

**SENATE, No. 704**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**  
**Senator ROBERT W. SINGER**  
**District 30 (Monmouth and Ocean)**

**SYNOPSIS**

Requires municipality to provide free beach access to certain veterans.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning access to beaches by veterans and amending  
2 P.L.1955, c.49.

3

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

6

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

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

35 (1) children under the age of 12 years; or

36 (2) persons who have served in any of the Armed Forces of the  
37 United States and received an honorable discharge or a general  
38 discharge under honorable conditions.

39 The Adjutant General of the New Jersey Department of Military  
40 and Veterans' Affairs shall promulgate rules and regulations  
41 pertaining to veteran eligibility, including but not limited to  
42 eligibility for those veterans who were discharged due to medical  
43 reasons, under paragraph (2) of this subsection.

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

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

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

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

8 (4) persons who are active members of the New Jersey National  
9 Guard who have completed Initial Active Duty Training and to their  
10 spouse or dependent children over the age of 12 years. As used in  
11 this paragraph, "Initial Active Duty Training" means Basic Military  
12 Training, for members of the New Jersey Air National Guard, and  
13 Basic Combat Training and Advanced Individual Training, for  
14 members of the New Jersey Army National Guard; and

15 (5) **persons who have served in any of the Armed Forces of the**  
16 **United States and who were discharged or released therefrom under**  
17 **conditions other than dishonorable and who either have served at**  
18 **least 90 days in active duty or have been discharged or released**  
19 **from active duty by reason of a service-incurred injury or disability.**  
20 **The Adjutant General of the New Jersey Department of Military**  
21 **and Veterans' Affairs shall promulgate rules and regulations**  
22 **pertaining to veteran eligibility under this paragraph; and** **(Deleted**  
23 **by amendment, P.L. , c. ) (pending before the Legislature as this**  
24 **bill).**

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

29 c. A municipality providing for no fees or reduced fees  
30 pursuant to paragraph (3), (4), **[(5),]** or (6) of subsection b. of this  
31 section, and all municipalities prohibited from charging or  
32 collecting fees pursuant to paragraph (2) of subsection a. of this  
33 section, shall track, in a manner deemed appropriate by the  
34 governing body of the municipality, the number of persons who  
35 qualify under the provisions of those paragraphs.

36 d. A person who qualifies for free access to beaches and  
37 bathing and recreational grounds and free use of bathing and  
38 recreational facilities pursuant to paragraph (3), (4), **[(5),]** or (6) of  
39 subsection b. of this section, or pursuant to paragraph (2) of  
40 subsection a. of this section, may, in lieu of obtaining and  
41 presenting a municipal beach tag or similar admission pass to gain  
42 such access and use, present a DD-214, DD-215, or DD-256 form  
43 as issued by the federal government, NGB-22 or other approved  
44 separation forms as outlined by all branches of the Armed Forces, a  
45 county-issued veteran identification card pursuant to P.L.2012, c.30  
46 (40A:9-78.1 et seq.), a veteran identification card as issued by the  
47 United States Department of Veterans Affairs under the "Veterans  
48 Identification Card Act of 2015," (38 U.S.C. s.5706,) or similar

1 document, or State driver's license or identification card indicating  
2 that the holder is a veteran of the Armed Forces of the United States  
3 or a Gold Star Family member.

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

7 For purposes of this section, "disabled veteran" means any  
8 resident of the State who has been honorably discharged or released  
9 under honorable circumstances from active service in any branch of  
10 the Armed Forces of the United States and who has been declared  
11 by the United States Department of Veterans Affairs, or its  
12 successor, to have a service-connected disability of any degree.  
13 (cf: P.L.2019, c.500, s.7)

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15 2. This act shall take effect immediately.

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#### STATEMENT

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20 This bill prohibits a shore municipality from charging and  
21 collecting any fees for access to beaches and bathing and  
22 recreational grounds, and for use of bathing and recreational  
23 facilities, by veterans who have served in any of the Armed Forces  
24 of the United States and received an honorable discharge or a  
25 general discharge under honorable conditions.

26 Current law permits shore municipalities, by ordinance, to  
27 provide free or reduced fee beach access to qualifying veterans.  
28 This bill would require shore municipalities to provide free beach  
29 access to these qualifying veterans.