ASSEMBLY, No. 5629

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED OCTOBER 15, 2026

Sponsored by:
Assemblywoman HEATHER SIMMONS
District 3 (Cumberland, Gloucester and Salem)

SYNOPSIS

Provides same death benefits to SPRS members who die by suicide as those who die in performance of duty.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning death benefits provided under the State Police Retirement System and amending P.L.1965, c.89.

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

1. Section 14 of P.L.1965, c.89 (C.53:5A-14) is amended to read as follows:

14. a. Upon the death of a member in active service as a result of:

(1) an accident met in the actual performance of duty at some definite time and place, or

(2) service in the reserve component of the Armed Forces of the United States or the National Guard in a federal active duty status, and such death was not the result of the member's willful negligence, an accidental death benefit shall be payable if a report of the accident is filed in the office of the Division of State Police within 60 days next following the accident, but the board of trustees may waive such time limit, for a reasonable period, if in the judgment of the board the circumstances warrant such action. No such application shall be valid or acted upon unless it is filed in the office of the retirement system within five years of the date of such death.

b. (1) Upon the receipt of proper proofs of the death of a member on account of which an accidental death benefit is payable, there shall be paid to the surviving spouse a pension of 70% of final compensation or of adjusted final compensation, as appropriate, for the use of that spouse and children of the deceased, to continue for as long as the person qualifies as a "surviving spouse" for the purposes of this act. If there is no surviving spouse or in case the spouse dies, 70% of final compensation or of adjusted final compensation, as the case may be, will be payable to the member's surviving child or surviving children in equal shares.

If there is no surviving spouse or child, 25% of final compensation will be payable to one surviving parent or 40% of final compensation will be payable to two surviving parents in equal shares.

As used in this paragraph, "adjusted final compensation" means the amount of final compensation or final compensation as adjusted, as the case may be, increased by the same percentage increase which is applied in any adjustments of the compensation schedule of active members after the member's death and before the date on which the deceased member of the retirement system would have accrued 25 years of service under an assumption of continuous service, at which time the amount resulting from such increases

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 <u>thus</u> is new matter.

shall become fixed and shall be the basis for adjustments pursuant to the Pension Adjustment Act, P.L.1958, c.143 (C.43:3B-1 et seq.). Any adjustments to final compensation or adjusted final compensation shall take effect at the same time as any adjustments in the compensation schedule of active members. The provisions of the Pension Adjustment Act shall not apply to any pension based upon adjusted final compensation other than the fixed pension in effect at the conclusion of the 25-year period.

(2) In the event of accidental death occurring in the first year of creditable service, the benefits, payable pursuant to this subsection, shall be computed at the annual rate of compensation.

c. If there is no surviving spouse, child or parent, there shall be paid to any other beneficiary of the deceased member, his aggregate contributions at the time of death.

d. In no case shall the death benefits provided in subsection b. be less than that provided under subsection c.

e. In addition to the foregoing benefits payable under subsection a. or b., there shall also be paid in one sum to the member's beneficiary, an amount equal to 3 1/2 times final compensation.

f. (Deleted by amendment.)

g. (Deleted by amendment.)

h. In addition to the foregoing benefits, the State shall pay to the member's employer-sponsored health insurance program all health insurance premiums for the coverage of the member's surviving spouse and surviving children.

<u>i. Notwithstanding the provisions of subsection a. of this section, or any other law, rule, or regulation to the contrary, the death of a member in active service as a result of suicide shall be treated as an accident met in the actual performance of the member’s duty at some definite time and place and shall not be considered to be an act of the member’s willful negligence.</u>

(cf: P.L.2016, c.26, s.2)

2. This act shall take effect immediately.

STATEMENT

This bill provides the same death benefits to State Police Retirement System (SPRS) members who die by suicide as provided to those who die in the performance of their duty.

Under current law, in order to receive SPRS accidental death benefits, it must be shown that the member’s death occurred while in active service as a result of an accident met in the actual performance of duty at some definite time and place, or service in the reserve component of the Armed Forces of the United States or

the National Guard in a federal active duty status, and such death was not the result of the member's willful negligence.

Under this bill, the death of a SPRS member by suicide will be treated as an accident met in the actual performance of the member's duty and will not be considered to be an act of the member's willful negligence.

This bill will permit the survivors of the deceased SPRS member the ability to receive the enhanced accidental death benefits, as compared to the ordinary death benefit, under SPRS. As provided under current law, such accidental death benefits will not expire if the surviving spouse remarries.