

CHAPTER 396

AN ACT concerning the pension benefits of members of a life guard force, amending various parts of the statutory law, and supplementing chapter 13 of Title 43 of the Revised Statutes.

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

1. R.S.43:13-24 is amended to read as follows:

Retirement for service and age.

43:13-24. Except as provided pursuant to section 7 of P.L.2025, c.396 (C.43:13-29.1), in all cities of the fourth class, any member of the lifeguard force, whether employed as an officer or a guard, who has or shall have served on such force for a period of twenty years, and shall have attained the age of forty-five years, and for a period of ten years preceding his application has been continuously in such service, may, either by the governing body of any such city or upon his own application, be retired upon half pay.

2. R.S.43:13-25 is amended to read as follows:

Retirement for disability.

43:13-25. Except as provided pursuant to section 7 of P.L.2025, c.396 (C.43:13-29.1), an officer or member of the lifeguard force who shall have received permanent disability in the performance of his duty shall, upon the certificate of the beach surgeon, or other physician designated by the governing body, be retired on a pension equal to one half of his salary at the time of retirement.

3. R.S.43:13-26 is amended to read as follows:

Widow's, children's or dependent's pension.

43:13-26. Except as provided pursuant to section 7 of P.L.2025, c.396 (C.43:13-29.1), the widow of a lifeguard, officer, or member of the lifeguard force who loses his life in the performance of his duty, dies from natural causes, or has been retired on pension shall receive a pension, so long as she remains unmarried, equal to one half of the amount of the annual salary of her husband at the time of his death. At her death, or if there is no widow or she remarries, her minor child or children shall receive the pension for their support until the youngest reaches sixteen years of age. If there are no children under sixteen years of age, the pension shall be paid to the dependent parent or parents of such lifeguard officer or lifeguard.

4. R.S.43:13-27 is amended to read as follows:

Pension fund.

43:13-27. For the purpose of paying the pensions hereunder, except as provided pursuant to section 7 of P.L.2025, c.396 (C.43:13-29.1), a fund shall be created as follows:

- a. There shall be deducted from every payment of salary to each member of the lifeguard force in the city four percent of the amount thereof.
- b. The city shall raise by taxation and pay into the fund yearly an amount equal to four percent of the total salaries paid to members of the lifeguard force.
- c. Any fines imposed upon a member of the force, money given or donated for the purpose of the fund, money deducted from the salary of a member of the force because of absence or

loss of time, and half of any reward paid to the force or any member thereof shall be added to the fund.

d. If at any time there is not sufficient money in the pension fund for the purposes thereof, the governing body shall include in any tax levy a sum in addition to amounts theretofore contributed which shall be sufficient to meet the requirements of the fund. This sum shall be raised by tax levy no longer than is necessary to meet the requirements of the fund. Whenever the fund exceeds an amount which the governing body, by resolution, from time to time, determines to be adequate for the fund, no moneys, except the four percent of salaries and the fines, donations, and rewards specified in this section, shall be paid into the fund unless and until the fund falls below the amount so determined to be adequate.

e. Any current or former member of the lifeguard force who does not qualify for a pension shall receive, upon the filing of an application therefore, a return of all accumulated deductions standing to the credit of the member, plus regular interest as determined by the lifeguard pension commission.

5. R.S.43:13-28 is amended to read as follows:

Pension commission.

43:13-28. Except as provided pursuant to section 7 of P.L.2025, c.396 (C.43:13-29.1), the mayor or chief executive officer shall appoint, with the advice and consent of the governing body of the city, a lifeguard pension commission of four members. One member shall be a superior officer of the lifeguard force, one a lifeguard, and two citizens who are not members of the force. They shall serve for a term of four years and until their successors are appointed and have qualified and shall not receive any compensation for their services. Each person so appointed shall take an oath of office before the mayor or other chief executive officer of the city that he will faithfully discharge the duties of his office.

6. R.S.43:13-29 is amended to read as follows:

Management and control of fund; treasurer; investments; payments.

43:13-29. The lifeguard pension commission shall have the management and control of the fund and may make all necessary rules and regulations not inconsistent with this article and section 7 of P.L.2025, c.396 (C.43:13-29.1).

All moneys belonging to the fund shall be paid over to the city treasurer, who shall give bond in such amount, from time to time, as the governing body of the city determines. All moneys not needed for the immediate payment of the pensions shall be invested by the lifeguard pension commission in interest-bearing bonds of the city or in other interest-bearing securities in which savings banks of this State may invest their funds. No moneys shall be paid out of the fund by the treasurer except upon the warrant of the lifeguard pension commission, to be signed by such member or members of the commission as shall be designated by the commission.

C.43:13-29.1 Closure of existing lifeguard pension plans to new entrants; cities not required to establish life guard pension plans.

7. a. On or after the effective date of this act, P.L.2025, c.396 (C.43:13-29.1 et al.), the governing body of a city of the fourth class that has established a lifeguard pension plan pursuant to the provisions of this article shall be permitted to close that existing lifeguard pension plan to new entrants. Any active or retired members in a plan that is closed to new

entrants pursuant to this section shall continue to be eligible for service retirement and other benefits, as may be provided under current law; provided, however, that the city's governing body may modify or terminate the offer of pension and other benefits for active members of the pension plan who have not attained at least 10 years of service in the plan. Any current or former member of a lifeguard force who does not qualify for a pension shall receive a return of all accumulated deductions, plus regular interest, as determined by the lifeguard pension commission.

b. The governing body of a city of the fourth class that has not established a lifeguard pension plan on or after the effective date of P.L.2025, c.396 (C.43:13-29.1 et al.) shall not be required to establish a lifeguard pension plan pursuant to the provisions of this article.

8. This act shall take effect immediately.

Approved January 20, 2026.