

SENATE, No. 931

STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex and Passaic)

Senator JOSEPH P. CRYAN

District 20 (Union)

Co-Sponsored by:

Senators Singleton and Cruz-Perez

SYNOPSIS

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

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 10/24/2024)

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

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
7 P.L. , c. (C.) (pending before the Legislature as this bill), from
8 active service in any branch of the Armed Forces of the United
9 States, in any of the following wars or conflicts and who has
10 presented to the Adjutant General of the Department of Military and
11 Veterans' Affairs sufficient evidence of the record of service and
12 received a determination of status no later than eight days prior to
13 the issuance of an employment list, for which that individual
14 received a passing score on an examination:

15 (1) World War I, between April 6, 1917 and November 11,
16 1918;

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

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

37 (4) Lebanon crisis, on or after July 1, 1958, who has served in
38 Lebanon or on board any ship actively engaged in patrolling the
39 territorial waters of that nation for a period, continuous or in the
40 aggregate, of at least 14 days commencing on or before November
41 1, 1958 or the date of termination of that conflict, as proclaimed by
42 the President of the United States or Congress, whichever date of
43 termination is the latest, in such active service; provided, that any
44 person receiving an actual service-incurred injury or disability shall
45 be classed as a veteran whether or not that person has completed the
46 14 days' service as herein provided;

47 (5) Vietnam conflict, on or after December 31, 1960, who shall
48 have served at least 90 days beginning on or before May 7, 1975, in

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

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

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

36 (8) Panama peacekeeping mission, on or after December 20,
37 1989 or the date of inception of that mission, as proclaimed by the
38 President of the United States or Congress, whichever date of
39 inception is earliest, who has served in Panama or on board any ship
40 actively engaged in patrolling the territorial waters of that nation for
41 a period, continuous or in the aggregate, of at least 14 days
42 commencing on or before January 31, 1990 or the date of
43 termination of that mission, as proclaimed by the President of the
44 United States or Congress, whichever date of termination is the
45 latest, in such active service; provided, that any person receiving an
46 actual service-incurred injury or disability shall be classed as a
47 veteran whether or not that person has completed the 14 days'
48 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
30 December 5, 1992, or the date of inception of that operation as
31 proclaimed by the President of the United States or the Congress,
32 whichever date is earliest, who has served in Somalia or on board
33 any ship actively engaged in patrolling the territorial waters of that
34 nation for a period, continuously or in the aggregate, of at least 14
35 days in such active service commencing on or before March 31,
36 1994; provided that any person receiving an actual service-incurred
37 injury or disability shall be classed as a veteran whether or not that
38 person 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; and

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

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

37 (cf: P.L.2007, c.115, s.1)

38

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

41 1. a. (1) The department shall not charge an admission fee for
42 entrance into a State park or forest by any veteran during an event
43 held by a veterans' organization. In addition, the department shall
44 not charge a facilities fee of any kind to any veterans' organization
45 using a State park or forest for an event.

46 (2) The department shall not charge an admission fee or
47 facilities fee of any kind for entrance into a State park or forest by a
48 person holding a driver's license or identification card with a Gold

1 Star Family designation issued pursuant to section 1 of P.L.2013,
2 c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47 (C.39:3-29.3),
3 respectively.

4 b. As used in this section:

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

17 "Veterans' organization" means the American Legion, Veterans
18 of Foreign Wars, or other veterans' organizations chartered under
19 federal law, or any service foundation of such an organization
20 recognized in its bylaws.

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

22

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

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

41 b. A pupil shall provide such documentation as the
42 superintendent or administrative principal of the school district
43 deems necessary to prove the pupil meets the requirements for the
44 excused absence under subsection a. of this section.

45 c. As used in this section, "veteran" means a person who has
46 served on active duty in the Armed Forces of the United States and
47 who was discharged or released therefrom under conditions other
48 than dishonorable, or a discharged LGBTQ veteran, as defined in

1 section 1 of P.L. , c. (C.) (pending before the Legislature as
2 this bill), who has served on active duty in the Armed Forces of the
3 United States.

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

5

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

8 2. a. A veteran or covered individual who is living in New
9 Jersey and is attending a public institution of higher education in
10 New Jersey shall be regarded as a resident of the State for the
11 purpose of determining tuition, regardless of the veteran or covered
12 individual's state of residence.

13 b. As used in this section:

14 "Covered individual" means:

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

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

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

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

34

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

36 18A:66-2. As used in this article:

37 a. "Accumulated deductions" means the sum of all the
38 amounts, deducted from the compensation of a member or
39 contributed by or in behalf of the member, including interest
40 credited to January 1, 1956, standing to the credit of the member's
41 individual account in the annuity savings fund.

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

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

46 d. (1) "Compensation" means the contractual salary, for
47 services as a teacher as defined in this article, which is in
48 accordance with established salary policies of the member's

1 employer for all employees in the same position but shall not
2 include individual salary adjustments which are granted primarily in
3 anticipation of the member's retirement or additional remuneration
4 for performing temporary or extracurricular duties beyond the
5 regular school day or the regular school year.

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

26 For the period of July 1, 2009 through June 30, 2011,
27 "contractual salary" for State employees shall include wage
28 increases under a collective negotiations agreement notwithstanding
29 that, by amendment to that collective negotiations agreement, the
30 effective date of the contractual increase has been deferred. For the
31 purpose of this paragraph, "State employee" means an employee in
32 the Executive Branch of State government of New Jersey.

33 e. "Employer" means the State, the board of education or any
34 educational institution or agency of or within the State by which a
35 teacher is paid.

36 f. (1) "Final compensation" means the average annual
37 compensation for which contributions are made for the three years
38 of creditable service in New Jersey immediately preceding the
39 member's retirement or death, or it shall mean the average annual
40 compensation for New Jersey service for which contributions are
41 made during any three fiscal years of his or her membership
42 providing the largest possible benefit to the member or the
43 member's beneficiary.

44 (2) In the case of a person who becomes a member of the
45 retirement system on or after the effective date of P.L.2010, c.1,
46 "final compensation" means the average annual compensation for
47 which contributions are made for the five years of creditable service
48 in New Jersey immediately preceding the member's retirement or

- 1 death, or it shall mean the average annual compensation for New
2 Jersey service for which contributions are made during any five
3 fiscal years of his or her membership providing the largest possible
4 benefit to the member or the member's beneficiary.
- 5 g. "Fiscal year" means any year commencing with July 1, and
6 ending with June 30, next following.
- 7 h. "Pension" means payments for life derived from
8 appropriations made by the State or employers to the Teachers'
9 Pension and Annuity Fund.
- 10 i. "Annuity reserve" means the present value of all payments
11 to be made on account of any annuity or benefit in lieu of an
12 annuity, granted under the provisions of this article, computed on
13 the basis of such mortality tables recommended by the actuary as
14 the board of trustees adopts, with regular interest.
- 15 j. "Pension reserve" means the present value of all payments to
16 be made on account of any pension or benefit in lieu of a pension
17 granted to a member from the Teachers' Pension and Annuity Fund,
18 computed on the basis of such mortality tables recommended by the
19 actuary as the board of trustees adopts, with regular interest.
- 20 k. "Present-entrant" means any member of the Teachers'
21 Pension and Annuity Fund who had established status as a "present-
22 entrant member" of said fund prior to January 1, 1956.
- 23 l. "Rate of contribution initially certified" means the rate of
24 contribution certified by the retirement system in accordance with
25 N.J.S.18A:66-29.
- 26 m. "Regular interest" shall mean interest as determined by the
27 State Treasurer, after consultation with the Directors of the
28 Divisions of Investment and Pensions, the board of trustees and the
29 actuary. It shall bear a reasonable relationship to the percentage rate
30 of earnings on investments based on the market value of assets but
31 shall not exceed the assumed percentage rate of increase applied to
32 salaries plus **[3%]** three percent, provided however that the board
33 of trustees shall not set the average percentage rate of increase
34 applied to salaries below **[6%]** six percent.
- 35 n. "Retirement allowance" means the pension plus the annuity.
- 36 o. "School service" means any service as a "teacher" as defined
37 in this section.
- 38 p. "Teacher" means any regular teacher, special teacher,
39 helping teacher, teacher clerk, principal, vice-principal, supervisor,
40 supervising principal, director, superintendent, city superintendent,
41 assistant city superintendent, county superintendent, State
42 Commissioner or Assistant Commissioner of Education, members
43 of the State Department of Education who are certificated,
44 unclassified professional staff and other members of the teaching or
45 professional staff of any class, public school, renaissance school
46 project established pursuant to P.L.2011, c.176 (C.18A:36C-
47 1 et seq.) upon commencement of employment, high school, normal
48 school, model school, training school, vocational school, truant

1 reformatory school, or parental school, and of any and all classes or
2 schools within the State conducted under the order and
3 superintendence, and wholly or partly at the expense of the State
4 Board of Education, of a duly elected or appointed board of
5 education, board of school directors, or board of trustees of the
6 State or of any school district or normal school district thereof, and
7 any persons under contract or engagement to perform one or more
8 of these functions. It shall also mean any person who serves, while
9 on an approved leave of absence from regular duties as a teacher, as
10 an officer of a local, county or State labor organization which
11 represents, or is affiliated with an organization which represents,
12 teachers as defined in this subsection. No person shall be deemed a
13 teacher within the meaning of this article who is a substitute
14 teacher. In all cases of doubt the board of trustees shall determine
15 whether any person is a teacher as defined in this article.

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

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

44 (1) The Indian wars and uprisings during any of the periods
45 recognized by the War Department of the United States as periods
46 of active hostility;

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

- 1 (3) The Philippine insurrections and expeditions during the
2 periods recognized by the War Department of the United States as
3 of active hostility from February 4, 1899, to the end of 1913;
- 4 (4) The Peking relief expedition between June 20, 1900, and
5 May 27, 1902;
- 6 (5) The army of Cuban occupation between July 18, 1898, and
7 May 20, 1902;
- 8 (6) The army of Cuban pacification between October 6, 1906,
9 and April 1, 1909;
- 10 (7) The Mexican punitive expedition between March 14, 1916,
11 and February 7, 1917;
- 12 (8) The Mexican border patrol, having actually participated in
13 engagements against Mexicans between April 12, 1911, and June
14 16, 1919;
- 15 (9) World War I, between April 6, 1917, and November 11,
16 1918;
- 17 (10) World War II, between September 16, 1940, and
18 December 31, 1946, who shall have served at least 90 days in such
19 active service, exclusive of any period of assignment (1) for a
20 course of education or training under the Army Specialized
21 Training Program or the Navy College Training Program, which
22 course was a continuation of a civilian course and was pursued to
23 completion, or (2) as a cadet or midshipman at one of the service
24 academies, any part of which 90 days was served between said
25 dates; provided that any person receiving an actual service-incurred
26 injury or disability shall be classed as a veteran, whether or not that
27 person has completed the 90-day service as herein provided;
- 28 (11) Korean conflict on or after June 23, 1950, and on or prior
29 to January 31, 1955, who shall have served at least 90 days in such
30 active service, exclusive of any period of assignment (1) for a
31 course of education or training under the Army Specialized
32 Training Program or the Navy College Training Program, which
33 course was a continuation of a civilian course and was pursued to
34 completion, or (2) as a cadet or midshipman at one of the service
35 academies, any part of which 90 days was served between said
36 dates; provided that any person receiving an actual service-incurred
37 injury or disability shall be classed as a veteran, whether or not that
38 person has completed the 90-day service as herein provided; and
39 provided further that any member classed as a veteran pursuant to
40 this subsection prior to August 1, 1966, shall continue to be classed
41 as a veteran, whether or not that person completed the 90-day
42 service between said dates as herein provided;
- 43 (12) Lebanon crisis, on or after July 1, 1958, who has served in
44 Lebanon or on board any ship actively engaged in patrolling the
45 territorial waters of that nation for a period, continuous or in the
46 aggregate, of at least 14 days commencing on or before November
47 1, 1958 or the date of termination of that conflict, as proclaimed by
48 the President of the United States or Congress, whichever date of

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

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

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

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

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

1 commencing on or before January 31, 1990 or the date of
2 termination of that mission, as proclaimed by the President of the
3 United States or Congress, whichever date of termination is the
4 latest, in such active service; provided, that any person receiving an
5 actual service-incurred injury or disability shall be classed as a
6 veteran whether or not that person has completed the 14 days'
7 service as herein provided;

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

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

36 (19) Operation "Restore Hope" in Somalia, on or after
37 December 5, 1992, or the date of inception of that operation as
38 proclaimed by the President of the United States or Congress,
39 whichever date is earliest, who has served in Somalia or on board
40 any ship actively engaged in patrolling the territorial waters of that
41 nation for a period, continuously or in the aggregate, of at least 14
42 days in such active service commencing on or before March 31,
43 1994; 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 14-day service as herein provided;

46 (20) Operations "Joint Endeavor" and "Joint Guard" in the
47 Republic of Bosnia and Herzegovina, on or after November 20,
48 1995, who served in such active service in direct support of one or

1 both of the operations for at least 14 days, continuously or in the
2 aggregate, commencing on or before June 20, 1998, and (1) was
3 deployed in that nation or in another area in the region, or (2) was
4 on board a United States naval vessel operating in the Adriatic Sea,
5 or (3) operated in airspace above the Republic of Bosnia and
6 Herzegovina; provided that any person receiving an actual service-
7 incurred injury or disability shall be classed as a veteran whether or
8 not that person completed the 14-day service requirement;

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

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

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

35 s. "Child" means a deceased member's unmarried child either
36 (a) under the age of 18 or (b) of any age who, at the time of the
37 member's death, is disabled because of mental retardation or
38 physical incapacity, is unable to do any substantial, gainful work
39 because of the impairment and the impairment has lasted or can be
40 expected to last for a continuous period of not less than 12 months,
41 as affirmed by the medical board.

42 t. (1) "Widower," for employees of the State, means the man
43 to whom a member was married, or a domestic partner as defined in
44 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
45 the date of her death and to whom she continued to be married or a
46 domestic partner until the date of her death and who was receiving
47 at least one-half of his support from the member in the 12-month
48 period immediately preceding the member's death or the accident

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

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

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

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

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

46 (3) A public employer other than the State may adopt a
47 resolution providing that the term "widower" as defined in

1 paragraph (2) of this subsection shall include domestic partners as
2 provided in paragraph (1) of this subsection.

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

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

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

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

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

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

22

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

25 3. Article II: Definitions

26 As used in this compact, unless the context clearly requires a
27 different construction:

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

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

35 c. "Compact commissioner" means the voting representative of
36 each compacting state appointed pursuant to Article VIII of this
37 compact.

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

41 e. "Education or educational records" means those official
42 records, files, and data directly related to a student and maintained
43 by the school or local education agency, including but not limited to
44 records encompassing all the material kept in the student's
45 cumulative folder such as general identifying data, records of
46 attendance and of academic work completed, records of
47 achievement and results of evaluative tests, health data, disciplinary
48 status, test protocols, and individualized education programs.

- 1 f. "Extracurricular activities" means a voluntary activity
2 sponsored by the school or local education agency or an
3 organization sanctioned by the local education agency.
4 Extracurricular activities include, but are not limited to, preparation
5 for and involvement in public performances, contests, athletic
6 competitions, demonstrations, displays, and club activities.
- 7 g. "Interstate Commission on Educational Opportunity for
8 Military Children" means the commission that is created under
9 Article IX of this compact, which is generally referred to as the
10 Interstate Commission.
- 11 h. "Local education agency" means a public authority legally
12 constituted by the state as an administrative agency to provide
13 control of and direction for Kindergarten through Twelfth grade
14 public educational institutions.
- 15 i. "Member state" means a state that has enacted this compact.
- 16 j. "Military installation" means a base, camp, post, station,
17 yard, center, homeport facility for any ship, or other activity under
18 the jurisdiction of the Department of Defense, including any leased
19 facility, which is located within any of the several States, the
20 District of Columbia, the Commonwealth of Puerto Rico, the U.S.
21 Virgin Islands, Guam, American Samoa, the Northern Marianas
22 Islands and any other U.S. Territory. Such term does not include
23 any facility used primarily for civil works, rivers and harbors
24 projects, or flood control projects.
- 25 k. "Non-member state" means a state that has not enacted this
26 compact.
- 27 l. "Receiving state" means the state to which a child of a
28 military family is sent, brought, or caused to be sent or brought.
- 29 m. "Rule" means a written statement by the Interstate
30 Commission promulgated pursuant to Article XII of this compact
31 that is of general applicability, implements, interprets or prescribes
32 a policy or provision of the Compact, or an organizational,
33 procedural, or practice requirement of the Interstate Commission,
34 and has the force and effect of statutory law in a member state, and
35 includes the amendment, repeal, or suspension of an existing rule.
- 36 n. "Sending state" means the state from which a child of a
37 military family is sent, brought, or caused to be sent or brought.
- 38 o. "State" means a state of the United States, the District of
39 Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin
40 Islands, Guam, American Samoa, the Northern Marianas Islands
41 and any other U.S. Territory.
- 42 p. "Student" means the child of a military family for whom the
43 local education agency receives public funding and who is formally
44 enrolled in Kindergarten through Twelfth grade.
- 45 q. "Transition" means (1) the formal and physical process of
46 transferring from school to school or (2) the period of time in which
47 a student moves from one school in the sending state to another
48 school in the receiving state.

1 r. "Uniformed service or services" means the Army, Navy, Air
2 Force, Marine Corps, Coast Guard as well as the Commissioned
3 Corps of the National Oceanic and Atmospheric Administration,
4 and Public Health Services.

5 s. "Veteran" means a person who served in the **Uniformed**
6 **services** Uniformed Services of the United States and who was
7 discharged or released therefrom under conditions other than
8 dishonorable, or a discharged LGBTQ veteran, as defined in section
9 1 of P.L. , c. (C.) (pending before the Legislature as this bill).
10 (cf: P.L.2009, c.279, s.3)

11

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

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

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

33 (2) Reasonable administrative costs, which shall not exceed 10
34 percent of the revenues collected pursuant to section 2 of P.L.1992,
35 c.44 (C.34:15D-13) during any fiscal year ending before July 1,
36 2001, except for additional start-up administrative costs approved
37 by the Director of the Office of Management and Budget during the
38 first year of the program's operation;

39 (3) Reasonable costs, which shall not exceed 0.5 percent of the
40 revenues collected pursuant to section 2 of P.L.1992, c.44
41 (C.34:15D-13) during any fiscal year ending before July 1, 2001, as
42 required by the State Employment and Training Commission to
43 design criteria and conduct an annual evaluation of the program;
44 and

45 (4) The cost of reimbursement to individuals for excess
46 contributions pursuant to section 6 of P.L.1992, c.44 (C.34:15D-
47 17).

- 1 b. Not more than 10 percent of the moneys received by any
2 service provider pursuant to this act shall be expended on anything
3 other than direct costs to the provider of providing the employment
4 and training services, which direct costs shall not include any
5 administrative or overhead expense of the provider.
- 6 c. Training and employment services or other workforce
7 investment services shall be provided to a worker who receives
8 counseling pursuant to section 7 of P.L.1992, c.43 (C.34:15D-7)
9 only if the counselor who evaluates the worker pursuant to that
10 section determines that the worker can reasonably be expected to
11 successfully complete the training and instruction identified in the
12 Employability Development Plan developed pursuant to that section
13 for the worker.
- 14 d. All occupational training provided under this act:
- 15 (1) Shall be training which is likely to substantially enhance the
16 individual's marketable skills and earning power; and
- 17 (2) Shall be training for a labor demand occupation, except for:
- 18 (a) Customized training provided to the present employees of a
19 business which the commissioner deems to be in need of the
20 training to prevent job loss caused by obsolete skills, technological
21 change or national or global competition; or
- 22 (b) Customized training provided to employees at a facility
23 which is being relocated from another state into New Jersey; or
- 24 (c) Entrepreneurial training and technical assistance supported
25 by training grants provided pursuant to subsection b. of section 6 of
26 P.L.1992, c.43 (C.34:15D-6).
- 27 e. During any fiscal year ending before July 1, 2001, not less
28 than 25 percent of the total revenues dedicated to the program
29 during any one fiscal year shall be reserved to provide employment
30 and training services for qualified displaced workers; not less than
31 six percent of the total revenues dedicated to the program during
32 any one fiscal year shall be reserved to provide employment and
33 training services for qualified disadvantaged workers; not less than
34 45 percent of the total revenues dedicated to the program during any
35 one fiscal year shall be reserved for and appropriated to the Office
36 of Customized Training; not less than three percent of the total
37 revenues dedicated to the program during any one fiscal year shall
38 be reserved for occupational safety and health training; and five
39 percent of the total revenues dedicated to the program during any
40 one fiscal year shall be reserved for and appropriated to the Youth
41 Transitions to Work Partnership created pursuant to P.L.1993, c.268
42 (C.34:15E-1 et seq.).
- 43 f. Funds available under the program shall not be used for
44 activities which induce, encourage or assist: any displacement of
45 currently employed workers by trainees, including partial
46 displacement by means such as reduced hours of currently
47 employed workers; any replacement of laid off workers by trainees;

- 1 or any relocation of operations resulting in a loss of employment at
2 a previous workplace located in the State.
- 3 g. On-the-job training shall not be funded by the program for
4 any employment found by the commissioner to be of a level of skill
5 and complexity too low to merit training. The duration of on-the-
6 job training funded by the program for any worker shall not exceed
7 the duration indicated by the Bureau of Labor Statistics'
8 Occupational Information Network, or "O*NET," for the
9 occupation for which the training is provided and shall in no case
10 exceed 26 weeks. The department shall set the duration of on-the-
11 job training for a worker for less than the indicated maximum, when
12 training for the maximum duration is not warranted because of the
13 level of the individual's previous training, education or work
14 experience. On-the-job training shall not be funded by the program
15 unless it is accompanied, concurrently or otherwise, by whatever
16 amount of classroom-based or equivalent occupational training,
17 remedial instruction or both, is deemed appropriate for the worker
18 by the commissioner. On-the-job training shall not be funded by
19 the program unless the trainee is provided benefits, pay and
20 working conditions at a level and extent not less than the benefits
21 and working conditions of other trainees or employees of the
22 trainee's employer with comparable skills, responsibilities,
23 experience and seniority.
- 24 h. Employment and training services funded by the program
25 shall not replace, supplant, compete with or duplicate in any way
26 approved apprenticeship programs.
- 27 i. No activities funded by the program shall impair existing
28 contracts for services or collective bargaining agreements, except
29 that activities which would be inconsistent with the terms of a
30 collective bargaining agreement may be undertaken with the written
31 concurrence of the collective bargaining unit and employer who are
32 parties to the agreement.
- 33 j. All staff who are hired and supported by moneys from the
34 Workforce Development Partnership Fund, including any of those
35 staff located at any One Stop Career Center, but not including any
36 staff of a service provider providing employment and training
37 services supported by a customized training grant pursuant to
38 section 5 of P.L.1992, c.43 (C.34:15D-5) or an individual training
39 grant pursuant to section 6 of P.L.1992, c.43 (C.34:15D-6), shall be
40 hired and employed by the State pursuant to Title 11A, Civil
41 Service, of the New Jersey Statutes, be hired and employed by a
42 political subdivision of the State, or be qualified staff hired and
43 employed by a non-profit organization which began functioning as
44 the One Stop Career Center operator with the written consent of the
45 chief elected official and the commissioner prior to the effective
46 date of P.L.2004, c.39 (C.34:1A-1.2 et al.), or be qualified staff
47 hired and employed by an approved community-based or faith-
48 based organization to provide services at the level of staffing

1 provided in an agreement entered into by the organization before
2 the effective date of P.L.2004, c.39 (C.34:1A-1.2 et al.).

3 k. Employers in the State who apply for grants for training and
4 employment services or other workforce investment services for
5 their employees in the State shall be evaluated by the commissioner
6 and preference shall be given to those employers who:

7 (1) provide equipment, supplies, or services to military bases
8 and installations pursuant to a procurement or military contract with
9 the United States Department of Defense, the United States
10 Department of Veterans Affairs, or any branch of the United States
11 Armed Forces;

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

15 (3) are manufacturers; or

16 (4) intend to train veterans.

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

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

26

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

29 1. As used in this act, unless otherwise indicated by the
30 context:

31 a. "Adjutant General" means the Adjutant General of the
32 Department of Military and Veterans' Affairs.

33 b. "Advisory council" means the advisory council of a veterans'
34 facility or of the veterans' cemetery.

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

37 d. "Veteran" means a person who has been honorably
38 discharged from the active military service of the United States, or a
39 discharged LGBTQ veteran, as defined in section 1 of P.L. , c.
40 (C.) (pending before the Legislature as this bill), from the active
41 military service of the United States.

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

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

46

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

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

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

26 b. For the purpose of this section:

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

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

41 "Satisfactory proof" means, in the case of a veteran, the
42 applicant's DD-214, DD-215, or DD-256 form as issued by the
43 federal government, NGB-22 or other approved separation forms as
44 outlined by all branches of the Armed Forces, or federal activation
45 orders showing service under Title 10, section 672 or section
46 12301, of the United States Code, or a county-issued veteran
47 identification card pursuant to P.L.2012, c.30 (C.40A:9-78.1 et
48 seq.), or a veteran identification card as issued by the United States

1 Department of Veterans Affairs under the "Veterans Identification
2 Card Act of 2015" (38 U.S.C. s.5706). In the case of a discharged
3 LGBTQ veteran, satisfactory proof also includes a copy of the
4 eligibility form issued by the Department of Military and Veterans'
5 Affairs, pursuant to section 2 of P.L. , c. (C.) (pending before
6 the Legislature as this bill). In the case of a Gold Star Family
7 member, satisfactory proof includes any or all of the following:

8 (1) a certification from the Department of New Jersey of
9 American Gold Star Mothers, Inc., or any other organization formed
10 for the support of family members of members of the Armed Forces
11 of the United States or National Guard, who lost their lives while on
12 active duty for the United States, that the applicant is either the
13 spouse, domestic partner, partner in a civil union, parent, brother,
14 sister, child, legal guardian, or other legal custodian, whether of the
15 whole or half blood or by adoption, of a member of the armed
16 forces or National Guard who died while on active duty for the
17 United States; or

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

24 (b) documentation indicating the applicant's relationship to the
25 service member.

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

27

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

30 2. a. (1) The New Jersey Motor Vehicle Commission shall
31 issue an identification card to any resident of the State who is 14
32 years of age or older and who is not the holder of a valid permit or
33 basic driver's license. The identification card shall attest to the true
34 name, correct age, and veteran status, upon submission of
35 satisfactory proof, by any veteran, and shall contain other
36 identifying data as certified by the applicant for such identification
37 card. Every application for an identification card shall be signed
38 and verified by the applicant and shall be accompanied by the
39 written consent of at least one parent or the person's legal guardian
40 if the person is under 17 years of age and shall be supported by such
41 documentary evidence of the age, identity, and veteran status, or
42 blindness, or disability of such person as the chief administrator
43 may require.

44 A person issued an identification card pursuant to this section
45 may be issued a standard identification card or a REAL ID
46 identification card. The chief administrator shall require any
47 applicant for a standard identification card to provide as proof of
48 the applicant's identity, age, and residence primary and secondary

1 documents, with which the chief administrator shall attribute point
2 values in accordance with the point based identification verification
3 program established pursuant to section 28 of P.L.2003, c.13
4 (C.39:2A-28). The point total required to prove the identity of an
5 applicant for the standard probationary license shall be the same for
6 every applicant, regardless of immigration status. In the event that
7 the commission changes the point total threshold, the requirement
8 that every applicant reach the same point total threshold shall
9 remain in effect.

10 In addition to requiring an applicant for an identification card to
11 submit satisfactory proof of identity, age, and, if appropriate,
12 veteran status, the chief administrator also shall require the
13 applicant to provide:

14 (a) as a condition for obtaining a standard identification card,
15 proof of the applicant's social security number and one document
16 providing satisfactory proof that the applicant is a New Jersey
17 resident. If the applicant does not have a social security number,
18 the applicant shall either:

19 (i) provide satisfactory proof of an Individual Taxpayer
20 Identification Number; or

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

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

33 Any documents and personal information, including an
34 applicant's photograph, obtained by the commission from an
35 applicant for a standard identification card shall be confidential,
36 shall not be considered a government record pursuant to P.L.1963,
37 c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the
38 common law concerning access to government records, and shall
39 not be disclosed by the commission for any purposes related to Title
40 8 of the United States Code without the informed consent of the
41 applicant, a warrant signed by a State or federal judge, or a lawful
42 court order or subpoena; except that nothing in this section shall be
43 construed to prohibit, or in any way restrict, any action where such
44 prohibition or restriction would be contrary to federal law; and
45 except that information under this subsection may be shared in
46 accordance with section 2 of P.L.2021, c.139 (C.39:2-3.9). When
47 responding to a warrant, court order, or subpoena, the commission

1 may disclose only those records or information specifically
2 requested in the warrant, court order, or subpoena.

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

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

25 If the chief administrator has reasonable cause to suspect that
26 any document presented by an applicant pursuant to this section is
27 altered, false or otherwise invalid, the chief administrator shall
28 refuse to grant the identification card until such time as the
29 document may be verified by the issuing agency to the chief
30 administrator's satisfaction.

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

34 (2) In addition to the requirements for the form and content of
35 an identification card pursuant to this section, the Chief
36 Administrator of the New Jersey Motor Vehicle Commission shall,
37 upon submission of satisfactory proof, designate on an
38 identification card that the card holder is a Gold Star Family
39 member. The commission shall provide to the Department of
40 Military and Veterans' Affairs personal identifying information for
41 any person issued an identification card with a Gold Star Family
42 designation pursuant to this section.

43 b. The designation of veteran status on an identification card
44 shall not be deemed sufficient valid proof of veteran status for
45 official governmental purposes when any other statute, or any
46 regulation or other directive of a governmental entity, requires
47 documentation of veteran status.

48 c. For the purpose of this section:

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

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

9 "Veteran" means any resident of the State now or hereafter who
10 has been discharged honorably or under general honorable
11 conditions in any branch of the Armed Forces of the United States,
12 or a Reserve component thereof, or the National Guard of this State
13 or another state as defined in section 1 of P.L.1963, c.109
14 (C.38A:1-1), or a discharged LGBTQ veteran, as defined in section
15 1 of P.L. , c. (C.) (pending before the Legislature as this bill),
16 in any branch of the Armed Forces of the United States; and

17 "Satisfactory proof" means, in the case of a veteran, the
18 applicant's DD-214, DD-215, or DD-256 form as issued by the
19 federal government, or NGB-22 or other approved separation forms
20 as outlined by all branches of the Armed Forces, or federal
21 activation orders showing service under Title 10, section 672 or
22 section 12301, of the United States Code, or a county-issued
23 veteran identification card pursuant to P.L.2012, c.30 (C.40A:9-
24 78.1 et seq.), or a veteran identification card as issued by the United
25 States Department of Veterans Affairs under the "Veterans
26 Identification Card Act of 2015," (38 U.S.C. s.5706). In the case of
27 a discharged LGBTQ veteran, satisfactory proof also includes a
28 copy of the eligibility form issued by the Department of Military
29 and Veterans' Affairs, pursuant to section 2 of P.L. , c. (C.)
30 (pending before the Legislature as this bill). In the case of a Gold
31 Star Family member, satisfactory proof includes any or all of the
32 following:

33 (1) a certification from the Department of New Jersey of
34 American Gold Star Mothers, Inc., or any other organization formed
35 for the support of family members of members of the Armed Forces
36 of the United States or National Guard, who lost their lives while on
37 active duty for the United States, that the applicant is either the
38 spouse, domestic partner, partner in a civil union, parent, brother,
39 sister, child, legal guardian, or other legal custodian, whether of the
40 whole or half blood or by adoption, of a member of the armed
41 forces or National Guard who died while on active duty for the
42 United States; or

43 (2) (a) documentation deemed acceptable by the Adjutant
44 General, including, but not limited to, a federal DD Form 1300,
45 Report of Casualty, or a federal DD Form 2064, Certificate of
46 Death Overseas, which identifies the member of the Armed Forces
47 of the United States or National Guard who died while on active
48 duty for the United States; and

1 (b) documentation indicating the applicant's relationship to the
2 service member.

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

4

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

7 1. a. As used in this section:

8 "Disabled veteran" means any resident of the State who has been
9 honorably discharged or released under honorable circumstances
10 from active service in any branch of the Armed Forces of the United
11 States and who has been or shall be declared by the United States
12 Veterans Administration, or its successor, to have a service-
13 connected disability.

14 "Veteran" means any resident of the State who has been
15 honorably discharged or released under honorable circumstances
16 from active service in any branch of the **[armed forces]** Armed
17 Forces of the United States, or a discharged LGBTQ veteran, as
18 defined in section 1 of P.L. , c. (C.) (pending before the
19 Legislature as this bill), from active service in any branch of the
20 Armed Forces of the United States, and is a resident of the State, or
21 any honorably discharged member of the American Merchant
22 Marine who served during World War II and is declared by the
23 United States Department of Defense to be eligible for federal
24 veterans' benefits.

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

36 c. Among applicants eligible to receive a housing project
37 preference provided under subsection b. of this section, priority for
38 the preference shall be given to applicants as follows: (1) homeless
39 veterans shall receive first priority; (2) disabled veterans shall
40 receive second priority; and (3) family members who are the
41 primary residential caregivers to disabled veterans residing with
42 them shall receive third priority.

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

44

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

47 1. a. The governing body of any municipality bordering on the
48 Atlantic Ocean, tidal water bays or rivers which owns or shall

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

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

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

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

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

34 (4) persons who are active members of the New Jersey National
35 Guard who have completed Initial Active Duty Training and to their
36 spouse or dependent children over the age of 12 years. As used in
37 this paragraph, "Initial Active Duty Training" means Basic Military
38 Training, for members of the New Jersey Air National Guard, and
39 Basic Combat Training and Advanced Individual Training, for
40 members of the New Jersey Army National Guard;

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

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

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

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

15 d. A person who qualifies for free access to beaches and
16 bathing and recreational grounds and free use of bathing and
17 recreational facilities pursuant to paragraph (3), (4), (5), or (6) of
18 subsection b. of this section may, in lieu of obtaining and presenting
19 a municipal beach tag or similar admission pass to gain such access
20 and use, present a DD-214, DD-215, or DD-256 form as issued by
21 the federal government, NGB-22 or other approved separation
22 forms as outlined by all branches of the Armed Forces, a county-
23 issued veteran identification card pursuant to P.L.2012, c.30
24 (40A:9-78.1 et seq.), a veteran identification card as issued by the
25 United States Department of Veterans Affairs under the "Veterans
26 Identification Card Act of 2015," (38 U.S.C. 5706) or similar
27 document, or eligibility form issued by the Department of Military
28 and Veterans' Affairs, pursuant to section 2 of P.L. , c. (C.)
29 (pending before the Legislature as this bill), or State driver's license
30 or identification card indicating that the holder is a veteran of the
31 Armed Forces of the United States or a Gold Star Family member.

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

35 For purposes of this section, "disabled veteran" means any
36 resident of the State who has been honorably discharged or released
37 under honorable circumstances from active service in any branch of
38 the Armed Forces of the United States and who has been declared
39 by the United States Department of Veterans Affairs, or its
40 successor, to have a service-connected disability of any degree.

41 (cf: P.L.2019, c.500, s.7)

42

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

45 2. As used in this act, P.L.2012, c.30 (C.40A:9-78.1 et seq.),
46 "veteran" means any resident of this State now or hereafter who has
47 served in any branch of the Armed Forces of the United States or a
48 Reserve component thereof or the National Guard of this State or

1 another State as defined in section 1 of P.L.1963, c.109 (C.38A:1-
2 1), and has been discharged honorably or under general honorable
3 conditions from such service, or a discharged LGBTQ veteran, as
4 defined in section 1 of P.L. , c. (C.) (pending before the
5 Legislature as this bill).

6 (cf: P.L.2019, c.500, s.8)

7

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

10 2. a. As used in this section:

11 "Disabled veteran" means any resident of the State who has been
12 honorably discharged or released under honorable circumstances
13 from active service in any branch of the Armed Forces of the United
14 States and who has been or shall be declared by the United States
15 Veterans Administration, or its successor, to have a service-
16 connected disability.

17 "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** Armed
20 Forces of the United States, or a discharged LGBTQ veteran, as
21 defined in section 1 of P.L. , c. (C.) (pending before the
22 Legislature as this bill), from active service in any branch of the
23 Armed Forces of the United States, and is a resident of the State, or
24 any honorably discharged member of the American Merchant
25 Marine who served during World War II and is declared by the
26 United States Department of Defense to be eligible for federal
27 veterans' benefits.

28 b. In addition to any other federal or State law regarding
29 providing a veteran's affordable housing preference, the
30 Commissioner of Community Affairs shall establish rules and
31 regulations to provide a preference for affordable housing in a
32 housing project to homeless veterans, disabled veterans, and family
33 members who are the primary residential caregivers to disabled
34 veterans residing with them. All applicants for the housing
35 preference as specified herein shall also be required to meet the
36 income requirements for admission to the housing project.

37 c. Among applicants eligible to receive a housing project
38 preference provided under subsection b. of this section, priority for
39 the preference shall be given to applicants as follows: (1) homeless
40 veterans shall receive first priority; (2) disabled veterans shall
41 receive second priority; and (3) family members who are the
42 primary residential caregivers to disabled veterans residing with
43 them shall receive third priority.

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

45

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

48 6. As used in this act:

- 1 a. "Accumulated deductions" means the sum of all the
2 amounts, deducted from the compensation of a member or
3 contributed by or on behalf of the member, standing to the credit of
4 the member's individual account in the annuity savings fund.
- 5 b. "Annuity" means payments for life derived from the
6 accumulated deductions of a member as provided in this act.
- 7 c. "Annuity reserve" means the present value of all payments
8 to be made on account of any annuity or benefit in lieu of an
9 annuity, granted under the provisions of this act, computed on the
10 basis of such mortality tables recommended by the actuary as the
11 board of trustees adopts, with regular interest.
- 12 d. "Beneficiary" means any person receiving a retirement
13 allowance or other benefit as provided in this act.
- 14 e. "Child" means a deceased member's unmarried child either
15 (1) under the age of 18 or (2) of any age who, at the time of the
16 member's death, is disabled because of an intellectual disability or
17 physical incapacity, is unable to do any substantial, gainful work
18 because of the impairment and the impairment has lasted or can be
19 expected to last for a continuous period of not less than 12 months,
20 as affirmed by the medical board.
- 21 f. "Parent" shall mean the parent of a member who was
22 receiving at least 1/2 of the parent's support from the member in the
23 12-month period immediately preceding the member's death or the
24 accident which was the direct cause of the member's death. The
25 dependency of such a parent will be considered terminated by
26 marriage of the parent subsequent to the death of the member.
- 27 g. (1) "Widower," for employees of the State, means the man
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 her death and to whom she continued to be married or a
31 domestic partner until the date of her death and who was receiving
32 at least 1/2 of his 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 widower will be considered terminated by marriage of, or
36 establishment of a domestic partnership by, the widower subsequent
37 to the death of the member. In the event of the payment of an
38 accidental death benefit, the five-year qualification shall be waived.
- 39 (2) Subject to the provisions of paragraph (3) of this subsection,
40 "widower," for employees of public employers other than the State,
41 means the man to whom a member was married at least five years
42 before the date of her death and to whom she continued to be
43 married until the date of her death and who was receiving at least
44 1/2 of his 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 widower shall be considered terminated by marriage of the
48 widower subsequent to the death of the member. 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 "widower" as defined in
5 paragraph (2) of this subsection shall include domestic partners as
6 provided in paragraph (1) of this subsection.

7 h. (1) "Final compensation" means the average annual
8 compensation for which contributions are made for the three years
9 of creditable service in New Jersey immediately preceding the
10 member's retirement or death, or it shall mean the average annual
11 compensation for New Jersey service for which contributions are
12 made during any three fiscal years of his or her membership
13 providing the largest possible benefit to the member or the
14 member's beneficiary.

15 (2) In the case of a person who becomes a member of the
16 retirement system on or after the effective date of P.L.2010, c.1,
17 "final compensation" means the average annual compensation for
18 which contributions are made for the five years of creditable service
19 in New Jersey immediately preceding the member's retirement or
20 death, or it shall mean the average annual compensation for New
21 Jersey service for which contributions are made during any five
22 fiscal years of his or her membership providing the largest possible
23 benefit to the member or the member's beneficiary.

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

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

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

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

35 m. "Public Employees' Retirement System of New Jersey,"
36 hereinafter referred to as the "retirement system" or "system," is the
37 corporate name of the arrangement for the payment of retirement
38 allowances and other benefits under the provisions of this act
39 including the several funds placed under said system. By that name
40 all of its business shall be transacted, its funds invested, warrants
41 for money drawn, and payments made and all of its cash and
42 securities and other property held.

43 n. "Regular interest" shall mean interest as determined by the
44 State Treasurer, after consultation with the Directors of the
45 Divisions of Investment and Pensions, the board of trustees and the
46 actuary. It shall bear a reasonable relationship to the percentage rate
47 of earnings on investments based on the market value of the assets
48 but shall not exceed the assumed percentage rate of increase applied

- 1 to salaries plus **【3%】** three percent, provided however that the
2 board of trustees shall not set the average percentage rate of
3 increase applied to salaries below **【6%】** six percent.
- 4 o. "Retirement allowance" means the pension plus the annuity.
- 5 p. "Veteran" means any honorably discharged officer, soldier,
6 sailor, airman, marine or nurse who served in any Army, Air Force
7 or Navy of the Allies of the United States in World War I, between
8 July 14, 1914, and November 11, 1918, or who served in any Army,
9 Air Force or Navy of the Allies of the United States in World War
10 II, between September 1, 1939, and September 2, 1945, and who
11 was inducted into such service through voluntary enlistment, and
12 was a citizen of the United States at the time of such enlistment, and
13 who did not, during or by reason of such service, renounce or lose
14 United States citizenship, and any officer, soldier, sailor, marine,
15 airman, nurse or army field clerk, who has served in the active
16 military or naval service of the United States and has or shall be
17 discharged or released therefrom under conditions other than
18 dishonorable, or any discharged LGBTQ veteran, as defined in
19 section 1 of P.L. , c. (C.) (pending before the Legislature as
20 this bill), from active service in any branch of the Armed Forces of
21 the United States, in any of the following wars, uprisings,
22 insurrections, expeditions, or emergencies, and who has presented
23 to the retirement system evidence of such record of service in form
24 and content satisfactory to said retirement system:
- 25 (1) The Indian wars and uprisings during any of the periods
26 recognized by the War Department of the United States as periods
27 of active hostility;
- 28 (2) The Spanish-American War between April 20, 1898, and
29 April 11, 1899;
- 30 (3) The Philippine insurrections and expeditions during the
31 periods recognized by the War Department of the United States as
32 of active hostility from February 4, 1899, to the end of 1913;
- 33 (4) The Peking relief expedition between June 20, 1900, and
34 May 27, 1902;
- 35 (5) The army of Cuban occupation between July 18, 1898, and
36 May 20, 1902;
- 37 (6) The army of Cuban pacification between October 6, 1906,
38 and April 1, 1909;
- 39 (7) The Mexican punitive expedition between March 14, 1916,
40 and February 7, 1917;
- 41 (8) The Mexican border patrol, having actually participated in
42 engagements against Mexicans between April 12, 1911, and June
43 16, 1919;
- 44 (9) World War I, between April 6, 1917, and November 11,
45 1918;
- 46 (10) World War II, between September 16, 1940, and
47 December 31, 1946, who shall have served at least 90 days in such
48 active service, exclusive of any period of assignment (1) for a

1 course of education or training under the Army Specialized
2 Training Program or the Navy College Training Program which
3 course was a continuation of a civilian course and was pursued to
4 completion, or (2) as a cadet or midshipman at one of the service
5 academies any part of which 90 days was served between said
6 dates; provided, that any person receiving an actual service-incurred
7 injury or disability shall be classed as a veteran whether or not that
8 person has completed the 90-day service as herein provided;

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

24 (12) Lebanon crisis, on or after July 1, 1958, who has served in
25 Lebanon or on board any ship actively engaged in patrolling the
26 territorial waters of that nation for a period, continuous or in the
27 aggregate, of at least 14 days commencing on or before November
28 1, 1958 or the date of termination of that conflict, as proclaimed by
29 the President of the United States or Congress, whichever date of
30 termination is the latest, in such active service; provided, that any
31 person receiving an actual service-incurred injury or disability shall
32 be classed as a veteran whether or not that person has completed the
33 14 days' service as herein provided;

34 (13) Vietnam conflict on or after December 31, 1960, and on or
35 prior to May 7, 1975, who shall have served at least 90 days in such
36 active service, exclusive of any period of assignment (1) for a
37 course of education or training under the Army Specialized
38 Training Program or the Navy College Training Program which
39 course was a continuation of a civilian course and was pursued to
40 completion, or (2) as a cadet or midshipman at one of the service
41 academies, any part of which 90 days was served between said
42 dates; and exclusive of any service performed pursuant to the
43 provisions of section 511(d) of Title 10, United States Code,
44 pursuant to an enlistment in the Army National Guard or as a
45 reserve for service in the Army Reserve, Naval Reserve, Air Force
46 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided,
47 that any person receiving an actual service-incurred injury or

1 disability shall be classed as a veteran whether or not that person
2 has completed the 90 days' service as herein provided;

3 (14) Lebanon peacekeeping mission, on or after September 26,
4 1982, who has served in Lebanon or on board any ship actively
5 engaged in patrolling the territorial waters of that nation for a
6 period, continuous or in the aggregate, of at least 14 days
7 commencing on or before December 1, 1987 or the date of
8 termination of that mission, as proclaimed by the President of the
9 United States or Congress, whichever date of termination is the
10 latest, in such active service; provided, that any person receiving an
11 actual service-incurred injury or disability shall be classed as a
12 veteran whether or not that person has completed the 14 days'
13 service as herein provided;

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

25 (16) Panama peacekeeping mission, on or after December 20,
26 1989 or the date of inception of that mission, as proclaimed by the
27 President of the United States or Congress, whichever date of
28 inception is earliest, who has served in Panama or on board any ship
29 actively engaged in patrolling the territorial waters of that nation for
30 a period, continuous or in the aggregate, of at least 14 days
31 commencing on or before January 31, 1990 or the date of
32 termination of that mission, as proclaimed by the President of the
33 United States or Congress, whichever date of termination is the
34 latest, in such active service; provided, that any person receiving an
35 actual service-incurred injury or disability shall be classed as a
36 veteran whether or not that person has completed the 14 days'
37 service as herein provided;

38 (17) Operation "Desert Shield/Desert Storm" mission in the
39 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
40 or the date of inception of that operation, as proclaimed by the
41 President of the United States or Congress, whichever date of
42 inception is earliest, who has served in the Arabian peninsula or on
43 board any ship actively engaged in patrolling the Persian Gulf for a
44 period, continuous or in the aggregate, of at least 14 days
45 commencing on or before the date of termination of that mission, as
46 proclaimed by the President of the United States or Congress,
47 whichever date of termination is the latest, in such active service;
48 provided, that any person receiving an actual service-incurred injury

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

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

18 (19) Operation "Restore Hope" in Somalia, on or after
19 December 5, 1992, or the date of inception of that operation as
20 proclaimed by the President of the United States or Congress,
21 whichever date is earliest, who has served in Somalia or on board
22 any ship actively engaged in patrolling the territorial waters of that
23 nation for a period, continuously or in the aggregate, of at least 14
24 days in such active service commencing on or before March 31,
25 1994; provided that any person receiving an actual service-incurred
26 injury or disability shall be classed as a veteran whether or not that
27 person has completed the 14-day service as herein provided;

28 (20) Operations "Joint Endeavor" and "Joint Guard" in the
29 Republic of Bosnia and Herzegovina, on or after November 20,
30 1995, who served in such active service in direct support of one or
31 both of the operations for at least 14 days, continuously or in the
32 aggregate, commencing on or before June 20, 1998 and (1) was
33 deployed in that nation or in another area in the region, or (2) was
34 on board a United States naval vessel operating in the Adriatic Sea,
35 or (3) operated in airspace above the Republic of Bosnia and
36 Herzegovina; provided that any person receiving an actual service-
37 incurred injury or disability shall be classed as a veteran whether or
38 not that person completed the 14-day service requirement;

39 (21) Operation "Enduring Freedom", on or after September 11,
40 2001, who served in a theater of operation and in direct support of
41 that operation for a period, continuously or in the aggregate, of at
42 least 14 days in such active service commencing on or before the
43 date the President of the United States or the United States
44 Secretary of Defense designates as the termination date of that
45 operation; provided, that any person receiving an actual service-
46 incurred injury or disability while engaged in such service shall be
47 classed as a veteran whether or not that person has completed the 14
48 days' service as herein provided; and

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

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

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

29 (2) Subject to the provisions of paragraph (3) of this subsection,
30 "widow," for employees of public employers other than the State,
31 means the woman to whom a member was married at least five
32 years before the date of his death and to whom he continued to be
33 married until the date of his death and who was receiving at least
34 1/2 of her support from the member in the 12-month period
35 immediately preceding the member's death or the accident which
36 was the direct cause of the member's death. The dependency of such
37 a widow shall be considered terminated by the marriage of the
38 widow subsequent to the member's death. In the event of the
39 payment of an accidental death benefit, the five-year qualification
40 shall be waived.

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

45 r. (1) "Compensation" means the base or contractual salary,
46 for services as an employee, which is in accordance with
47 established salary policies of the member's employer for all
48 employees in the same position but shall not include individual

1 salary adjustments which are granted primarily in anticipation of
2 the member's retirement or additional remuneration for performing
3 temporary or extracurricular duties beyond the regular workday or
4 the regular work year.

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

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

28 For the period of July 1, 2009 through June 30, 2011,
29 "contractual salary" for State employees shall include across the
30 board negotiated wage increases under a collective negotiations
31 agreement that were payable to all State employees covered by that
32 agreement notwithstanding that, by amendment to that collective
33 negotiations agreement, the effective date of the contractual
34 increase has been deferred. For the purpose of this paragraph,
35 "State employee" means an employee in the Executive Branch or
36 the Judicial Branch of State government of New Jersey or an
37 employee of the State University authorized to participate in the
38 system under subsection b. of section 73 of P.L.1954, c.84
39 (C.43:15A-73), but shall not include employees of agencies
40 authorized to participate in the system under subsections a., c., d.,
41 e., f., and g. of section 73 of P.L.1954, c.84 (C.43:15A-73) or under
42 P.L.1990, c.25 (C.43:15A-73.2 et al.).

43 For the period of July 1, 2009 through June 30, 2011,
44 "contractual salary" for county and municipal employees shall
45 include across the board negotiated wage increases under a
46 collective negotiations agreement that were payable to all county or
47 all municipal employees covered by that agreement notwithstanding
48 that, by amendment to that collective negotiations agreement which

1 has been filed with the Division of Pensions and Benefits, the
2 effective date of the contractual increase has been deferred. For the
3 purpose of this paragraph, "county and municipal employees"
4 means all persons employed by a county or municipality in this
5 State.

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

7

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

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

31 (1) The Indian wars and uprisings during any of the periods
32 recognized by the War Department of the United States as periods
33 of active hostility;

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

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

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

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

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

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

- 1 (8) The Mexican border patrol, having actually participated in
2 engagements against Mexicans between April 12, 1911, and June
3 16, 1919;
- 4 (9) World War I between April 6, 1917, and November 11,
5 1918;
- 6 (10) World War II, between September 16, 1940, and
7 December 31, 1946, who shall have served at least 90 days in such
8 active service, exclusive of any period of assignment (1) for a
9 course of education or training under the Army Specialized
10 Training Program or the Navy College Training program which
11 course was a continuation of a civilian course and was pursued to
12 completion, or (2) as a cadet or midshipman at one of the service
13 academies any part of which 90 days was served between said
14 dates; provided, that any person receiving an actual service-incurred
15 injury or disability shall be classed as a veteran whether or not that
16 person has completed the 90-day service as herein provided;
- 17 (11) Korean conflict on or after June 23, 1950, and on or prior
18 to January 31, 1955, who shall have served at least 90 days in such
19 active service, exclusive of any period of assignment (1) for a
20 course of education or training under the Army Specialized
21 Training Program or the Navy College Training Program which
22 course was a continuation of a civilian course and was pursued to
23 completion, or (2) as a cadet or midshipman at one of the service
24 academies, any part of which 90 days was served between said
25 dates; provided, that any person receiving an actual service-incurred
26 injury or disability shall be classed as a veteran whether or not that
27 person has completed the 90-day service as herein provided; and
28 provided further, that any member classed as a veteran pursuant to
29 this subparagraph prior to August 1, 1966, shall continue to be
30 classed as a veteran whether or not the member completed the 90-
31 day service between said dates as herein provided;
- 32 (12) Lebanon crisis, on or after July 1, 1958, who has served in
33 Lebanon or on board any ship actively engaged in patrolling the
34 territorial waters of that nation for a period, continuous or in the
35 aggregate, of at least 14 days commencing on or before November
36 1, 1958 or the date of termination of that conflict, as proclaimed by
37 the President of the United States or Congress, whichever date of
38 termination is the latest, in such active service; provided, that any
39 person receiving an actual service-incurred injury or disability shall
40 be classed as a veteran whether or not that person has completed the
41 14 days' service as herein provided;
- 42 (13) Vietnam conflict on or after December 31, 1960, and on or
43 prior to May 7, 1975, who shall have served at least 90 days in such
44 active service, exclusive of any period of assignment (1) for a
45 course of education or training under the Army Specialized
46 Training Program or the Navy College Training Program which
47 course was a continuation of a civilian course and was pursued to
48 completion, or (2) as a cadet or midshipman at one of the service

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

10 (14) Lebanon peacekeeping mission, on or after September 26,
11 1982, who has served in Lebanon or on board any ship actively
12 engaged in patrolling the territorial waters of that nation for a
13 period, continuous or in the aggregate, of at least 14 days
14 commencing on or before December 1, 1987 or the date of
15 termination of that mission, as proclaimed by the President of the
16 United States or Congress, whichever date of termination is the
17 latest, in such active service; provided, that any person receiving an
18 actual service-incurred injury or disability shall be classed as a
19 veteran whether or not that person has completed the 14 days'
20 service as herein provided;

21 (15) Grenada peacekeeping mission, on or after October 23,
22 1983, who has served in Grenada or on board any ship actively
23 engaged in patrolling the territorial waters of that nation for a
24 period, continuous or in the aggregate, of at least 14 days
25 commencing on or before November 21, 1983 or the date of
26 termination of that mission, as proclaimed by the President of the
27 United States or Congress, whichever date of termination is the
28 latest, in such active service; provided, that any person receiving an
29 actual service-incurred injury or disability shall be classed as a
30 veteran whether or not that person has completed the 14 days'
31 service as herein provided;

32 (16) Panama peacekeeping mission, on or after December 20,
33 1989 or the date of inception of that mission, as proclaimed by the
34 President of the United States or Congress, whichever date of
35 inception is earliest, who has served in Panama or on board any ship
36 actively engaged in patrolling the territorial waters of that nation for
37 a period, continuous or in the aggregate, of at least 14 days
38 commencing on or before January 31, 1990 or the date of
39 termination of that mission, as proclaimed by the President of the
40 United States or Congress, whichever date of termination is the
41 latest, in such active service; provided, that any person receiving an
42 actual service-incurred injury or disability shall be classed as a
43 veteran whether or not that person has completed the 14 days'
44 service as herein provided;

45 (17) Operation "Desert Shield/Desert Storm" mission in the
46 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
47 or the date of inception of that operation, as proclaimed by the
48 President of the United States or Congress, whichever date of

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

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

25 (19) Operation "Restore Hope" in Somalia, on or after
26 December 5, 1992, or the date of inception of that operation as
27 proclaimed by the President of the United States or Congress,
28 whichever date is earliest, who has served in Somalia or on board
29 any ship actively engaged in patrolling the territorial waters of that
30 nation for a period, continuously or in the aggregate, of at least 14
31 days in such active service commencing on or before March 31,
32 1994; 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 14-day service as herein provided;

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

46 (21) Operation "Enduring Freedom", on or after September 11,
47 2001, who served in a theater of operation and in direct support of
48 that operation for a period, continuously or in the aggregate, of at

1 least 14 days in such active service commencing on or before the
2 date the President of the United States or the United States
3 Secretary of Defense designates as the termination date of that
4 operation; provided, that any person receiving an actual service-
5 incurred injury or disability while engaged in such service shall be
6 classed as a veteran whether or not that person has completed the 14
7 days' service as herein provided; and

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

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

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

25

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

28 4. a. A person shall not be employed as a security officer by a
29 security officer company or a company maintaining a proprietary or
30 in-house security function, or perform the functions and activities of
31 a security officer, unless that person is registered with the
32 superintendent as required in this section.

33 The requirements of this section shall not apply to:

34 (1) a loss prevention employee;

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

40 (3) a security officer employed by a company maintaining a
41 proprietary or in-house security function whose in-house security
42 employees do not carry handguns or other licensed weapons; or

43 (4) a security employee regulated under federal law. Any
44 person who violates the provisions of this section shall be guilty of
45 a crime of the fourth degree.

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

- 1 (1) the applicant's full name, age, which shall be at least 18
2 years, and residence;
- 3 (2) the name and address of all employers or occupations
4 engaged in for the immediately preceding five years;
- 5 (3) that the applicant has not been convicted of any
6 disqualifying crime or offense as set forth in subsection c. of this
7 section; and
- 8 (4) such further information as the superintendent may require
9 to show the good character, competency and integrity of the
10 applicant.

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

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

34 d. A person whose application has been approved by the
35 superintendent shall complete the required education and training
36 program established in section 5 of this act. Upon satisfactory
37 completion of this program, and upon the payment of a fee in an
38 amount established by the superintendent, the applicant shall be
39 entitled to and the superintendent shall issue and deliver to the
40 applicant a security officer certificate of registration.

41 e. The superintendent may revoke or suspend such certificate
42 of registration for a violation of any of the provisions of this act or
43 for other good cause. A certificate of registration shall be
44 surrendered to the superintendent within 72 hours after its term has
45 expired or after notice in writing to the holder that the certificate of
46 registration has been revoked.

47 f. The certificate of registration shall be renewed every two
48 years by an applicant for an unarmed security officer position and

1 each year by an applicant for an armed security officer position
2 upon forms prescribed by the superintendent. The applicant shall
3 pay a fee in an amount established by the superintendent by rule
4 and regulation and shall complete an eight-hour refresher course of
5 classroom instruction taught by a certified security officer
6 instructor. The certificate of registration may be renewed without
7 further investigation unless it is deemed by the superintendent that
8 the applicant no longer qualifies or verified objections to the
9 renewal are received by the superintendent prior to issuance.

10 g. The revocation or suspension of any certificate of
11 registration by the superintendent shall be subject to notice and a
12 hearing.

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

26 For purposes of this subsection, "veteran" means any person who
27 has been honorably discharged or released under honorable
28 circumstances from active service in any branch of the [armed
29 forces] Armed Forces of the United States, or a discharged LGBTQ
30 veteran, as defined in section 1 of P.L. , c. (C.) (pending
31 before the Legislature as this bill), from active service in any
32 branch of the Armed Forces of the United States.

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

34

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

37 1. a. A landlord, or any agent thereof, shall count a military or
38 veteran housing allowance, supported by United States Department
39 of Veterans Affairs documentation, as income for purposes of
40 determining whether a qualified prospective tenant meets any
41 minimum income qualifications to rent housing from the landlord.

42 b. As used in this section:

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

45 "Military" means the Armed Forces of the United States,
46 including the Army, Navy, Air Force, Marine Corps, and Coast
47 Guard, the National Guard and any other reserve component of the

1 armed forces, and the merchant marine when organized under the
2 federal law as a public military force.

3 "Military or veteran housing allowance" means any federal
4 housing allowance or stipend provided to a service member of the
5 military or a veteran, including, but not limited to, the basic
6 allowance for housing authorized pursuant to 37 U.S.C. s.403 and
7 the housing stipend authorized pursuant to 38 U.S.C. s.3313.

8 "Qualified prospective tenant" means any service member of the
9 military or a veteran who is receiving a military or veteran housing
10 allowance.

11 "Veteran" means a person who has served on active duty in the
12 Armed Forces of the United States and who was discharged or
13 released therefrom under conditions other than dishonorable, or a
14 discharged LGBTQ veteran, as defined in section 1 of P.L. , c.
15 (C.) (pending before the Legislature as this bill), who has served
16 on active duty in the Armed Forces of the United States.

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

18

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

21 2. As used in this act:

22 "Director" means the Director of the Division of Housing and
23 Community Resources in the Department of Community Affairs.

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

27 "Division" means the Division of Housing and Community
28 Resources in the Department of Community Affairs.

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

30 "Energy efficient features or equipment" means features or
31 equipment within a primary residence that help to reduce the
32 amount of electricity used to heat, cool, or ventilate the residence,
33 including but not limited to insulation, weatherstripping, air sealing,
34 repaired heating systems, or duct sealing.

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

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

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

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

4 "Veteran" means any resident of the State now or hereafter who
5 has been discharged honorably or under general honorable
6 conditions in any branch of the Armed Forces of the United States,
7 or a Reserve component thereof, or the National Guard of this State
8 or another state as defined in section 1 of P.L.1963, c.109
9 (C.38A:1-1), or any discharged LGBTQ veteran, as defined in
10 section 1 of P.L. , c. (C.) (pending before the Legislature as
11 this bill), in any branch of the Armed Forces of the United States, or
12 any honorably discharged member of the American Merchant
13 Marine who served during World War II and is declared by the
14 United States Department of Defense to be eligible for federal
15 veterans' benefits.
16 (cf: P.L.2019, c.500, s.12)

17
18 23. Section 2 of P.L.2011, c.147 (C.52:32-50) is amended to
19 read as follows:

20 2. As used in this act:

21 "Authority" means the New Jersey Economic Development
22 Authority.

23 "Contracting agency" means the State or any board, commission,
24 authority or agency of the State.

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

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

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

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

40
41 24. Section 3 of P.L.1965, c.89 (C.53:5A-3) is amended to read
42 as follows:

43 3. As used in this act:

44 a. "Aggregate contributions" means the sum of all the amounts,
45 deducted from the salary of a member or contributed by him or on
46 his behalf, standing to the credit of his individual account in the
47 Annuity Savings Fund. Interest credited on contributions to the

- 1 former "State Police Retirement and Benevolent Fund" shall be
2 included in a member's aggregate contributions.
- 3 b. "Annuity" means payments for life derived from the
4 aggregate contributions of a member.
- 5 c. "Annuity reserve" means the present value of all payments
6 to be made on account of any annuity or benefit in lieu of an
7 annuity, computed upon the basis of such mortality tables
8 recommended by the actuary as the board of trustees adopts and
9 regular interest.
- 10 d. "Beneficiary" means any person entitled to receive any
11 benefit pursuant to the provisions of this act by reason of the death
12 of a member or retirant.
- 13 e. "Board of trustees" or "board" means the board provided for
14 in section 30 of this act.
- 15 f. "Child" means a deceased member's or retirant's unmarried
16 child either (a) under the age of 18, or (b) 18 years of age or older
17 and enrolled in a secondary school, or (c) under the age of 24 and
18 enrolled in a degree program in an institution of higher education
19 for at least 12 credit hours in each semester, provided that the
20 member died in active service as a result of an accident met in the
21 actual performance of duty at some definite time and place, and the
22 death was not the result of the member's willful misconduct, or (d)
23 of any age who, at the time of the member's or retirant's death, is
24 disabled because of an intellectual disability or physical incapacity,
25 is unable to do any substantial, gainful work because of the
26 impairment and his impairment has lasted or can be expected to last
27 for a continuous period of not less than 12 months, as affirmed by
28 the medical board.
- 29 g. "Creditable service" means service rendered for which credit
30 is allowed on the basis of contributions made by the member or the
31 State.
- 32 h. "Parent" means the parent of a member who was receiving at
33 least one-half of his support from the member in the 12-month
34 period immediately preceding the member's death or the accident
35 which was the direct cause of the member's death. The dependency
36 of such a parent will be considered terminated by marriage of the
37 parent subsequent to the death of the member.
- 38 i. (1) "Final compensation" means the average compensation
39 received by the member in the last 12 months of creditable service
40 preceding his retirement or death. Such term includes the value of
41 the member's maintenance allowance for this same period.
- 42 (2) In the case of a person who becomes a member of the
43 retirement system on or after the effective date of P.L.2010, c.1,
44 "final compensation" means the average annual compensation for
45 service for which contributions are made during any three fiscal
46 years of membership providing the largest possible benefit to the
47 member or the member's beneficiary. Such term includes the value
48 of the member's maintenance allowance for this same period.

- 1 j. (1) "Final salary" means the average salary received by the
2 member in the last 12 months of creditable service preceding his
3 retirement or death. Such term shall not include the value of the
4 member's maintenance allowance.
- 5 (2) In the case of a person who becomes a member of the
6 retirement system on or after the effective date of P.L.2010, c.1,
7 "final salary" means the average annual salary for service for which
8 contributions are made during any three fiscal years of membership
9 providing the largest possible benefit to the member or the
10 member's beneficiary. Such term shall not include the value of the
11 member's maintenance allowance.
- 12 k. "Fiscal year" means any year commencing with July 1 and
13 ending with June 30 next following.
- 14 l. "Medical board" means the board of physicians provided for
15 in section 30 of this act.
- 16 m. "Member" means any full-time, commissioned officer, non-
17 commissioned officer or trooper of the Division of State Police of
18 the Department of Law and Public Safety of the State of New Jersey
19 enrolled in the retirement system established by this act.
- 20 n. "Pension" means payment for life derived from contributions
21 by the State.
- 22 o. "Pension reserve" means the present value of all payments to
23 be made on account of any pension or benefit in lieu of any pension
24 computed on the basis of such mortality tables recommended by the
25 actuary as shall be adopted by the board of trustees and regular
26 interest.
- 27 p. "Regular interest" means interest as determined by the State
28 Treasurer, after consultation with the Directors of the Divisions of
29 Investment and Pensions, the board of trustees and the actuary. It
30 shall bear a reasonable relationship to the percentage rate of
31 earnings on investments based on the market value of the assets but
32 shall not exceed the assumed percentage rate of increase applied to
33 salaries plus **[3%]** three percent, provided however that the board
34 of trustees shall not set the average percentage rate of increase
35 applied to salaries below **[6%]** six percent.
- 36 q. "Retirant" means any former member receiving a retirement
37 allowance as provided by this act.
- 38 r. "Retirement allowance" means the pension plus the annuity.
- 39 s. "State Police Retirement System of New Jersey," herein also
40 referred to as the "retirement system" or "system," is the corporate
41 name of the arrangement for the payment of retirement allowances
42 and of the benefits under the provisions of this act including the
43 several funds placed under said system. By that name, all of its
44 business shall be transacted, its funds invested, warrants for moneys
45 drawn, and payments made and all of its cash and securities and
46 other property held. All assets held in the name of the former
47 "State Police Retirement and Benevolent Fund" shall be transferred
48 to the retirement system established by this act.

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

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

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

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

40 (1) Vietnam conflict on or after December 31, 1960, and on or
41 prior to May 7, 1975, who shall have served at least 90 days in such
42 active service, exclusive of any period of assignment (1) for a
43 course of education or training under the Army Specialized
44 Training Program or the Navy College Training Program which
45 course was a continuation of a civilian course and was pursued to
46 completion, or (2) as a cadet or midshipman at one of the service
47 academies, any part of which 90 days was served between said
48 dates; and exclusive of any service performed pursuant to the

1 provisions of section 511 (d) of Title 10, United States Code,
2 pursuant to an enlistment in the Army National Guard or as a
3 reserve for service in the Army Reserve, Naval Reserve, Air Force
4 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided,
5 that any person receiving an actual service-incurred injury or
6 disability shall be classed as a veteran whether or not that person
7 has completed the 90 days' service as herein provided;

8 (2) Lebanon peacekeeping mission, on or after September 26,
9 1982, who has served in Lebanon or on board any ship actively
10 engaged in patrolling the territorial waters of that nation for a
11 period, continuous or in the aggregate, of at least 14 days
12 commencing on or before December 1, 1987 or the date of
13 termination of that mission, as proclaimed by the President of the
14 United States or Congress, whichever date of termination is the
15 latest, in such active service; provided, that any person receiving an
16 actual service-incurred injury or disability shall be classed as a
17 veteran whether or not that person has completed the 14 days'
18 service as herein provided;

19 (3) Grenada peacekeeping mission, on or after October 23,
20 1983, who has served in Grenada 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 November 21, 1983 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 (4) Panama peacekeeping mission, on or after December 20,
31 1989 or the date of inception of that mission, as proclaimed by the
32 President of the United States or Congress, whichever date of
33 inception is earliest, who has served in Panama or on board any ship
34 actively engaged in patrolling the territorial waters of that nation for
35 a period, continuous or in the aggregate, of at least 14 days
36 commencing on or before January 31, 1990 or the date of
37 termination of that mission, as proclaimed by the President of the
38 United States or Congress, whichever date of termination is the
39 latest, in such active service; provided, that any person receiving an
40 actual service-incurred injury or disability shall be classed as a
41 veteran whether or not that person has completed the 14 days'
42 service as herein provided;

43 (5) Operation "Desert Shield/Desert Storm" mission in the
44 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
45 or the date of inception of that operation, as proclaimed by the
46 President of the United States or Congress, whichever date of
47 inception is earliest, who has served in the Arabian peninsula or on
48 board any ship actively engaged in patrolling the Persian Gulf for a

1 period, continuous or in the aggregate, of at least 14 days
2 commencing on or before the date of termination of that mission, as
3 proclaimed by the President of the United States or Congress,
4 whichever date of termination is the latest, in such active service;
5 provided, that any person receiving an actual service-incurred injury
6 or disability shall be classed as a veteran whether or not that person
7 has completed the 14 days' service as herein provided;

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

23 (7) Operation "Restore Hope" in Somalia, on or after December
24 5, 1992, or the date of inception of that operation as proclaimed by
25 the President of the United States or Congress, whichever date is
26 earliest, who has served in Somalia or on board any ship actively
27 engaged in patrolling the territorial waters of that nation for a
28 period, continuously or in the aggregate, of at least 14 days in such
29 active service commencing on or before March 31, 1994; provided
30 that any person receiving an actual service-incurred injury or
31 disability shall be classed as a veteran whether or not that person
32 has completed the 14-day service as herein provided;

33 (8) Operations "Joint Endeavor" and "Joint Guard" in the
34 Republic of Bosnia and Herzegovina, on or after November 20,
35 1995, who served in such active service in direct support of one or
36 both of the operations for at least 14 days, continuously or in the
37 aggregate, commencing on or before June 20, 1998, and (1) was
38 deployed in that nation or in another area in the region, or (2) was
39 on board a United States naval vessel operating in the Adriatic Sea,
40 or (3) operated in airspace above the Republic of Bosnia and
41 Herzegovina; provided that any person receiving an actual service-
42 incurred injury or disability shall be classed as a veteran whether or
43 not that person completed the 14-day service requirement;

44 (9) Operation "Enduring Freedom", on or after September 11,
45 2001, who served in a theater of operation and in direct support of
46 that operation for a period, continuously or in the aggregate, of at
47 least 14 days in such active service commencing on or before the
48 date the President of the United States or the United States

1 Secretary of Defense designates as the termination date of that
2 operation; provided, that any person receiving an actual service-
3 incurred injury or disability while engaged in such service shall be
4 classed as a veteran whether or not that person has completed the 14
5 days' service as herein provided; and

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

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

19

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

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

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

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

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

43 (e) "Pre-tax year" means the particular calendar year
44 immediately preceding the "tax year."

45 (f) "Resident" means one legally domiciled within the State of
46 New Jersey. Mere seasonal or temporary residence within the State,
47 of whatever duration, shall not constitute domicile within the State
48 for the purposes of this act. Absence from this State for a period of

1 12 months shall be prima facie evidence of abandonment of
2 domicile in this State. The burden of establishing legal domicile
3 within the State shall be upon the claimant.

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

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

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

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

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

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

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

28 (k) "Cooperative" means a housing corporation or association
29 incorporated or organized under the laws of New Jersey which
30 entitles a shareholder thereof to possess and occupy for dwelling
31 purposes a house, apartment or other structure owned or leased by
32 the corporation or association.

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

39 (m) "Continuing care retirement community" means a
40 residential facility primarily for retired persons where lodging and
41 nursing, medical or other health related services at the same or
42 another location are provided as continuing care to a resident of the
43 facility pursuant to an agreement effective for the life of the
44 resident and in consideration of the payment of an entrance fee with
45 or without other periodic charges, which agreement requires the
46 individual to bear a share of the property taxes that are assessed
47 upon the continuing care retirement community, if a share is

1 attributable to the unit that the resident occupies.
2 (cf: P.L.2019, c.413, s.3)

3

4 26. This act shall take effect immediately.

5

6

7

STATEMENT

8

9 This bill updates the definition of veteran in various statutes to
10 include discharged LGBTQ veterans. This bill also requires the
11 Department of Military and Veterans' Affairs (DMVA) to develop a
12 review process for discharged LGBTQ veterans concerning lost
13 benefits.

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

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