
35 direct support of that operation for a period, continuously or in the
36 aggregate, of at least 14 days in such active service, commencing on
37 or before the date of termination of the operation, as proclaimed by
38 the President of the United States, Congress or United States
39 Secretary of Defense, whichever date of termination is latest;
40 provided, that any person receiving an actual service-incurred injury
41 or disability while engaged in such service shall be classed as a
42 veteran whether or not that person has completed the 14 days'
43 service as herein provided;

44 (19) Operation "Restore Hope" in Somalia, on or after
45 December 5, 1992, or the date of inception of that operation as
46 proclaimed by the President of the United States or Congress,
47 whichever date is earliest, who has served in Somalia or on board
48 any ship actively engaged in patrolling the territorial waters of that

1 nation for a period, continuously or in the aggregate, of at least 14
2 days in such active service commencing on or before March 31,
3 1994; provided that any person receiving an actual service-incurred
4 injury or disability shall be classed as a veteran whether or not that
5 person has completed the 14-day service as herein provided;

6 (20) Operations "Joint Endeavor" and "Joint Guard" in the
7 Republic of Bosnia and Herzegovina, on or after November 20,
8 1995, who served in such active service in direct support of one or
9 both of the operations for at least 14 days, continuously or in the
10 aggregate, commencing on or before June 20, 1998, and (1) was
11 deployed in that nation or in another area in the region, or (2) was
12 on board a United States naval vessel operating in the Adriatic Sea,
13 or (3) operated in airspace above the Republic of Bosnia and
14 Herzegovina; provided that any person receiving an actual service-
15 incurred injury or disability shall be classed as a veteran whether or
16 not that person completed the 14-day service requirement;

17 (21) Operation "Enduring Freedom", on or after September 11,
18 2001, who served in a theater of operation and in direct support of
19 that operation for a period, continuously or in the aggregate, of at
20 least 14 days in such active service commencing on or before the
21 date the President of the United States or the United States
22 Secretary of Defense designates as the termination date of that
23 operation; provided, that any person receiving an actual service-
24 incurred injury or disability while engaged in such service shall be
25 classed as a veteran whether or not that person has completed the 14
26 days' service as herein provided; and

27 (22) Operation "Iraqi Freedom", on or after the date the
28 President of the United States or the United States Secretary of
29 Defense designates as the inception date of that operation, who
30 served in Iraq or in another area in the region in direct support of
31 that operation for a period, continuously or in the aggregate, of at
32 least 14 days in such active service commencing on or before the
33 date the President of the United States or the United States
34 Secretary of Defense designates as the termination date of that
35 operation; provided, that any person receiving an actual service-
36 incurred injury or disability while engaged in such service shall be
37 classed as a veteran whether or not that person has completed the 14
38 days' service as herein provided.

39 "Veteran" also means any honorably discharged member of the
40 American Merchant Marine who served during World War II and is
41 declared by the United States Department of Defense to be eligible
42 for federal veterans' benefits.

43 s. "Child" means a deceased member's unmarried child either
44 (a) under the age of 18 or (b) of any age who, at the time of the
45 member's death, is disabled because of mental retardation or
46 physical incapacity, is unable to do any substantial, gainful work
47 because of the impairment and the impairment has lasted or can be

1 expected to last for a continuous period of not less than 12 months,
2 as affirmed by the medical board.

3 t. (1) "Widower," for employees of the State, means the man
4 to whom a member was married, or a domestic partner as defined in
5 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
6 the date of her death and to whom she continued to be married or a
7 domestic partner until the date of her death and who was receiving
8 at least one-half of his support from the member in the 12-month
9 period immediately preceding the member's death or the accident
10 which was the direct cause of the member's death. The dependency
11 of such a widower will be considered terminated by marriage of, or
12 establishment of a domestic partnership by, the widower subsequent
13 to the death of the member. In the event of the payment of an
14 accidental death benefit, the five-year qualification shall be waived.

15 (2) Subject to the provisions of paragraph (3) of this subsection,
16 "widower," for employees of public employers other than the State,
17 means the man to whom a member was married at least five years
18 before the date of her death and to whom she continued to be
19 married until the date of her death and who was receiving at least
20 one-half of his support from the member in the 12-month period
21 immediately preceding the member's death or the accident which
22 was the direct cause of the member's death. The dependency of such
23 a widower shall be considered terminated by marriage of the
24 widower subsequent to the death of the member. In the event of the
25 payment of an accidental death benefit, the five-year qualification
26 shall be waived.

27 (3) A public employer other than the State may adopt a
28 resolution providing that the term "widower" as defined in
29 paragraph (2) of this subsection shall include domestic partners as
30 provided in paragraph (1) of this subsection.

31 u. (1) "Widow," for employees of the State, means the woman
32 to whom a member was married, or a domestic partner as defined in
33 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
34 the date of his death and to whom he continued to be married or a
35 domestic partner until the date of his death and who was receiving
36 at least one-half of her support from the member in the 12-month
37 period immediately preceding the member's death or the accident
38 which was the direct cause of the member's death. The dependency
39 of such a widow will be considered terminated by the marriage of,
40 or establishment of a domestic partnership by, the widow
41 subsequent to the member's death. In the event of the payment of an
42 accidental death benefit, the five-year qualification shall be waived.

43 (2) Subject to the provisions of paragraph (3) of this subsection,
44 "widow," for employees of public employers other than the State,
45 means the woman to whom a member was married at least five
46 years before the date of his death and to whom he continued to be
47 married until the date of his death and who was receiving at least
48 one-half of her support from the member in the 12-month period

1 immediately preceding the member's death or the accident which
2 was the direct cause of the member's death. The dependency of such
3 a widow shall be considered terminated by the marriage of the
4 widow subsequent to the member's death. In the event of the
5 payment of an accidental death benefit, the five-year qualification
6 shall be waived.

7 (3) A public employer other than the State may adopt a
8 resolution providing that the term "widower" as defined in
9 paragraph (2) of this subsection shall include domestic partners as
10 provided in paragraph (1) of this subsection.

11 v. "Parent" means the parent of a member who was receiving at
12 least one-half of the parent's support from the member in the 12-
13 month period immediately preceding the member's death or the
14 accident which was the direct cause of the member's death. The
15 dependency of such a parent will be considered terminated by
16 marriage of the parent subsequent to the death of the member.

17 w. "Medical board" means the board of physicians provided for
18 in N.J.S.18A:66-56.

19 x. (1) "Spouse," for employees of the State, means the husband
20 or wife, or domestic partner as defined in section 3 of P.L.2003,
21 c.246 (C.26:8A-3), of a member.

22 (2) Subject to the provisions of paragraph (1) of this subsection,
23 "spouse," for employees of public employers other than the State,
24 means the husband or wife of a member.

25 (3) A public employer other than the State may adopt a
26 resolution providing that the term "spouse" as defined in paragraph
27 (2) of this subsection shall include domestic partners as provided in
28 paragraph (1) of this subsection.

29 (cf: P.L.2018, c.129, s.1)

30

31 9. Section 3 of P.L.2009, c.279 (C.18A:75A-3) is amended to
32 read as follows:

33 3. Article II: Definitions

34 As used in this compact, unless the context clearly requires a
35 different construction:

36 a. "Active duty" means full-time duty status in the active
37 uniformed service of the United States, including members of the
38 National Guard and Reserve on active duty orders pursuant to 10
39 U.S.C. ss.1209 and 1211.

40 b. "Children of military families" means a school-aged child or
41 children, enrolled in Kindergarten through Twelfth grade, in the
42 household of an active duty member.

43 c. "Compact commissioner" means the voting representative of
44 each compacting state appointed pursuant to Article VIII of this
45 compact.

46 d. "Deployment" means the period one month prior to the
47 service members' departure from their home station on military
48 orders through six months after return to their home station.

- 1 e. "Education or educational records" means those official
2 records, files, and data directly related to a student and maintained
3 by the school or local education agency, including but not limited to
4 records encompassing all the material kept in the student's
5 cumulative folder such as general identifying data, records of
6 attendance and of academic work completed, records of
7 achievement and results of evaluative tests, health data, disciplinary
8 status, test protocols, and individualized education programs.
- 9 f. "Extracurricular activities" means a voluntary activity
10 sponsored by the school or local education agency or an
11 organization sanctioned by the local education agency.
12 Extracurricular activities include, but are not limited to, preparation
13 for and involvement in public performances, contests, athletic
14 competitions, demonstrations, displays, and club activities.
- 15 g. "Interstate Commission on Educational Opportunity for
16 Military Children" means the commission that is created under
17 Article IX of this compact, which is generally referred to as the
18 Interstate Commission.
- 19 h. "Local education agency" means a public authority legally
20 constituted by the state as an administrative agency to provide
21 control of and direction for Kindergarten through Twelfth grade
22 public educational institutions.
- 23 i. "Member state" means a state that has enacted this compact.
- 24 j. "Military installation" means a base, camp, post, station,
25 yard, center, homeport facility for any ship, or other activity under
26 the jurisdiction of the Department of Defense, including any leased
27 facility, which is located within any of the several States, the
28 District of Columbia, the Commonwealth of Puerto Rico, the U.S.
29 Virgin Islands, Guam, American Samoa, the Northern Marianas
30 Islands and any other U.S. Territory. Such term does not include
31 any facility used primarily for civil works, rivers and harbors
32 projects, or flood control projects.
- 33 k. "Non-member state" means a state that has not enacted this
34 compact.
- 35 l. "Receiving state" means the state to which a child of a
36 military family is sent, brought, or caused to be sent or brought.
- 37 m. "Rule" means a written statement by the Interstate
38 Commission promulgated pursuant to Article XII of this compact
39 that is of general applicability, implements, interprets or prescribes
40 a policy or provision of the Compact, or an organizational,
41 procedural, or practice requirement of the Interstate Commission,
42 and has the force and effect of statutory law in a member state, and
43 includes the amendment, repeal, or suspension of an existing rule.
- 44 n. "Sending state" means the state from which a child of a
45 military family is sent, brought, or caused to be sent or brought.
- 46 o. "State" means a state of the United States, the District of
47 Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin

1 Islands, Guam, American Samoa, the Northern Marianas Islands
2 and any other U.S. Territory.

3 p. "Student" means the child of a military family for whom the
4 local education agency receives public funding and who is formally
5 enrolled in Kindergarten through Twelfth grade.

6 q. "Transition" means (1) the formal and physical process of
7 transferring from school to school or (2) the period of time in which
8 a student moves from one school in the sending state to another
9 school in the receiving state.

10 r. "Uniformed service or services" means the Army, Navy, Air
11 Force, Marine Corps, Coast Guard as well as the Commissioned
12 Corps of the National Oceanic and Atmospheric Administration,
13 and Public Health Services.

14 s. "Veteran" means a person who served in the **uniformed**
15 **services** Uniformed Services of the United States and who was
16 discharged or released therefrom under conditions other than
17 dishonorable, or a discharged LGBTQ veteran, as defined in section
18 1 of P.L. , c. (C.) (pending before the Legislature as this bill).
19 (cf: P.L.2009, c.279, s.3)

20

21 10. Section 4 of P.L.1992, c.43 (C.34:15D-4) is amended to read
22 as follows:

23 4. a. The Workforce Development Partnership Program is
24 hereby established in the Department of Labor and Workforce
25 Development and shall be administered by the Commissioner of
26 Labor and Workforce Development. The purpose of the program is
27 to provide qualified displaced, disadvantaged and employed
28 workers with the employment and training services most likely to
29 enable the individual to obtain employment providing self-
30 sufficiency for the individual and also to provide the greatest
31 opportunity for long-range career advancement with high levels of
32 productivity and earning power. To implement that purpose, the
33 program shall provide those services by means of training grants or
34 customized training services in coordination with funding for the
35 services from federal or other sources. The commissioner is
36 authorized to expend moneys from the Workforce Development
37 Partnership Fund to provide the training grants or customized
38 training services and provide for each of the following:

39 (1) The cost of counseling required pursuant to section 7 of
40 P.L.1992, c.43 (C.34:15D-7), to the extent that adequate funding for
41 counseling is not available from federal or other sources;

42 (2) Reasonable administrative costs, which shall not exceed 10
43 percent of the revenues collected pursuant to section 2 of P.L.1992,
44 c.44 (C.34:15D-13) during any fiscal year ending before July 1,
45 2001, except for additional start-up administrative costs approved
46 by the Director of the Office of Management and Budget during the
47 first year of the program's operation;

- 1 (3) Reasonable costs, which shall not exceed 0.5 percent of the
2 revenues collected pursuant to section 2 of P.L.1992, c.44
3 (C.34:15D-13) during any fiscal year ending before July 1, 2001, as
4 required by the State Employment and Training Commission to
5 design criteria and conduct an annual evaluation of the program;
6 and
- 7 (4) The cost of reimbursement to individuals for excess
8 contributions pursuant to section 6 of P.L.1992, c.44 (C.34:15D-
9 17).
- 10 b. Not more than 10 percent of the moneys received by any
11 service provider pursuant to this act shall be expended on anything
12 other than direct costs to the provider of providing the employment
13 and training services, which direct costs shall not include any
14 administrative or overhead expense of the provider.
- 15 c. Training and employment services or other workforce
16 investment services shall be provided to a worker who receives
17 counseling pursuant to section 7 of P.L.1992, c.43 (C.34:15D-7)
18 only if the counselor who evaluates the worker pursuant to that
19 section determines that the worker can reasonably be expected to
20 successfully complete the training and instruction identified in the
21 Employability Development Plan developed pursuant to that section
22 for the worker.
- 23 d. All occupational training provided under this act:
- 24 (1) Shall be training which is likely to substantially enhance the
25 individual's marketable skills and earning power; and
- 26 (2) Shall be training for a labor demand occupation, except for:
- 27 (a) Customized training provided to the present employees of a
28 business which the commissioner deems to be in need of the
29 training to prevent job loss caused by obsolete skills, technological
30 change or national or global competition; or
- 31 (b) Customized training provided to employees at a facility
32 which is being relocated from another state into New Jersey; or
- 33 (c) Entrepreneurial training and technical assistance supported
34 by training grants provided pursuant to subsection b. of section 6 of
35 P.L.1992, c.43 (C.34:15D-6).
- 36 e. During any fiscal year ending before July 1, 2001, not less
37 than 25 percent of the total revenues dedicated to the program
38 during any one fiscal year shall be reserved to provide employment
39 and training services for qualified displaced workers; not less than
40 six percent of the total revenues dedicated to the program during
41 any one fiscal year shall be reserved to provide employment and
42 training services for qualified disadvantaged workers; not less than
43 45 percent of the total revenues dedicated to the program during any
44 one fiscal year shall be reserved for and appropriated to the Office
45 of Customized Training; not less than three percent of the total
46 revenues dedicated to the program during any one fiscal year shall
47 be reserved for occupational safety and health training; and five
48 percent of the total revenues dedicated to the program during any

1 one fiscal year shall be reserved for and appropriated to the Youth
2 Transitions to Work Partnership created pursuant to P.L.1993, c.268
3 (C.34:15E-1 et seq.).

4 f. Funds available under the program shall not be used for
5 activities which induce, encourage or assist: any displacement of
6 currently employed workers by trainees, including partial
7 displacement by means such as reduced hours of currently
8 employed workers; any replacement of laid off workers by trainees;
9 or any relocation of operations resulting in a loss of employment at
10 a previous workplace located in the State.

11 g. On-the-job training shall not be funded by the program for
12 any employment found by the commissioner to be of a level of skill
13 and complexity too low to merit training. The duration of on-the-
14 job training funded by the program for any worker shall not exceed
15 the duration indicated by the Bureau of Labor Statistics'
16 Occupational Information Network, or "O*NET," for the
17 occupation for which the training is provided and shall in no case
18 exceed 26 weeks. The department shall set the duration of on-the-
19 job training for a worker for less than the indicated maximum, when
20 training for the maximum duration is not warranted because of the
21 level of the individual's previous training, education or work
22 experience. On-the-job training shall not be funded by the program
23 unless it is accompanied, concurrently or otherwise, by whatever
24 amount of classroom-based or equivalent occupational training,
25 remedial instruction or both, is deemed appropriate for the worker
26 by the commissioner. On-the-job training shall not be funded by
27 the program unless the trainee is provided benefits, pay and
28 working conditions at a level and extent not less than the benefits
29 and working conditions of other trainees or employees of the
30 trainee's employer with comparable skills, responsibilities,
31 experience and seniority.

32 h. Employment and training services funded by the program
33 shall not replace, supplant, compete with or duplicate in any way
34 approved apprenticeship programs.

35 i. No activities funded by the program shall impair existing
36 contracts for services or collective bargaining agreements, except
37 that activities which would be inconsistent with the terms of a
38 collective bargaining agreement may be undertaken with the written
39 concurrence of the collective bargaining unit and employer who are
40 parties to the agreement.

41 j. All staff who are hired and supported by moneys from the
42 Workforce Development Partnership Fund, including any of those
43 staff located at any One Stop Career Center, but not including any
44 staff of a service provider providing employment and training
45 services supported by a customized training grant pursuant to
46 section 5 of P.L.1992, c.43 (C.34:15D-5) or an individual training
47 grant pursuant to section 6 of P.L.1992, c.43 (C.34:15D-6), shall be
48 hired and employed by the State pursuant to Title 11A, Civil

1 Service, of the New Jersey Statutes, be hired and employed by a
2 political subdivision of the State, or be qualified staff hired and
3 employed by a non-profit organization which began functioning as
4 the One Stop Career Center operator with the written consent of the
5 chief elected official and the commissioner prior to the effective
6 date of P.L.2004, c.39 (C.34:1A-1.2 et al.), or be qualified staff
7 hired and employed by an approved community-based or faith-
8 based organization to provide services at the level of staffing
9 provided in an agreement entered into by the organization before
10 the effective date of P.L.2004, c.39 (C.34:1A-1.2 et al.).

11 k. Employers in the State who apply for grants for training and
12 employment services or other workforce investment services for
13 their employees in the State shall be evaluated by the commissioner
14 and preference shall be given to those employers who:

15 (1) provide equipment, supplies, or services to military bases
16 and installations pursuant to a procurement or military contract with
17 the United States Department of Defense, the United States
18 Department of Veterans Affairs, or any branch of the United States
19 Armed Forces;

20 (2) are engaged in one or more of the following fields or
21 industries: science, technology, engineering, mathematics, or
22 advanced manufacturing within these fields or industries;

23 (3) are manufacturers; or

24 (4) intend to train veterans.

25 Pursuant to this paragraph, "veteran" means any resident of the
26 State now or hereafter who has served in any branch of the Armed
27 Forces of the United States or a Reserve component thereof or the
28 National Guard of this State or another state as defined in section 1
29 of P.L.1963, c.109 (C.38A:1-1), and has been discharged honorably
30 or under general honorable conditions from that service, or a
31 discharged LGBTQ veteran, as defined in section 1 of P.L. , c.
32 (C.) (pending before the Legislature as this bill).

33 (cf: P.L.2019, c.500, s.2)

34

35 11. Section 1 of P.L.1989, c.162 (C.38A:3-6.3) is amended to
36 read as follows:

37 1. As used in this act, unless otherwise indicated by the
38 context:

39 a. "Adjutant General" means the Adjutant General of the
40 Department of Military and Veterans' Affairs.

41 b. "Advisory council" means the advisory council of a veterans'
42 facility or of the veterans' cemetery.

43 c. "Member" means a person admitted to and receiving care in
44 a veterans' facility.

45 d. "Veteran" means a person who has been honorably
46 discharged from the active military service of the United States, or a
47 discharged LGBTQ veteran, as defined in section 1 of P.L. , c.

1 (C.) (pending before the Legislature as this bill), from the active
2 military service of the United States.

3 e. "Veterans' facility" means any home, institution, hospital, or
4 part thereof, the admission to which is under the jurisdiction of the
5 Department of Military and Veterans' Affairs.

6 (cf: P.L.1989, c.162, s.1)

7

8 12. Section 1 of P.L.2013, c.165 (C.39:3-10f6) is amended to
9 read as follows:

10 1. a. (1) In addition to the requirements for the form and
11 content of a motor vehicle driver's license under R.S.39:3-10 and a
12 probationary license issued under section 4 of P.L.1950, c.127
13 (C.39:3-13.4), the Chief Administrator of the New Jersey Motor
14 Vehicle Commission shall, upon submission of satisfactory proof,
15 designate on an initial license, renewal license, or probationary
16 license, as appropriate, that the license holder is a veteran of the
17 Armed Forces of the United States of America or the New Jersey
18 National Guard. The designation of veteran status on an initial
19 license, renewal license, or probationary license shall not be
20 deemed sufficient valid proof of veteran status for official
21 governmental purposes when any other statute, or any regulation or
22 other directive of a governmental entity, requires documentation of
23 veteran status.

24 (2) In addition to the requirements for the form and content of a
25 motor vehicle driver's license under R.S.39:3-10 and a probationary
26 license issued under section 4 of P.L.1950, c.127 (C.39:3-13.4), the
27 Chief Administrator of the New Jersey Motor Vehicle Commission
28 shall, upon submission of satisfactory proof, designate on an initial
29 license, renewal license, or probationary license, as appropriate,
30 that the license holder is a Gold Star Family member. The
31 commission shall provide to the Department of Military and
32 Veterans' Affairs personal identifying information of any person
33 issued a driver's license with a Gold Star Family designation
34 pursuant to this section.

35 b. For the purpose of this section:

36 "Gold Star Family member" means a spouse, domestic partner,
37 partner in a civil union, parent, brother, sister, child, legal guardian,
38 or other legal custodian, whether of the whole or half blood or by
39 adoption, of a member of the Armed Forces of the United States or
40 National Guard, who lost his or her life while on active duty for the
41 United States.

42 "Veteran" means any resident of the State now or hereafter who
43 has been discharged honorably or under general honorable
44 conditions in any branch of the Armed Forces of the United States,
45 or a Reserve component thereof, or the National Guard of this State
46 or another state as defined in section 1 of P.L.1963, c.109
47 (C.38A:1-1), or a discharged LGBTQ veteran, as defined in section

1 1 of P.L. , c. (C.) (pending before the Legislature as this bill),
2 in any branch of the Armed Forces of the United States.

3 "Satisfactory proof" means, in the case of a veteran, the
4 applicant's DD-214, DD-215, or DD-256 form as issued by the
5 federal government, NGB-22 or other approved separation forms as
6 outlined by all branches of the Armed Forces, or federal activation
7 orders showing service under Title 10, section 672 or section
8 12301, of the United States Code, or a county-issued veteran
9 identification card pursuant to P.L.2012, c.30 (C.40A:9-78.1 et
10 seq.), or a veteran identification card as issued by the United States
11 Department of Veterans Affairs under the "Veterans Identification
12 Card Act of 2015" (38 U.S.C. s.5706). In the case of a discharged
13 LGBTQ veteran, satisfactory proof also includes a copy of the
14 eligibility form issued by the Department of Military and Veterans'
15 Affairs, pursuant to section 2 of P.L. , c. (C.) (pending before
16 the Legislature as this bill). In the case of a Gold Star Family
17 member, satisfactory proof includes any or all of the following:

18 (1) a certification from the Department of New Jersey of
19 American Gold Star Mothers, Inc., or any other organization formed
20 for the support of family members of members of the Armed Forces
21 of the United States or National Guard, who lost their lives while on
22 active duty for the United States, that the applicant is either the
23 spouse, domestic partner, partner in a civil union, parent, brother,
24 sister, child, legal guardian, or other legal custodian, whether of the
25 whole or half blood or by adoption, of a member of the armed
26 forces or National Guard who died while on active duty for the
27 United States; or

28 (2) (a) documentation deemed acceptable by the Adjutant
29 General, including, but not limited to, an NGB-22, a federal DD
30 Form 1300, Report of Casualty, or a federal DD Form 2064,
31 Certificate of Death Overseas, which identifies the member of the
32 Armed Forces of the United States or National Guard who died
33 while on active duty for the United States; and

34 (b) documentation indicating the applicant's relationship to the
35 service member.

36 (cf: P.L.2019, c.500, s.4)

37

38 13. Section 2 of P.L.1980, c.47 (C.39:3-29.3) is amended to read
39 as follows:

40 2. a. (1) The New Jersey Motor Vehicle Commission shall
41 issue an identification card to any resident of the State who is 14
42 years of age or older and who is not the holder of a valid permit or
43 basic driver's license. The identification card shall attest to the true
44 name, correct age, and veteran status, upon submission of
45 satisfactory proof, by any veteran, and shall contain other
46 identifying data as certified by the applicant for such identification
47 card. Every application for an identification card shall be signed
48 and verified by the applicant and shall be accompanied by the

1 written consent of at least one parent or the person's legal guardian
2 if the person is under 17 years of age and shall be supported by such
3 documentary evidence of the age, identity, and veteran status, or
4 blindness, or disability of such person as the chief administrator
5 may require.

6 A person issued an identification card pursuant to this section
7 may be issued a standard identification card or a REAL ID
8 identification card. The chief administrator shall require any
9 applicant for a standard identification card to provide as proof of
10 the applicant's identity, age, and residence primary and secondary
11 documents, with which the chief administrator shall attribute point
12 values in accordance with the point based identification verification
13 program established pursuant to section 28 of P.L.2003, c.13
14 (C.39:2A-28). The point total required to prove the identity of an
15 applicant for the standard probationary license shall be the same for
16 every applicant, regardless of immigration status. In the event that
17 the commission changes the point total threshold, the requirement
18 that every applicant reach the same point total threshold shall
19 remain in effect.

20 In addition to requiring an applicant for an identification card to
21 submit satisfactory proof of identity, age, and, if appropriate,
22 veteran status, the chief administrator also shall require the
23 applicant to provide:

24 (a) as a condition for obtaining a standard identification card,
25 proof of the applicant's social security number and one document
26 providing satisfactory proof that the applicant is a New Jersey
27 resident. If the applicant does not have a social security number,
28 the applicant shall either:

29 (i) provide satisfactory proof of an Individual Taxpayer
30 Identification Number; or

31 (ii) indicate, in a manner prescribed by the commission and
32 consistent with all other provisions of P.L.2019, c.271 (C.39:3-10o
33 et al.), that the applicant is not eligible to receive a social security
34 number; or

35 (b) as a condition for obtaining a REAL ID identification card:
36 two documents providing satisfactory proof that the applicant is a
37 New Jersey resident; proof of the applicant's social security number
38 or verification of ineligibility for a social security number in
39 accordance with the "REAL ID Act of 2005," Pub.L.109-13, any
40 acts amendatory or supplementary thereto, and any federal
41 regulations adopted thereunder; and proof that the applicant's
42 presence in the United States is authorized under federal law.

43 Any documents and personal information, including an
44 applicant's photograph, obtained by the commission from an
45 applicant for a standard identification card shall be confidential,
46 shall not be considered a government record pursuant to P.L.1963,
47 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
48 common law concerning access to government records, and shall

1 not be disclosed by the commission for any purposes related to Title
2 8 of the United States Code without the informed consent of the
3 applicant, a warrant signed by a State or federal judge, or a lawful
4 court order or subpoena; except that nothing in this section shall be
5 construed to prohibit, or in any way restrict, any action where such
6 prohibition or restriction would be contrary to federal law; and
7 except that information under this subsection may be shared in
8 accordance with section 2 of P.L.2021, c.139 (C.39:2-3.9). When
9 responding to a warrant, court order, or subpoena, the commission
10 may disclose only those records or information specifically
11 requested in the warrant, court order, or subpoena.

12 Possession of a standard identification card issued pursuant to
13 this section shall not be considered evidence of an individual's
14 citizenship or immigration status and shall not be used as a basis for
15 an investigation, arrest, citation, prosecution, or detention.

16 Information regarding an applicant's Individual Tax
17 Identification Number, social security number, or ineligibility to
18 receive a social security number obtained by the commission for the
19 issuance of a standard identification card pursuant to this section,
20 shall not be considered a government record pursuant to P.L.1963,
21 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
22 common law concerning access to government records, and shall
23 not be disclosed by the commission except where: (1) required by
24 section 11 of P.L.1998, c.1 (C.2A:17-56.60); (2) the applicant
25 provides written informed consent to the disclosure; (3) the
26 requesting entity presents a warrant signed by a State or federal
27 judge, a lawful court order, or a subpoena; (4) required by State or
28 federal law, and to the extent that the disclosure may be necessary
29 to permit the State to participate in the National Driver Register
30 program, as set forth in 49 U.S.C. s.30301 et seq.; (5) the disclosure
31 is in connection with an audit or investigation of identity fraud,
32 driver's license fraud, or non-driver identification card fraud; or (6)
33 consistent with section 2 of P.L.2021, c.139 (C.39:2-3.9).

34 If the chief administrator has reasonable cause to suspect that
35 any document presented by an applicant pursuant to this section is
36 altered, false or otherwise invalid, the chief administrator shall
37 refuse to grant the identification card until such time as the
38 document may be verified by the issuing agency to the chief
39 administrator's satisfaction.

40 A person violating this section shall be subject to a fine not
41 exceeding \$500 or imprisonment in the county jail for not more
42 than 60 days.

43 (2) In addition to the requirements for the form and content of
44 an identification card pursuant to this section, the Chief
45 Administrator of the New Jersey Motor Vehicle Commission shall,
46 upon submission of satisfactory proof, designate on an
47 identification card that the card holder is a Gold Star Family
48 member. The commission shall provide to the Department of

1 Military and Veterans' Affairs personal identifying information for
2 any person issued an identification card with a Gold Star Family
3 designation pursuant to this section.

4 b. The designation of veteran status on an identification card
5 shall not be deemed sufficient valid proof of veteran status for
6 official governmental purposes when any other statute, or any
7 regulation or other directive of a governmental entity, requires
8 documentation of veteran status.

9 c. For the purpose of this section:

10 "Gold Star Family member" means a spouse, domestic partner,
11 partner in a civil union, parent, brother, sister, child, legal guardian,
12 or other legal custodian, whether of the whole or half blood or by
13 adoption, of a member of the Armed Forces of the United States or
14 National Guard, who lost his or her life while on active duty for the
15 United States.

16 "REAL ID identification card" shall have the same meaning as
17 provided in R.S.39:1-1.

18 "Veteran" means any resident of the State now or hereafter who
19 has been discharged honorably or under general honorable
20 conditions in any branch of the Armed Forces of the United States,
21 or a Reserve component thereof, or the National Guard of this State
22 or another state as defined in section 1 of P.L.1963, c.109
23 (C.38A:1-1), or a discharged LGBTQ veteran, as defined in section
24 1 of P.L. , c. (C.) (pending before the Legislature as this bill),
25 in any branch of the Armed Forces of the United States; and

26 "Satisfactory proof" means, in the case of a veteran, the
27 applicant's DD-214, DD-215, or DD-256 form as issued by the
28 federal government, or NGB-22 or other approved separation forms
29 as outlined by all branches of the Armed Forces, or federal
30 activation orders showing service under Title 10, section 672 or
31 section 12301, of the United States Code, or a county-issued
32 veteran identification card pursuant to P.L.2012, c.30 (C.40A:9-
33 78.1 et seq.), or a veteran identification card as issued by the United
34 States Department of Veterans Affairs under the "Veterans
35 Identification Card Act of 2015," (38 U.S.C. s.5706). In the case of
36 a discharged LGBTQ veteran, satisfactory proof also includes a
37 copy of the eligibility form issued by the Department of Military
38 and Veterans' Affairs, pursuant to section 2 of P.L. , c. (C.)
39 (pending before the Legislature as this bill). In the case of a Gold
40 Star Family member, satisfactory proof includes any or all of the
41 following:

42 (1) a certification from the Department of New Jersey of
43 American Gold Star Mothers, Inc., or any other organization formed
44 for the support of family members of members of the Armed Forces
45 of the United States or National Guard, who lost their lives while on
46 active duty for the United States, that the applicant is either the
47 spouse, domestic partner, partner in a civil union, parent, brother,
48 sister, child, legal guardian, or other legal custodian, whether of the

1 whole or half blood or by adoption, of a member of the armed
2 forces or National Guard who died while on active duty for the
3 United States; or

4 (2) (a) documentation deemed acceptable by the Adjutant
5 General, including, but not limited to, a federal DD Form 1300,
6 Report of Casualty, or a federal DD Form 2064, Certificate of
7 Death Overseas, which identifies the member of the Armed Forces
8 of the United States or National Guard who died while on active
9 duty for the United States; and

10 (b) documentation indicating the applicant's relationship to the
11 service member.

12 (cf: P.L.2021, c.139, s.8)

13

14 14. Section 1 of P.L.2017, c.19 (C.40:37A-114.1) is amended to
15 read as follows:

16 1. a. As used in this section:

17 "Disabled veteran" means any resident of the State who has been
18 honorably discharged or released under honorable circumstances
19 from active service in any branch of the Armed Forces of the United
20 States and who has been or shall be declared by the United States
21 Veterans Administration, or its successor, to have a service-
22 connected disability.

23 "Veteran" means any resident of the State who has been
24 honorably discharged or released under honorable circumstances
25 from active service in any branch of the **armed forces** Armed
26 Forces of the United States, or a discharged LGBTQ veteran, as
27 defined in section 1 of P.L. , c. (C.) (pending before the
28 Legislature as this bill), from active service in any branch of the
29 Armed Forces of the United States, and is a resident of the State, or
30 any honorably discharged member of the American Merchant
31 Marine who served during World War II and is declared by the
32 United States Department of Defense to be eligible for federal
33 veterans' benefits.

34 b. In addition to any other federal or State law regarding
35 providing a veteran's affordable housing preference, the
36 Commissioner of Community Affairs shall establish rules and
37 regulations to provide a preference for affordable housing in a
38 housing project, as defined under subsection f. of section 2 of
39 P.L.1979, c.275 (C.40:37A-107), to homeless veterans, disabled
40 veterans, and family members who are the primary residential
41 caregivers to disabled veterans residing with them. All applicants
42 for the housing preference as specified herein shall also be required
43 to meet the income requirements for admission to the housing
44 project.

45 c. Among applicants eligible to receive a housing project
46 preference provided under subsection b. of this section, priority for
47 the preference shall be given to applicants as follows: (1) homeless
48 veterans shall receive first priority; (2) disabled veterans shall

1 receive second priority; and (3) family members who are the
2 primary residential caregivers to disabled veterans residing with
3 them shall receive third priority.

4 (cf: P.L.2017, c.19, s.1)

5

6 15. Section 1 of P.L.1955, c.49 (C.40:61-22.20) is amended to
7 read as follows:

8 1. a. The governing body of any municipality bordering on the
9 Atlantic Ocean, tidal water bays or rivers which owns or shall
10 acquire, by any deed of dedication or otherwise, lands bordering on
11 the ocean, tidal water bays or rivers, or easement rights therein, for
12 a place of resort for public health and recreation and for other
13 public purposes shall have the exclusive control, government and
14 care thereof and of any boardwalk, bathing and recreational
15 facilities, safeguards and equipment, now or hereafter constructed
16 or provided thereon, and may, by ordinance, make and enforce rules
17 and regulations for the government and policing of such lands,
18 boardwalk, bathing facilities, safeguards and equipment; provided,
19 that such power of control, government, care and policing shall not
20 be construed in any manner to exclude or interfere with the
21 operation of any State law or authority with respect to such lands,
22 property and facilities. Any such municipality may, in order to
23 provide funds to improve, maintain and police the same and to
24 protect the same from erosion, encroachment and damage by sea or
25 otherwise, and to provide facilities and safeguards for public
26 bathing and recreation, including the employment of lifeguards, by
27 ordinance, make and enforce rules and regulations for the
28 government, use, maintenance and policing thereof and provide for
29 the charging and collecting of reasonable fees for the registration of
30 persons using said lands and bathing facilities, for access to the
31 beach and bathing and recreational grounds so provided and for the
32 use of the bathing and recreational facilities, but no such fees shall
33 be charged or collected from children under the age of 12 years.

34 b. A municipality may by ordinance provide that no fees, or
35 reduced fees, shall be charged to:

36 (1) persons 65 or more years of age;

37 (2) persons who meet the disability criteria for disability
38 benefits under Title II of the federal Social Security Act (42 U.S.C.
39 s.401 et seq.);

40 (3) persons in active military service in any of the Armed Forces
41 of the United States and to their spouse or dependent children over
42 the age of 12 years;

43 (4) persons who are active members of the New Jersey National
44 Guard who have completed Initial Active Duty Training and to their
45 spouse or dependent children over the age of 12 years. As used in
46 this paragraph, "Initial Active Duty Training" means Basic Military
47 Training, for members of the New Jersey Air National Guard, and

1 Basic Combat Training and Advanced Individual Training, for
2 members of the New Jersey Army National Guard;

3 (5) persons who have served in any of the Armed Forces of the
4 United States and who were discharged or released therefrom under
5 conditions other than dishonorable and who either have served at
6 least 90 days in active duty or have been discharged or released
7 from active duty by reason of a service-incurred injury or disability.
8 The Adjutant General of the New Jersey Department of Military
9 and Veterans' Affairs shall promulgate rules and regulations
10 pertaining to veteran eligibility under this paragraph; **[and]**

11 (6) persons holding a driver's license or identification card with
12 a Gold Star Family designation issued pursuant to section 1 of
13 P.L.2013, c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47
14 (C.39:3-29.3), respectively; and

15 (7) persons who qualify as a discharged LGBTQ veteran, as
16 defined in section 1 of P.L. , c. (C.) (pending before the
17 Legislature as this bill), from active duty in any branch of the
18 Armed Forces of the United States, and to their spouse or dependent
19 children over the age of 12 years.

20 c. A municipality providing for no fees or reduced fees
21 pursuant to paragraph (3), (4), (5), or (6) of subsection b. of this
22 section shall track, in a manner deemed appropriate by the
23 governing body of the municipality, the number of persons who
24 qualify under the provisions of those paragraphs.

25 d. A person who qualifies for free access to beaches and
26 bathing and recreational grounds and free use of bathing and
27 recreational facilities pursuant to paragraph (3), (4), (5), or (6) of
28 subsection b. of this section may, in lieu of obtaining and presenting
29 a municipal beach tag or similar admission pass to gain such access
30 and use, present a DD-214, DD-215, or DD-256 form as issued by
31 the federal government, NGB-22 or other approved separation
32 forms as outlined by all branches of the Armed Forces, a county-
33 issued veteran identification card pursuant to P.L.2012, c.30
34 (40A:9-78.1 et seq.), a veteran identification card as issued by the
35 United States Department of Veterans Affairs under the "Veterans
36 Identification Card Act of 2015," (38 U.S.C. 5706) or similar
37 document, or eligibility form issued by the Department of Military
38 and Veterans' Affairs, pursuant to section 2 of P.L. , c. (C.)
39 (pending before the Legislature as this bill), or State driver's license
40 or identification card indicating that the holder is a veteran of the
41 Armed Forces of the United States or a Gold Star Family member.

42 e. A municipality that issues a permit to operate a motorized
43 vehicle on a beach shall not charge a disabled veteran a fee to
44 obtain, replace, or renew the permit.

45 For purposes of this section, "disabled veteran" means any
46 resident of the State who has been honorably discharged or released
47 under honorable circumstances from active service in any branch of
48 the Armed Forces of the United States and who has been declared

1 by the United States Department of Veterans Affairs, or its

1 successor, to have a service-connected disability of any degree.
2 (cf: P.L.2019, c.500, s.7)

3
4 16. Section 2 of P.L.2012, c.30 (C.40A:9-78.2) is amended to
5 read as follows:

6 2. As used in this act, P.L.2012, c.30 (C.40A:9-78.1 et seq.),
7 "veteran" means any resident of this State now or hereafter who has
8 served in any branch of the Armed Forces of the United States or a
9 Reserve component thereof or the National Guard of this State or
10 another State as defined in section 1 of P.L.1963, c.109 (C.38A:1-
11 1), and has been discharged honorably or under general honorable
12 conditions from such service, or a discharged LGBTQ veteran, as
13 defined in section 1 of P.L. .L. , c. (C.) (pending before the
14 Legislature as this bill).
15 (cf: P.L.2019, c.500, s.8)

16
17 17. Section 2 of P.L.2017, c.19 (C.40A:12A-20.2) is amended to
18 read as follows:

19 2. a. As used in this section:
20 "Disabled veteran" means any resident of the State who has been
21 honorably discharged or released under honorable circumstances
22 from active service in any branch of the Armed Forces of the United
23 States and who has been or shall be declared by the United States
24 Veterans Administration, or its successor, to have a service-
25 connected disability.

26 "Veteran" means any resident of the State who has been
27 honorably discharged or released under honorable circumstances
28 from active service in any branch of the **[armed forces]** Armed
29 Forces of the United States, or a discharged LGBTQ veteran, as
30 defined in section 1 of P.L. , c. (C.) (pending before the
31 Legislature as this bill), from active service in any branch of the
32 Armed Forces of the United States, and is a resident of the State, or
33 any honorably discharged member of the American Merchant
34 Marine who served during World War II and is declared by the
35 United States Department of Defense to be eligible for federal
36 veterans' benefits.

37 b. In addition to any other federal or State law regarding
38 providing a veteran's affordable housing preference, the
39 Commissioner of Community Affairs shall establish rules and
40 regulations to provide a preference for affordable housing in a
41 housing project to homeless veterans, disabled veterans, and family
42 members who are the primary residential caregivers to disabled
43 veterans residing with them. All applicants for the housing
44 preference as specified herein shall also be required to meet the
45 income requirements for admission to the housing project.

46 c. Among applicants eligible to receive a housing project
47 preference provided under subsection b. of this section, priority for
48 the preference shall be given to applicants as follows: (1) homeless

1 veterans shall receive first priority; (2) disabled veterans shall
2 receive second priority; and (3) family members who are the
3 primary residential caregivers to disabled veterans residing with
4 them shall receive third priority.

5 (cf: P.L.2017, c.19, s.2)

6

7 18. Section 6 of P.L.1954, c.84 (C.43:15A-6) is amended to read
8 as follows:

9 6. As used in this act:

10 a. "Accumulated deductions" means the sum of all the
11 amounts, deducted from the compensation of a member or
12 contributed by or on behalf of the member, standing to the credit of
13 the member's individual account in the annuity savings fund.

14 b. "Annuity" means payments for life derived from the
15 accumulated deductions of a member as provided in this act.

16 c. "Annuity reserve" means the present value of all payments
17 to be made on account of any annuity or benefit in lieu of an
18 annuity, granted under the provisions of this act, computed on the
19 basis of such mortality tables recommended by the actuary as the
20 board of trustees adopts, with regular interest.

21 d. "Beneficiary" means any person receiving a retirement
22 allowance or other benefit as provided in this act.

23 e. "Child" means a deceased member's unmarried child either
24 (1) under the age of 18 or (2) of any age who, at the time of the
25 member's death, is disabled because of an intellectual disability or
26 physical incapacity, is unable to do any substantial, gainful work
27 because of the impairment and the impairment has lasted or can be
28 expected to last for a continuous period of not less than 12 months,
29 as affirmed by the medical board.

30 f. "Parent" shall mean the parent of a member who was
31 receiving at least 1/2 of the parent's support from the member in the
32 12-month period immediately preceding the member's death or the
33 accident which was the direct cause of the member's death. The
34 dependency of such a parent will be considered terminated by
35 marriage of the parent subsequent to the death of the member.

36 g. (1) "Widower," for employees of the State, means the man
37 to whom a member was married, or a domestic partner as defined in
38 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
39 the date of her death and to whom she continued to be married or a
40 domestic partner until the date of her death and who was receiving
41 at least 1/2 of his support from the member in the 12-month period
42 immediately preceding the member's death or the accident which
43 was the direct cause of the member's death. The dependency of such
44 a widower will be considered terminated by marriage of, or
45 establishment of a domestic partnership by, the widower subsequent
46 to the death of the member. In the event of the payment of an
47 accidental death benefit, the five-year qualification shall be waived.

1 (2) Subject to the provisions of paragraph (3) of this subsection,
2 "widower," for employees of public employers other than the State,
3 means the man to whom a member was married at least five years
4 before the date of her death and to whom she continued to be
5 married until the date of her death and who was receiving at least
6 1/2 of his support from the member in the 12-month period
7 immediately preceding the member's death or the accident which
8 was the direct cause of the member's death. The dependency of such
9 a widower shall be considered terminated by marriage of the
10 widower subsequent to the death of the member. In the event of the
11 payment of an accidental death benefit, the five-year qualification
12 shall be waived.

13 (3) A public employer other than the State may adopt a
14 resolution providing that the term "widower" as defined in
15 paragraph (2) of this subsection shall include domestic partners as
16 provided in paragraph (1) of this subsection.

17 h. (1) "Final compensation" means the average annual
18 compensation for which contributions are made for the three years
19 of creditable service in New Jersey immediately preceding the
20 member's retirement or death, or it shall mean the average annual
21 compensation for New Jersey service for which contributions are
22 made during any three fiscal years of his or her membership
23 providing the largest possible benefit to the member or the
24 member's beneficiary.

25 (2) In the case of a person who becomes a member of the
26 retirement system on or after the effective date of P.L.2010, c.1,
27 "final compensation" means the average annual compensation for
28 which contributions are made for the five years of creditable service
29 in New Jersey immediately preceding the member's retirement or
30 death, or it shall mean the average annual compensation for New
31 Jersey service for which contributions are made during any five
32 fiscal years of his or her membership providing the largest possible
33 benefit to the member or the member's beneficiary.

34 i. "Fiscal year" means any year commencing with July 1 and
35 ending with June 30 next following.

36 j. "Medical board" shall mean the board of physicians
37 provided for in section 17 of P.L.1954, c.84 (C.43:15A-17).

38 k. "Pension" means payments for life derived from
39 appropriations made by the employer as provided in this act.

40 l. "Pension reserve" means the present value of all payments to
41 be made on account of any pension or benefit in lieu of a pension
42 granted under the provisions of this act, computed on the basis of
43 such mortality tables recommended by the actuary as the board of
44 trustees adopts, with regular interest.

45 m. "Public Employees' Retirement System of New Jersey,"
46 hereinafter referred to as the "retirement system" or "system," is the
47 corporate name of the arrangement for the payment of retirement
48 allowances and other benefits under the provisions of this act

1 including the several funds placed under said system. By that name
2 all of its business shall be transacted, its funds invested, warrants
3 for money drawn, and payments made and all of its cash and
4 securities and other property held.

5 n. "Regular interest" shall mean interest as determined by the
6 State Treasurer, after consultation with the Directors of the
7 Divisions of Investment and Pensions, the board of trustees and the
8 actuary. It shall bear a reasonable relationship to the percentage rate
9 of earnings on investments based on the market value of the assets
10 but shall not exceed the assumed percentage rate of increase applied
11 to salaries plus ~~【3%】~~ three percent, provided however that the
12 board of trustees shall not set the average percentage rate of
13 increase applied to salaries below ~~【6%】~~ six percent.

14 o. "Retirement allowance" means the pension plus the annuity.

15 p. "Veteran" means any honorably discharged officer, soldier,
16 sailor, airman, marine or nurse who served in any Army, Air Force
17 or Navy of the Allies of the United States in World War I, between
18 July 14, 1914, and November 11, 1918, or who served in any Army,
19 Air Force or Navy of the Allies of the United States in World War
20 II, between September 1, 1939, and September 2, 1945, and who
21 was inducted into such service through voluntary enlistment, and
22 was a citizen of the United States at the time of such enlistment, and
23 who did not, during or by reason of such service, renounce or lose
24 United States citizenship, and any officer, soldier, sailor, marine,
25 airman, nurse or army field clerk, who has served in the active
26 military or naval service of the United States and has or shall be
27 discharged or released therefrom under conditions other than
28 dishonorable, or any discharged LGBTQ veteran, as defined in
29 section 1 of P.L. , c. (C.) (pending before the Legislature as
30 this bill), from active service in any branch of the Armed Forces of
31 the United States, in any of the following wars, uprisings,
32 insurrections, expeditions, or emergencies, and who has presented
33 to the retirement system evidence of such record of service in form
34 and content satisfactory to said retirement system:

35 (1) The Indian wars and uprisings during any of the periods
36 recognized by the War Department of the United States as periods
37 of active hostility;

38 (2) The Spanish-American War between April 20, 1898, and
39 April 11, 1899;

40 (3) The Philippine insurrections and expeditions during the
41 periods recognized by the War Department of the United States as
42 of active hostility from February 4, 1899, to the end of 1913;

43 (4) The Peking relief expedition between June 20, 1900, and
44 May 27, 1902;

45 (5) The army of Cuban occupation between July 18, 1898, and
46 May 20, 1902;

47 (6) The army of Cuban pacification between October 6, 1906,
48 and April 1, 1909;

1 (7) The Mexican punitive expedition between March 14, 1916,
2 and February 7, 1917;

3 (8) The Mexican border patrol, having actually participated in
4 engagements against Mexicans between April 12, 1911, and June
5 16, 1919;

6 (9) World War I, between April 6, 1917, and November 11,
7 1918;

8 (10) World War II, between September 16, 1940, and
9 December 31, 1946, who shall have served at least 90 days in such
10 active service, exclusive of any period of assignment (1) for a
11 course of education or training under the Army Specialized
12 Training Program or the Navy College Training Program which
13 course was a continuation of a civilian course and was pursued to
14 completion, or (2) as a cadet or midshipman at one of the service
15 academies any part of which 90 days was served between said
16 dates; provided, that any person receiving an actual service-incurred
17 injury or disability shall be classed as a veteran whether or not that
18 person has completed the 90-day service as herein provided;

19 (11) Korean conflict on or after June 23, 1950, and on or prior
20 to January 31, 1955, who shall have served at least 90 days in such
21 active service, exclusive of any period of assignment (1) for a
22 course of education or training under the Army Specialized
23 Training Program or the Navy College Training Program which
24 course was a continuation of a civilian course and was pursued to
25 completion, or (2) as a cadet or midshipman at one of the service
26 academies, any part of which 90 days was served between said
27 dates; provided, that any person receiving an actual service-incurred
28 injury or disability shall be classed as a veteran whether or not that
29 person has completed the 90-day service as herein provided; and
30 provided further, that any member classed as a veteran pursuant to
31 this paragraph prior to August 1, 1966, shall continue to be classed
32 as a veteran whether or not that person completed the 90-day
33 service between said dates as herein provided;

34 (12) Lebanon crisis, on or after July 1, 1958, who has served in
35 Lebanon or on board any ship actively engaged in patrolling the
36 territorial waters of that nation for a period, continuous or in the
37 aggregate, of at least 14 days commencing on or before November
38 1, 1958 or the date of termination of that conflict, as proclaimed by
39 the President of the United States or Congress, whichever date of
40 termination is the latest, in such active service; provided, that any
41 person receiving an actual service-incurred injury or disability shall
42 be classed as a veteran whether or not that person has completed the
43 14 days' service as herein provided;

44 (13) Vietnam conflict on or after December 31, 1960, and on or
45 prior to May 7, 1975, who shall have served at least 90 days in such
46 active service, exclusive of any period of assignment (1) for a
47 course of education or training under the Army Specialized
48 Training Program or the Navy College Training Program which

1 course was a continuation of a civilian course and was pursued to
2 completion, or (2) as a cadet or midshipman at one of the service
3 academies, any part of which 90 days was served between said
4 dates; and exclusive of any service performed pursuant to the
5 provisions of section 511(d) of Title 10, United States Code,
6 pursuant to an enlistment in the Army National Guard or as a
7 reserve for service in the Army Reserve, Naval Reserve, Air Force
8 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided,
9 that any person receiving an actual service-incurred injury or
10 disability shall be classed as a veteran whether or not that person
11 has completed the 90 days' service as herein provided;

12 (14) Lebanon peacekeeping mission, on or after September 26,
13 1982, who has served in Lebanon or on board any ship actively
14 engaged in patrolling the territorial waters of that nation for a
15 period, continuous or in the aggregate, of at least 14 days
16 commencing on or before December 1, 1987 or the date of
17 termination of that mission, as proclaimed by the President of the
18 United States or Congress, whichever date of termination is the
19 latest, in such active service; provided, that any person receiving an
20 actual service-incurred injury or disability shall be classed as a
21 veteran whether or not that person has completed the 14 days'
22 service as herein provided;

23 (15) Grenada peacekeeping mission, on or after October 23,
24 1983, who has served in Grenada or on board any ship actively
25 engaged in patrolling the territorial waters of that nation for a
26 period, continuous or in the aggregate, of at least 14 days
27 commencing on or before November 21, 1983 or the date of
28 termination of that mission, as proclaimed by the President of the
29 United States or Congress, whichever date of termination is the
30 latest, in such active service; provided, that any person receiving an
31 actual service-incurred injury or disability shall be classed as a
32 veteran whether or not that person has completed the 14 days'
33 service as herein provided;

34 (16) Panama peacekeeping mission, on or after December 20,
35 1989 or the date of inception of that mission, as proclaimed by the
36 President of the United States or Congress, whichever date of
37 inception is earliest, who has served in Panama or on board any ship
38 actively engaged in patrolling the territorial waters of that nation for
39 a period, continuous or in the aggregate, of at least 14 days
40 commencing on or before January 31, 1990 or the date of
41 termination of that mission, as proclaimed by the President of the
42 United States or Congress, whichever date of termination is the
43 latest, in such active service; provided, that any person receiving an
44 actual service-incurred injury or disability shall be classed as a
45 veteran whether or not that person has completed the 14 days'
46 service as herein provided;

47 (17) Operation "Desert Shield/Desert Storm" mission in the
48 Arabian peninsula and the Persian Gulf, on or after August 2, 1990

1 or the date of inception of that operation, as proclaimed by the
2 President of the United States or Congress, whichever date of
3 inception is earliest, who has served in the Arabian peninsula or on
4 board any ship actively engaged in patrolling the Persian Gulf for a
5 period, continuous or in the aggregate, of at least 14 days
6 commencing on or before the date of termination of that mission, as
7 proclaimed by the President of the United States or Congress,
8 whichever date of termination is the latest, in such active service;
9 provided, that any person receiving an actual service-incurred injury
10 or disability shall be classed as a veteran whether or not that person
11 has completed the 14 days' service as herein provided;

12 (18) Operation Northern Watch and Operation Southern Watch,
13 on or after August 27, 1992, or the date of inception of that
14 operation, as proclaimed by the President of the United States,
15 Congress or United States Secretary of Defense, whichever date of
16 inception is earliest, who served in the theater of operation,
17 including in the Arabian peninsula and the Persian Gulf, and in
18 direct support of that operation for a period, continuously or in the
19 aggregate, of at least 14 days in such active service, commencing on
20 or before the date of termination of that operation, as proclaimed by
21 the President of the United States, Congress or United States
22 Secretary of Defense, whichever date of termination is the latest;
23 provided, that any person receiving an actual service-incurred injury
24 or disability while engaged in such service shall be classed as a
25 veteran whether or not that person has completed the 14 days'
26 service as herein provided;

27 (19) Operation "Restore Hope" in Somalia, on or after
28 December 5, 1992, or the date of inception of that operation as
29 proclaimed by the President of the United States or Congress,
30 whichever date is earliest, who has served in Somalia or on board
31 any ship actively engaged in patrolling the territorial waters of that
32 nation for a period, continuously or in the aggregate, of at least 14
33 days in such active service commencing on or before March 31,
34 1994; provided that any person receiving an actual service-incurred
35 injury or disability shall be classed as a veteran whether or not that
36 person has completed the 14-day service as herein provided;

37 (20) Operations "Joint Endeavor" and "Joint Guard" in the
38 Republic of Bosnia and Herzegovina, on or after November 20,
39 1995, who served in such active service in direct support of one or
40 both of the operations for at least 14 days, continuously or in the
41 aggregate, commencing on or before June 20, 1998 and (1) was
42 deployed in that nation or in another area in the region, or (2) was
43 on board a United States naval vessel operating in the Adriatic Sea,
44 or (3) operated in airspace above the Republic of Bosnia and
45 Herzegovina; provided that any person receiving an actual service-
46 incurred injury or disability shall be classed as a veteran whether or
47 not that person completed the 14-day service requirement;

1 (21) Operation "Enduring Freedom", on or after September 11,
2 2001, who served in a theater of operation and in direct support of
3 that operation for a period, continuously or in the aggregate, of at
4 least 14 days in such active service commencing on or before the
5 date the President of the United States or the United States
6 Secretary of Defense designates as the termination date of that
7 operation; provided, that any person receiving an actual service-
8 incurred injury or disability while engaged in such service shall be
9 classed as a veteran whether or not that person has completed the 14
10 days' service as herein provided; and

11 (22) Operation "Iraqi Freedom", on or after the date the
12 President of the United States or the United States Secretary of
13 Defense designates as the inception date of that operation, who
14 served in Iraq or in another area in the region in direct support of
15 that operation for a period, continuously or in the aggregate, of at
16 least 14 days in such active service commencing on or before the
17 date the President of the United States or the United States
18 Secretary of Defense designates as the termination date of that
19 operation; provided, that any person receiving an actual service-
20 incurred injury or disability while engaged in such service shall be
21 classed as a veteran whether or not that person has completed the 14
22 days' service as herein provided.

23 "Veteran" also means any honorably discharged member of the
24 American Merchant Marine who served during World War II and is
25 declared by the United States Department of Defense to be eligible
26 for federal veterans' benefits.

27 q. (1) "Widow," for employees of the State, means the woman
28 to whom a member was married, or a domestic partner as defined in
29 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
30 the date of his death and to whom he continued to be married or a
31 domestic partner until the date of his death and who was receiving
32 at least 1/2 of her support from the member in the 12-month period
33 immediately preceding the member's death or the accident which
34 was the direct cause of the member's death. The dependency of such
35 a widow will be considered terminated by the marriage of, or
36 establishment of a domestic partnership by, the widow subsequent
37 to the member's death. In the event of the payment of an accidental
38 death benefit, the five-year qualification shall be waived.

39 (2) Subject to the provisions of paragraph (3) of this subsection,
40 "widow," for employees of public employers other than the State,
41 means the woman to whom a member was married at least five
42 years before the date of his death and to whom he continued to be
43 married until the date of his death and who was receiving at least
44 1/2 of her support from the member in the 12-month period
45 immediately preceding the member's death or the accident which
46 was the direct cause of the member's death. The dependency of such
47 a widow shall be considered terminated by the marriage of the
48 widow subsequent to the member's death. In the event of the

1 payment of an accidental death benefit, the five-year qualification
2 shall be waived.

3 (3) A public employer other than the State may adopt a
4 resolution providing that the term "widow" as defined in paragraph
5 (2) of this subsection shall include domestic partners as provided in
6 paragraph (1) of this subsection.

7 r. (1) "Compensation" means the base or contractual salary,
8 for services as an employee, which is in accordance with
9 established salary policies of the member's employer for all
10 employees in the same position but shall not include individual
11 salary adjustments which are granted primarily in anticipation of
12 the member's retirement or additional remuneration for performing
13 temporary or extracurricular duties beyond the regular workday or
14 the regular work year.

15 (2) In the case of a person who becomes a member of the
16 retirement system on or after July 1, 2007, "compensation" means
17 the amount of base or contractual salary equivalent to the annual
18 maximum wage contribution base for Social Security, pursuant to
19 the Federal Insurance Contributions Act, for services as an
20 employee, which is in accordance with established salary policies of
21 the member's employer for all employees in the same position but
22 shall not include individual salary adjustments which are granted
23 primarily in anticipation of the member's retirement or additional
24 remuneration for performing temporary or extracurricular duties
25 beyond the regular workday or the regular work year. This
26 paragraph shall not apply to a person who at the time of enrollment
27 in the retirement system on or after July 1, 2007 transfers service
28 credit from another State-administered retirement system pursuant
29 to section 14 of P.L.1954, c.84 (C.43:15A-14), but shall apply to a
30 former member of the retirement system who has been granted a
31 retirement allowance and is reenrolled in the retirement system on
32 or after July 1, 2007 pursuant to section 27 of P.L.1966, c.217
33 (C.43:15A-57.2) after becoming employed again in a position that
34 makes the person eligible to be a member of the retirement system.

35 In cases where salary includes maintenance, the retirement
36 system shall fix the value of that part of the salary not paid in
37 money which shall be considered under this act.

38 For the period of July 1, 2009 through June 30, 2011,
39 "contractual salary" for State employees shall include across the
40 board negotiated wage increases under a collective negotiations
41 agreement that were payable to all State employees covered by that
42 agreement notwithstanding that, by amendment to that collective
43 negotiations agreement, the effective date of the contractual
44 increase has been deferred. For the purpose of this paragraph,
45 "State employee" means an employee in the Executive Branch or
46 the Judicial Branch of State government of New Jersey or an
47 employee of the State University authorized to participate in the
48 system under subsection b. of section 73 of P.L.1954, c.84

1 (C.43:15A-73), but shall not include employees of agencies
2 authorized to participate in the system under subsections a., c., d.,
3 e., f., and g. of section 73 of P.L.1954, c.84 (C.43:15A-73) or under
4 P.L.1990, c.25 (C.43:15A-73.2 et al.).

5 For the period of July 1, 2009 through June 30, 2011,
6 "contractual salary" for county and municipal employees shall
7 include across the board negotiated wage increases under a
8 collective negotiations agreement that were payable to all county or
9 all municipal employees covered by that agreement notwithstanding
10 that, by amendment to that collective negotiations agreement which
11 has been filed with the Division of Pensions and Benefits, the
12 effective date of the contractual increase has been deferred. For the
13 purpose of this paragraph, "county and municipal employees"
14 means all persons employed by a county or municipality in this
15 State.

16 (cf: P.L.2010, c.50, s.71)

17

18 19. Section 1 of P.L.1983, c.391 (C.43:16A-11.7) is amended to
19 read as follows:

20 1. For purposes of this act "veteran" means any honorably
21 discharged officer, soldier, sailor, airman, marine or nurse who
22 served in any Army, Air Force or Navy of the Allies of the United
23 States in World War I, between July 14, 1914, and November 11,
24 1918, or who served in any Army, Air Force or Navy of the Allies
25 of the United States in World War II, between September 1, 1939,
26 and September 2, 1945, and who was inducted into such service
27 through voluntary enlistment, and was a citizen of the United States
28 at the time of such enlistment, and who did not, during or by reason
29 of such service, renounce or lose United States citizenship, and any
30 officer, soldier, sailor, marine, airman, nurse or army field clerk,
31 who has served in the active military or naval service of the United
32 States and has or shall be discharged or released therefrom under
33 conditions other than dishonorable, or any discharged LGBTQ
34 veteran, as defined in section 1 of P.L. , c. (C.) (pending
35 before the Legislature as this bill), from active service in any
36 branch of the Armed Forces of the United States, in any of the
37 following wars, uprisings, insurrections, expeditions, or
38 emergencies, and who has presented to the retirement system
39 evidence of such record of service in form and content satisfactory
40 to said retirement system:

41 (1) The Indian wars and uprisings during any of the periods
42 recognized by the War Department of the United States as periods
43 of active hostility;

44 (2) The Spanish-American War between April 20, 1898, and
45 April 11, 1899;

46 (3) The Philippine insurrections and expeditions during the
47 periods recognized by the War Department of the United States as
48 of active hostility from February 4, 1899, to the end of 1913;

- 1 (4) The Peking relief expedition between June 20, 1900, and
2 May 27, 1902;
- 3 (5) The army of Cuban occupation between July 18, 1898, and
4 May 20, 1902;
- 5 (6) The army of Cuban pacification between October 6, 1906,
6 and April 1, 1909;
- 7 (7) The Mexican punitive expedition between March 14, 1916,
8 and February 7, 1917;
- 9 (8) The Mexican border patrol, having actually participated in
10 engagements against Mexicans between April 12, 1911, and June
11 16, 1919;
- 12 (9) World War I between April 6, 1917, and November 11,
13 1918;
- 14 (10) World War II, between September 16, 1940, and
15 December 31, 1946, who shall have served at least 90 days in such
16 active service, exclusive of any period of assignment (1) for a
17 course of education or training under the Army Specialized
18 Training Program or the Navy College Training program which
19 course was a continuation of a civilian course and was pursued to
20 completion, or (2) as a cadet or midshipman at one of the service
21 academies any part of which 90 days was served between said
22 dates; provided, that any person receiving an actual service-incurred
23 injury or disability shall be classed as a veteran whether or not that
24 person has completed the 90-day service as herein provided;
- 25 (11) Korean conflict on or after June 23, 1950, and on or prior
26 to January 31, 1955, who shall have served at least 90 days in such
27 active service, exclusive of any period of assignment (1) for a
28 course of education or training under the Army Specialized
29 Training Program or the Navy College Training Program which
30 course was a continuation of a civilian course and was pursued to
31 completion, or (2) as a cadet or midshipman at one of the service
32 academies, any part of which 90 days was served between said
33 dates; provided, that any person receiving an actual service-incurred
34 injury or disability shall be classed as a veteran whether or not that
35 person has completed the 90-day service as herein provided; and
36 provided further, that any member classed as a veteran pursuant to
37 this subparagraph prior to August 1, 1966, shall continue to be
38 classed as a veteran whether or not the member completed the 90-
39 day service between said dates as herein provided;
- 40 (12) Lebanon crisis, on or after July 1, 1958, who has served in
41 Lebanon or on board any ship actively engaged in patrolling the
42 territorial waters of that nation for a period, continuous or in the
43 aggregate, of at least 14 days commencing on or before November
44 1, 1958 or the date of termination of that conflict, as proclaimed by
45 the President of the United States or Congress, whichever date of
46 termination is the latest, in such active service; provided, that any
47 person receiving an actual service-incurred injury or disability shall

1 be classed as a veteran whether or not that person has completed the
2 14 days' service as herein provided;

3 (13) Vietnam conflict on or after December 31, 1960, and on or
4 prior to May 7, 1975, who shall have served at least 90 days in such
5 active service, exclusive of any period of assignment (1) for a
6 course of education or training under the Army Specialized
7 Training Program or the Navy College Training Program which
8 course was a continuation of a civilian course and was pursued to
9 completion, or (2) as a cadet or midshipman at one of the service
10 academies, any part of which 90 days was served between said
11 dates; and exclusive of any service performed pursuant to the
12 provisions of section 511 (d) of Title 10, United States Code,
13 pursuant to an enlistment in the Army National Guard or as a
14 reserve for service in the Army Reserve, Naval Reserve, Air Force
15 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided,
16 that any person receiving an actual service-incurred injury or
17 disability shall be classed as a veteran whether or not that person
18 has completed the 90 days' service as herein provided;

19 (14) Lebanon peacekeeping mission, on or after September 26,
20 1982, who has served in Lebanon or on board any ship actively
21 engaged in patrolling the territorial waters of that nation for a
22 period, continuous or in the aggregate, of at least 14 days
23 commencing on or before December 1, 1987 or the date of
24 termination of that mission, as proclaimed by the President of the
25 United States or Congress, whichever date of termination is the
26 latest, in such active service; provided, that any person receiving an
27 actual service-incurred injury or disability shall be classed as a
28 veteran whether or not that person has completed the 14 days'
29 service as herein provided;

30 (15) Grenada peacekeeping mission, on or after October 23,
31 1983, who has served in Grenada or on board any ship actively
32 engaged in patrolling the territorial waters of that nation for a
33 period, continuous or in the aggregate, of at least 14 days
34 commencing on or before November 21, 1983 or the date of
35 termination of that mission, as proclaimed by the President of the
36 United States or Congress, whichever date of termination is the
37 latest, in such active service; provided, that any person receiving an
38 actual service-incurred injury or disability shall be classed as a
39 veteran whether or not that person has completed the 14 days'
40 service as herein provided;

41 (16) Panama peacekeeping mission, on or after December 20,
42 1989 or the date of inception of that mission, as proclaimed by the
43 President of the United States or Congress, whichever date of
44 inception is earliest, who has served in Panama or on board any ship
45 actively engaged in patrolling the territorial waters of that nation for
46 a period, continuous or in the aggregate, of at least 14 days
47 commencing on or before January 31, 1990 or the date of
48 termination of that mission, as proclaimed by the President of the

1 United States or Congress, whichever date of termination is the
2 latest, in such active service; provided, that any person receiving an
3 actual service-incurred injury or disability shall be classed as a
4 veteran whether or not that person has completed the 14 days'
5 service as herein provided;

6 (17) Operation "Desert Shield/Desert Storm" mission in the
7 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
8 or the date of inception of that operation, as proclaimed by the
9 President of the United States or Congress, whichever date of
10 inception is earliest, who has served in the Arabian peninsula or on
11 board any ship actively engaged in patrolling the Persian Gulf for a
12 period, continuous or in the aggregate, of at least 14 days
13 commencing on or before the date of termination of that mission, as
14 proclaimed by the President of the United States or Congress,
15 whichever date of termination is the latest, in such active service;
16 provided, that any person receiving an actual service-incurred injury
17 or disability shall be classed as a veteran whether or not that person
18 has completed the 14 days' service as herein provided;

19 (18) Operation Northern Watch and Operation Southern Watch,
20 on or after August 27, 1992, or the date of inception of that
21 operation, as proclaimed by the President of the United States,
22 Congress or United States Secretary of Defense, whichever date of
23 inception is earliest, who served in the theater of operation,
24 including in the Arabian peninsula and the Persian Gulf, and in
25 direct support of that operation for a period, continuously or in the
26 aggregate, of at least 14 days in such active service, commencing on
27 or before the date of termination of that operation, as proclaimed by
28 the President of the United States, Congress or United States
29 Secretary of Defense, whichever date of termination is the latest;
30 provided, that any person receiving an actual service-incurred injury
31 or disability while engaged in such service shall be classed as a
32 veteran whether or not that person has completed the 14 days'
33 service as herein provided;

34 (19) Operation "Restore Hope" in Somalia, on or after
35 December 5, 1992, or the date of inception of that operation as
36 proclaimed by the President of the United States or Congress,
37 whichever date is earliest, who has served in Somalia or on board
38 any ship actively engaged in patrolling the territorial waters of that
39 nation for a period, continuously or in the aggregate, of at least 14
40 days in such active service commencing on or before March 31,
41 1994; provided that any person receiving an actual service-incurred
42 injury or disability shall be classed as a veteran whether or not that
43 person has completed the 14-day service as herein provided;

44 (20) Operations "Joint Endeavor" and "Joint Guard" in the
45 Republic of Bosnia and Herzegovina, on or after November 20,
46 1995, who served in such active service in direct support of one or
47 both of the operations for at least 14 days, continuously or in the
48 aggregate, commencing on or before June 20, 1998, and (1) was

1 deployed in that nation or in another area in the region, or (2) was
2 on board a United States naval vessel operating in the Adriatic Sea,
3 or (3) operated in airspace above the Republic of Bosnia and
4 Herzegovina; provided that any person receiving an actual service-
5 incurred injury or disability shall be classed as a veteran whether or
6 not that person completed the 14-day service requirement;

7 (21) Operation "Enduring Freedom", on or after September 11,
8 2001, who served in a theater of operation and in direct support of
9 that operation for a period, continuously or in the aggregate, of at
10 least 14 days in such active service commencing on or before the
11 date the President of the United States or the United States
12 Secretary of Defense designates as the termination date of that
13 operation; provided, that any person receiving an actual service-
14 incurred injury or disability while engaged in such service shall be
15 classed as a veteran whether or not that person has completed the 14
16 days' service as herein provided; and

17 (22) Operation "Iraqi Freedom", on or after the date the
18 President of the United States or the United States Secretary of
19 Defense designates as the inception date of that operation, who
20 served in Iraq or in another area in the region in direct support of
21 that operation for a period, continuously or in the aggregate, of at
22 least 14 days in such active service commencing on or before the
23 date the President of the United States or the United States
24 Secretary of Defense designates as the termination date of that
25 operation; provided, that any person receiving an actual service-
26 incurred injury or disability while engaged in such service shall be
27 classed as a veteran whether or not that person has completed the 14
28 days' service as herein provided.

29 "Veteran" also means any honorably discharged member of the
30 American Merchant Marine who served during World War II and is
31 declared by the United States Department of Defense to be eligible
32 for federal veterans' benefits.

33 (cf: P.L.2005, c.64, s.4)

34

35 20. Section 4 of P.L.2004, c.134 (C.45:19A-4) is amended to
36 read as follows:

37 4. a. A person shall not be employed as a security officer by a
38 security officer company or a company maintaining a proprietary or
39 in-house security function, or perform the functions and activities of
40 a security officer, unless that person is registered with the
41 superintendent as required in this section.

42 The requirements of this section shall not apply to:

43 (1) a loss prevention employee;

44 (2) an employee of a company whose business includes hosting
45 sporting and entertainment events at an arena or stadium where a
46 State, county, or municipal law enforcement agency is on the
47 premises during the event and whose in-house security employees
48 do not carry handguns or other licensed weapons;

1 (3) a security officer employed by a company maintaining a
2 proprietary or in-house security function whose in-house security
3 employees do not carry handguns or other licensed weapons; or
4 (4) a security employee regulated under federal law. Any
5 person who violates the provisions of this section shall be guilty of
6 a crime of the fourth degree.

7 b. An application for registration as a security officer shall be
8 filed with the superintendent on a form and in a manner prescribed
9 by the superintendent and shall set forth under oath:

10 (1) the applicant's full name, age, which shall be at least 18
11 years, and residence;

12 (2) the name and address of all employers or occupations
13 engaged in for the immediately preceding five years;

14 (3) that the applicant has not been convicted of any
15 disqualifying crime or offense as set forth in subsection c. of this
16 section; and

17 (4) such further information as the superintendent may require
18 to show the good character, competency and integrity of the
19 applicant.

20 Any person who shall knowingly make a false statement in, or
21 knowingly omit any material information from, an application as
22 required by this subsection shall be guilty of a crime of the fourth
23 degree in addition to any other crime or offense specified by law.

24 c. No person shall be issued a certificate of registration as a
25 security officer under the provisions of this section if the person has
26 been convicted, as indicated by a criminal history record
27 background check performed pursuant to the provisions of this
28 section, of: a crime of the first, second, third or fourth degree; any
29 offense involving the unlawful use, possession or sale of a
30 controlled dangerous substance as defined in N.J.S.2C:35-2; or any
31 offense where the registration of the individual would be contrary to
32 the public interest, as determined by the superintendent, except as
33 provided in subsection h. of this section. Each applicant shall
34 submit to the superintendent the applicant's fingerprints and written
35 consent for a criminal history record background check to be
36 performed. The superintendent shall compare these to fingerprints
37 on file with the State Bureau of Identification in the Division of
38 State Police and the Federal Bureau of Investigation, consistent
39 with applicable State and federal laws, rules and regulations. The
40 applicant shall bear the cost for the criminal history record
41 background check, including all costs of administering and
42 processing the check.

43 d. A person whose application has been approved by the
44 superintendent shall complete the required education and training
45 program established in section 5 of this act. Upon satisfactory
46 completion of this program, and upon the payment of a fee in an
47 amount established by the superintendent, the applicant shall be

1 entitled to and the superintendent shall issue and deliver to the
2 applicant a security officer certificate of registration.

3 e. The superintendent may revoke or suspend such certificate
4 of registration for a violation of any of the provisions of this act or
5 for other good cause. A certificate of registration shall be
6 surrendered to the superintendent within 72 hours after its term has
7 expired or after notice in writing to the holder that the certificate of
8 registration has been revoked.

9 f. The certificate of registration shall be renewed every two
10 years by an applicant for an unarmed security officer position and
11 each year by an applicant for an armed security officer position
12 upon forms prescribed by the superintendent. The applicant shall
13 pay a fee in an amount established by the superintendent by rule
14 and regulation and shall complete an eight-hour refresher course of
15 classroom instruction taught by a certified security officer
16 instructor. The certificate of registration may be renewed without
17 further investigation unless it is deemed by the superintendent that
18 the applicant no longer qualifies or verified objections to the
19 renewal are received by the superintendent prior to issuance.

20 g. The revocation or suspension of any certificate of
21 registration by the superintendent shall be subject to notice and a
22 hearing.

23 h. Notwithstanding subsection c. of this section, a veteran who
24 has been convicted of a crime of the third or fourth degree, or a
25 lesser offense involving the unlawful use, possession, or sale of a
26 controlled dangerous substance as defined in N.J.S.2C:35-2, prior to
27 service in the armed forces may be issued a certificate of
28 registration as a security officer under the provisions of this section
29 if the individual meets all other statutory requirements for
30 registration, submits documentary evidence required by the
31 superintendent demonstrating that he or she is a veteran, has not
32 been convicted of any criminal offense since enlistment and
33 acceptance in the armed forces, and the superintendent determines
34 that the registration of the individual would not be contrary to the
35 public interest.

36 For purposes of this subsection, "veteran" means any person who
37 has been honorably discharged or released under honorable
38 circumstances from active service in any branch of the **Armed**
39 **forces** Armed Forces of the United States, or a discharged LGBTQ
40 veteran, as defined in section 1 of P.L. , c. (C.) (pending
41 before the Legislature as this bill), from active service in any
42 branch of the Armed Forces of the United States.

43 (cf: P.L.2017, c.351, s.1)

44

45 21. Section 1 of P.L.2019, c.206 (C.46:8-51) is amended to read
46 as follows:

47 1. a. A landlord, or any agent thereof, shall count a military or
48 veteran housing allowance, supported by United States Department

1 of Veterans Affairs documentation, as income for purposes of
2 determining whether a qualified prospective tenant meets any
3 minimum income qualifications to rent housing from the landlord.

4 b. As used in this section:

5 "Landlord" means any person who rents or leases or offers to
6 rent or lease, for a term of at least one month, dwelling units.

7 "Military" means the Armed Forces of the United States,
8 including the Army, Navy, Air Force, Marine Corps, and Coast
9 Guard, the National Guard and any other reserve component of the
10 armed forces, and the merchant marine when organized under the
11 federal law as a public military force.

12 "Military or veteran housing allowance" means any federal
13 housing allowance or stipend provided to a service member of the
14 military or a veteran, including, but not limited to, the basic
15 allowance for housing authorized pursuant to 37 U.S.C. s.403 and
16 the housing stipend authorized pursuant to 38 U.S.C. s.3313.

17 "Qualified prospective tenant" means any service member of the
18 military or a veteran who is receiving a military or veteran housing
19 allowance.

20 "Veteran" means a person who has served on active duty in the
21 Armed Forces of the United States and who was discharged or
22 released therefrom under conditions other than dishonorable, or a
23 discharged LGBTQ veteran, as defined in section 1 of P.L. _____, c.
24 (C. _____) (pending before the Legislature as this bill), who has served
25 on active duty in the Armed Forces of the United States.

26 (cf: P.L.2019, c.206, s.1)

27

28 22. Section 2 of P.L.2017, c.258 (C.52:27D-517) is amended to
29 read as follows:

30 2. As used in this act:

31 "Director" means the Director of the Division of Housing and
32 Community Resources in the Department of Community Affairs.

33 "Disabled" means a person who fulfills the definition of having a
34 "disability" pursuant to section 3 of the "Americans with
35 Disabilities Act of 1990," 42 U.S.C. s.12102.

36 "Division" means the Division of Housing and Community
37 Resources in the Department of Community Affairs.

38 "Eligible veteran" means a disabled or low-income veteran.

39 "Energy efficient features or equipment" means features or
40 equipment within a primary residence that help to reduce the
41 amount of electricity used to heat, cool, or ventilate the residence,
42 including but not limited to insulation, weatherstripping, air sealing,
43 repaired heating systems, or duct sealing.

44 "Family member" means a spouse, child, parent, sibling, aunt,
45 uncle, niece, nephew, first cousin, grandparent, grandchild, father-
46 in-law, mother-in-law, son-in-law, daughter-in-law, stepparent,
47 stepchild, stepbrother, stepsister, half brother, or half sister, whether
48 the individual is related by blood, marriage, or adoption.

1 "Low-income veteran" means a veteran occupying a household
2 with a gross household income equal to 50 percent or less of the
3 median gross household income for households of the same size,
4 and within the same housing region, as defined by subsection b. of
5 section 4 of P.L.1985, c.222 (C.52:27D-304).

6 "Primary residence" means a dwelling unit that is owned by the
7 eligible veteran or by a family member of the eligible veteran, and
8 occupied by the eligible veteran as his or her principal residence.

9 "Qualified organization" means a nonprofit veterans'
10 organization that qualifies as a section 501(c)(3) or 501(c)(19) tax
11 exempt organization under the Internal Revenue Code.

12 "Veteran" means any resident of the State now or hereafter who
13 has been discharged honorably or under general honorable
14 conditions in any branch of the Armed Forces of the United States,
15 or a Reserve component thereof, or the National Guard of this State
16 or another state as defined in section 1 of P.L.1963, c.109
17 (C.38A:1-1), or any discharged LGBTQ veteran, as defined in
18 section 1 of P.L. , c. (C.) (pending before the Legislature as
19 this bill), in any branch of the Armed Forces of the United States, or
20 any honorably discharged member of the American Merchant
21 Marine who served during World War II and is declared by the
22 United States Department of Defense to be eligible for federal
23 veterans' benefits.

24 (cf: P.L.2019, c.500, s.12)

25

26 23. Section 2 of P.L.2011, c.147 (C.52:32-50) is amended to
27 read as follows:

28 2. As used in this act:

29 "Authority" means the New Jersey Economic Development
30 Authority.

31 "Contracting agency" means the State or any board, commission,
32 authority or agency of the State.

33 "Department" means the New Jersey Department of the Treasury.

34 "Veteran" means any resident of this State now or hereafter who
35 has been discharged honorably or under general honorable
36 conditions who served in any branch of the Armed Forces of the
37 United States or a Reserve component thereof, or a discharged
38 LGBTQ veteran, as defined in section 1 of P.L. , c. (C.)
39 (pending before the Legislature as this bill), and is a citizen and
40 resident of this State, or the National Guard of this State or another
41 state as defined in section 1 of P.L.1963, c.109 (C.38A:1-1), and
42 shall include disabled veterans.

43 "Veteran-owned business" means a business that has its principal
44 place of business in the State, is independently owned and operated
45 and at least 51 percent of the business is owned and controlled by
46 persons who are veterans.

47 (cf: P.L.2019, c.500, s.13)

1 24. Section 3 of P.L.1965, c.89 (C.53:5A-3) is amended to read
2 as follows:

3 3. As used in this act:

4 a. "Aggregate contributions" means the sum of all the amounts,
5 deducted from the salary of a member or contributed by him or on
6 his behalf, standing to the credit of his individual account in the
7 Annuity Savings Fund. Interest credited on contributions to the
8 former "State Police Retirement and Benevolent Fund" shall be
9 included in a member's aggregate contributions.

10 b. "Annuity" means payments for life derived from the
11 aggregate contributions of a member.

12 c. "Annuity reserve" means the present value of all payments
13 to be made on account of any annuity or benefit in lieu of an
14 annuity, computed upon the basis of such mortality tables
15 recommended by the actuary as the board of trustees adopts and
16 regular interest.

17 d. "Beneficiary" means any person entitled to receive any
18 benefit pursuant to the provisions of this act by reason of the death
19 of a member or retirant.

20 e. "Board of trustees" or "board" means the board provided for
21 in section 30 of this act.

22 f. "Child" means a deceased member's or retirant's unmarried
23 child either (a) under the age of 18, or (b) 18 years of age or older
24 and enrolled in a secondary school, or (c) under the age of 24 and
25 enrolled in a degree program in an institution of higher education
26 for at least 12 credit hours in each semester, provided that the
27 member died in active service as a result of an accident met in the
28 actual performance of duty at some definite time and place, and the
29 death was not the result of the member's willful misconduct, or (d)
30 of any age who, at the time of the member's or retirant's death, is
31 disabled because of an intellectual disability or physical incapacity,
32 is unable to do any substantial, gainful work because of the
33 impairment and his impairment has lasted or can be expected to last
34 for a continuous period of not less than 12 months, as affirmed by
35 the medical board.

36 g. "Creditable service" means service rendered for which credit
37 is allowed on the basis of contributions made by the member or the
38 State.

39 h. "Parent" means the parent of a member who was receiving at
40 least one-half of his support from the member in the 12-month
41 period immediately preceding the member's death or the accident
42 which was the direct cause of the member's death. The dependency
43 of such a parent will be considered terminated by marriage of the
44 parent subsequent to the death of the member.

45 i. (1) "Final compensation" means the average compensation
46 received by the member in the last 12 months of creditable service
47 preceding his retirement or death. Such term includes the value of
48 the member's maintenance allowance for this same period.

1 (2) In the case of a person who becomes a member of the
2 retirement system on or after the effective date of P.L.2010, c.1,
3 "final compensation" means the average annual compensation for
4 service for which contributions are made during any three fiscal
5 years of membership providing the largest possible benefit to the
6 member or the member's beneficiary. Such term includes the value
7 of the member's maintenance allowance for this same period.

8 j. (1) "Final salary" means the average salary received by the
9 member in the last 12 months of creditable service preceding his
10 retirement or death. Such term shall not include the value of the
11 member's maintenance allowance.

12 (2) In the case of a person who becomes a member of the
13 retirement system on or after the effective date of P.L.2010, c.1,
14 "final salary" means the average annual salary for service for which
15 contributions are made during any three fiscal years of membership
16 providing the largest possible benefit to the member or the
17 member's beneficiary. Such term shall not include the value of the
18 member's maintenance allowance.

19 k. "Fiscal year" means any year commencing with July 1 and
20 ending with June 30 next following.

21 l. "Medical board" means the board of physicians provided for
22 in section 30 of this act.

23 m. "Member" means any full-time, commissioned officer, non-
24 commissioned officer or trooper of the Division of State Police of
25 the Department of Law and Public Safety of the State of New Jersey
26 enrolled in the retirement system established by this act.

27 n. "Pension" means payment for life derived from contributions
28 by the State.

29 o. "Pension reserve" means the present value of all payments to
30 be made on account of any pension or benefit in lieu of any pension
31 computed on the basis of such mortality tables recommended by the
32 actuary as shall be adopted by the board of trustees and regular
33 interest.

34 p. "Regular interest" means interest as determined by the State
35 Treasurer, after consultation with the Directors of the Divisions of
36 Investment and Pensions, the board of trustees and the actuary. It
37 shall bear a reasonable relationship to the percentage rate of
38 earnings on investments based on the market value of the assets but
39 shall not exceed the assumed percentage rate of increase applied to
40 salaries plus **[3%]** three percent, provided however that the board
41 of trustees shall not set the average percentage rate of increase
42 applied to salaries below **[6%]** six percent.

43 q. "Retirant" means any former member receiving a retirement
44 allowance as provided by this act.

45 r. "Retirement allowance" means the pension plus the annuity.

46 s. "State Police Retirement System of New Jersey," herein also
47 referred to as the "retirement system" or "system," is the corporate
48 name of the arrangement for the payment of retirement allowances

1 and of the benefits under the provisions of this act including the
2 several funds placed under said system. By that name, all of its
3 business shall be transacted, its funds invested, warrants for moneys
4 drawn, and payments made and all of its cash and securities and
5 other property held. All assets held in the name of the former
6 "State Police Retirement and Benevolent Fund" shall be transferred
7 to the retirement system established by this act.

8 t. "Surviving spouse" means the person to whom a member or
9 a retirant was married, or a domestic partner as defined in section 3
10 of P.L.2003, c.246 (C.26:8A-3), on the date of the death of the
11 member or retirant. The dependency of such a surviving spouse will
12 be considered terminated by the marriage of, or establishment of a
13 domestic partnership by, the surviving spouse subsequent to the
14 member's or the retirant's death, except that in the event of the
15 payment of accidental death benefits, pursuant to section 14 of
16 P.L.1965, c.89 (C.53:5A-14), the dependency of such a surviving
17 spouse or domestic partner will not be considered terminated by the
18 marriage of, or establishment of a domestic partnership by, the
19 surviving spouse subsequent to the member's death.

20 u. (1) "Compensation" for purposes of computing pension
21 contributions means the base salary, for services as a member as
22 defined in this act, which is in accordance with established salary
23 policies of the State for all employees in the same position but shall
24 not include individual salary adjustments which are granted
25 primarily in anticipation of the member's retirement or additional
26 remuneration for performing temporary duties beyond the regular
27 workday or shift.

28 (2) In the case of a person who becomes a member of the
29 retirement system on or after the effective date of P.L.2010, c.1,
30 "compensation" means the amount of base salary equivalent to the
31 annual maximum wage contribution base for Social Security,
32 pursuant to the Federal Insurance Contributions Act, for services as
33 a member as defined in this act, which is in accordance with
34 established salary policies of the State for all employees in the same
35 position but shall not include individual salary adjustments which
36 are granted primarily in anticipation of the member's retirement or
37 additional remuneration for performing temporary duties beyond
38 the regular workday or shift.

39 v. "Veteran" means any person who has served in the United
40 States Armed Forces and has or shall be discharged or released
41 therefrom under conditions other than dishonorable, or a discharged
42 LGBTQ veteran, as defined in section 1 of P.L. , c. (C.)
43 (pending before the Legislature as this bill), in any of the following
44 wars or emergencies, and who has presented to the retirement
45 system evidence of such record of service in form and content
46 satisfactory to the retirement system:

47 (1) Vietnam conflict on or after December 31, 1960, and on or
48 prior to May 7, 1975, who shall have served at least 90 days in such

1 active service, exclusive of any period of assignment (1) for a
2 course of education or training under the Army Specialized
3 Training Program or the Navy College Training Program which
4 course was a continuation of a civilian course and was pursued to
5 completion, or (2) as a cadet or midshipman at one of the service
6 academies, any part of which 90 days was served between said
7 dates; and exclusive of any service performed pursuant to the
8 provisions of section 511 (d) of Title 10, United States Code,
9 pursuant to an enlistment in the Army National Guard or as a
10 reserve for service in the Army Reserve, Naval Reserve, Air Force
11 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided,
12 that any person receiving an actual service-incurred injury or
13 disability shall be classed as a veteran whether or not that person
14 has completed the 90 days' service as herein provided;

15 (2) Lebanon peacekeeping mission, on or after September 26,
16 1982, who has served in Lebanon or on board any ship actively
17 engaged in patrolling the territorial waters of that nation for a
18 period, continuous or in the aggregate, of at least 14 days
19 commencing on or before December 1, 1987 or the date of
20 termination of that mission, as proclaimed by the President of the
21 United States or Congress, whichever date of termination is the
22 latest, in such active service; provided, that any person receiving an
23 actual service-incurred injury or disability shall be classed as a
24 veteran whether or not that person has completed the 14 days'
25 service as herein provided;

26 (3) Grenada peacekeeping mission, on or after October 23,
27 1983, who has served in Grenada or on board any ship actively
28 engaged in patrolling the territorial waters of that nation for a
29 period, continuous or in the aggregate, of at least 14 days
30 commencing on or before November 21, 1983 or the date of
31 termination of that mission, as proclaimed by the President of the
32 United States or Congress, whichever date of termination is the
33 latest, in such active service; provided, that any person receiving an
34 actual service-incurred injury or disability shall be classed as a
35 veteran whether or not that person has completed the 14 days'
36 service as herein provided;

37 (4) Panama peacekeeping mission, on or after December 20,
38 1989 or the date of inception of that mission, as proclaimed by the
39 President of the United States or Congress, whichever date of
40 inception is earliest, who has served in Panama or on board any ship
41 actively engaged in patrolling the territorial waters of that nation for
42 a period, continuous or in the aggregate, of at least 14 days
43 commencing on or before January 31, 1990 or the date of
44 termination of that mission, as proclaimed by the President of the
45 United States or Congress, whichever date of termination is the
46 latest, in such active service; provided, that any person receiving an
47 actual service-incurred injury or disability shall be classed as a

1 veteran whether or not that person has completed the 14 days'
2 service as herein provided;

3 (5) Operation "Desert Shield/Desert Storm" mission in the
4 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
5 or the date of inception of that operation, as proclaimed by the
6 President of the United States or Congress, whichever date of
7 inception is earliest, who has served in the Arabian peninsula or on
8 board any ship actively engaged in patrolling the Persian Gulf for a
9 period, continuous or in the aggregate, of at least 14 days
10 commencing on or before the date of termination of that mission, as
11 proclaimed by the President of the United States or Congress,
12 whichever date of termination is the latest, in such active service;
13 provided, that any person receiving an actual service-incurred injury
14 or disability shall be classed as a veteran whether or not that person
15 has completed the 14 days' service as herein provided;

16 (6) Operation Northern Watch and Operation Southern Watch,
17 on or after August 27, 1992, or the date of inception of that
18 operation, as proclaimed by the President of the United States,
19 Congress or United States Secretary of Defense, whichever date of
20 inception is earliest, who served in the theater of operation,
21 including in the Arabian peninsula and the Persian Gulf, and in
22 direct support of that operation for a period, continuously or in the
23 aggregate, of at least 14 days in such active service, commencing on
24 or before the date of termination of that operation, as proclaimed by
25 the President of the United States, Congress or United States
26 Secretary of Defense, whichever date of termination is the latest;
27 provided, that any person receiving an actual service-incurred injury
28 or disability while engaged in such service shall be classed as a
29 veteran whether or not that person has completed the 14 days'
30 service as herein provided;

31 (7) Operation "Restore Hope" in Somalia, on or after December
32 5, 1992, or the date of inception of that operation as proclaimed by
33 the President of the United States or Congress, whichever date is
34 earliest, who has served in Somalia or on board any ship actively
35 engaged in patrolling the territorial waters of that nation for a
36 period, continuously or in the aggregate, of at least 14 days in such
37 active service commencing on or before March 31, 1994; provided
38 that any person receiving an actual service-incurred injury or
39 disability shall be classed as a veteran whether or not that person
40 has completed the 14-day service as herein provided;

41 (8) Operations "Joint Endeavor" and "Joint Guard" in the
42 Republic of Bosnia and Herzegovina, on or after November 20,
43 1995, who served in such active service in direct support of one or
44 both of the operations for at least 14 days, continuously or in the
45 aggregate, commencing on or before June 20, 1998, and (1) was
46 deployed in that nation or in another area in the region, or (2) was
47 on board a United States naval vessel operating in the Adriatic Sea,
48 or (3) operated in airspace above the Republic of Bosnia and

1 Herzegovina; provided that any person receiving an actual service-
2 incurred injury or disability shall be classed as a veteran whether or
3 not that person completed the 14-day service requirement;

4 (9) Operation "Enduring Freedom", on or after September 11,
5 2001, who served in a theater of operation and in direct support of
6 that operation for a period, continuously or in the aggregate, of at
7 least 14 days in such active service commencing on or before the
8 date the President of the United States or the United States
9 Secretary of Defense designates as the termination date of that
10 operation; provided, that any person receiving an actual service-
11 incurred injury or disability while engaged in such service shall be
12 classed as a veteran whether or not that person has completed the 14
13 days' service as herein provided; and

14 (10) Operation "Iraqi Freedom", on or after the date the
15 President of the United States or the United States Secretary of
16 Defense designates as the inception date of that operation, who
17 served in Iraq or in another area in the region in direct support of
18 that operation for a period, continuously or in the aggregate, of at
19 least 14 days in such active service commencing on or before the
20 date the President of the United States or the United States
21 Secretary of Defense designates as the termination date of that
22 operation; provided, that any person receiving an actual service-
23 incurred injury or disability while engaged in such service shall be
24 classed as a veteran whether or not that person has completed the 14
25 days' service as herein provided.

26 (cf: P.L.2016, c.26, s.1)

27

28 25. Section 1 of P.L.1963, c.171 (C.54:4-8.10) is amended to
29 read as follows:

30 1. (a) (Deleted by amendment, P.L.2019, c.413)

31 (b) "Assessor" means the assessor, board of assessors or any
32 other official or body of a taxing district charged with the duty of
33 assessing real and personal property for the purpose of general
34 taxation.

35 (c) "Collector" means the collector or receiver of taxes of a
36 taxing district.

37 (d) "Honorably discharged or released under honorable
38 circumstances from active service " means and includes every form
39 of separation from active, full-time duty with military or naval pay
40 and allowances in some branch of the Armed Forces of the United
41 States, other than those marked "dishonorable," "undesirable," "bad
42 conduct," "by sentence of general court martial," "by sentence of
43 summary court martial" or similar expression indicating that the
44 discharge or release was not under honorable circumstances. A
45 disenrollment certificate or other form of release terminating
46 temporary service in a military or naval branch of the armed forces
47 rendered on a voluntary and part-time basis without pay, or a
48 release from or deferment of induction into the active military or

1 naval service shall not be deemed to be included in the
2 aforementioned phrase.

3 (e) "Pre-tax year" means the particular calendar year
4 immediately preceding the "tax year."

5 (f) "Resident" means one legally domiciled within the State of
6 New Jersey. Mere seasonal or temporary residence within the State,
7 of whatever duration, shall not constitute domicile within the State
8 for the purposes of this act. Absence from this State for a period of
9 12 months shall be prima facie evidence of abandonment of
10 domicile in this State. The burden of establishing legal domicile
11 within the State shall be upon the claimant.

12 (g) "Tax year" means the particular calendar year in which the
13 general property tax is due and payable.

14 (h) "Veteran" means any citizen and resident of this State
15 honorably discharged or released under honorable circumstances, or
16 a discharged LGBTQ veteran, as defined in section 1 of P.L. , c.
17 (C.) (pending before the Legislature as this bill), and is a citizen
18 and resident of this State, from active service in any branch of the
19 Armed Forces of the United States.

20 (i) "Veteran's deduction" means the deduction against the taxes
21 payable by any person, allowable pursuant to this act.

22 (j) "Surviving spouse" means the surviving wife or husband of
23 any of the following, while he or she is a resident of this State,
24 during widowhood or widowerhood:

25 1. A citizen and resident of this State who has died or shall die
26 while on active duty in any branch of the Armed Forces of the
27 United States; or

28 2. A citizen and resident of this State who has had or shall
29 hereafter have active service in any branch of the Armed Forces of
30 the United States and who died or shall die while on active duty in a
31 branch of the Armed Forces of the United States; or

32 3. A citizen and resident of this State who has been or may
33 hereafter be honorably discharged or released under honorable
34 circumstances from active service in any branch of the Armed
35 Forces of the United States.

36 (k) "Cooperative" means a housing corporation or association
37 incorporated or organized under the laws of New Jersey which
38 entitles a shareholder thereof to possess and occupy for dwelling
39 purposes a house, apartment or other structure owned or leased by
40 the corporation or association.

41 (l) "Mutual housing corporation" means a corporation not-for-
42 profit incorporated under the laws of New Jersey on a mutual or
43 cooperative basis within the scope of section 607 of the "National
44 Defense Housing Act," Pub.L.76-849 (42 U.S.C.s.1521 et seq.),
45 which acquired a National Defense Housing Project pursuant to that
46 act.

47 (m) "Continuing care retirement community" means a
48 residential facility primarily for retired persons where lodging and

1 nursing, medical or other health related services at the same or
2 another location are provided as continuing care to a resident of the
3 facility pursuant to an agreement effective for the life of the
4 resident and in consideration of the payment of an entrance fee with
5 or without other periodic charges, which agreement requires the
6 individual to bear a share of the property taxes that are assessed
7 upon the continuing care retirement community, if a share is
8 attributable to the unit that the resident occupies.

9 (cf: P.L.2019, c.413, s.3)

10
11 26. This act shall take effect immediately.

12
13
14 STATEMENT

15
16 This bill updates the definition of veteran in various statutes to
17 include discharged LGBTQ veterans. This bill also requires the
18 Department of Military and Veterans' Affairs (DMVA) to develop a
19 review process for discharged LGBTQ veterans concerning lost
20 benefits.

21 An estimated 100,000 LGBTQ veterans were discharged from
22 the military under less than honorable conditions from the start of
23 World War II until the 2011 repeal of the military's 1993 "Don't
24 Ask, Don't Tell" policy. Transgender veterans continued to be
25 banned and discharged from service until the June 2016 Directive-
26 Type Memorandum-16-005, issued by then-Secretary of Defense
27 Ashton Carter, which was subsequently reversed by the March 2019
28 Directive-Type Memorandum-19-004, issued by Deputy Secretary
29 of Defense David Norquist. These veterans lost their right to both
30 state and federal benefits by being discharged under less than
31 honorable conditions.

32 This bill adds a definition of "discharged LGBTQ veteran" to
33 various statutory definitions of "veteran." "Discharged LGBTQ
34 veteran" means a veteran who was discharged less than honorably
35 from military or naval service due to their sexual orientation or
36 gender identity or expression, or statements, consensual sexual
37 conduct, or consensual acts relating to sexual orientation or gender
38 identity or expression, or the disclosure of such statements, conduct,
39 or acts that were prohibited by the Armed Forces of the United
40 States at the time of discharge. The added definition, along with the
41 addition of a DMVA review process for discharged LGBTQ
42 veterans, will restore State benefits for those veterans.