

SENATE, No. 4632

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED OCTOBER 1, 2026

Sponsored by:

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex and Passaic)

SYNOPSIS

Provides certain TPAF members and certain retirees same benefits provided to members enrolled in retirement system within period starting after November 1, 2008, and ending on or before May 21, 2010.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the benefits provided to members and certain
2 retirees of the Teachers' Pension and Annuity Fund, amending
3 various parts of the statutory law, and supplementing
4 N.J.S.18A:66-1 et seq.

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

8
9 1. (New section) a. (1) Notwithstanding the provisions of
10 P.L.2008, c.89; P.L.2010, c.1; P.L.2010, c.3; P.L.2011, c.78; or any
11 other law, rule, or regulation to the contrary, all current, non-retired
12 members of the Teachers' Pension and Annuity Fund enrolled in the
13 system after May 21, 2010 shall be entitled to and shall receive the
14 same benefits received by members of the retirement system who
15 enrolled in the system within the period starting after November 1,
16 2008, and ending on or before May 21, 2010, including, but not
17 limited to, service retirement, deferred retirement, early retirement,
18 veterans retirement, ordinary disability retirement, and accidental
19 disability retirement benefits.

20 (2) Notwithstanding the provisions of any other law, rule, or
21 regulation to the contrary, all new members of the Teachers'
22 Pension and Annuity Fund who enroll in the system on or after the
23 effective date of P.L. , c. (C.) (pending before the
24 Legislature as this bill), shall be entitled to and shall receive the
25 same benefits received by members of the retirement system who
26 enrolled in the system within the period starting after November 1,
27 2008, and ending on or before May 21, 2010, including, but not
28 limited to, service retirement, deferred retirement, early retirement,
29 veterans retirement, ordinary disability retirement, and accidental
30 disability retirement benefits.

31 (3) Notwithstanding the provisions of any other law, rule, or
32 regulation to the contrary, a member of the Teachers' Pension and
33 Annuity Fund who enrolled in the system after May 21, 2010,
34 whose application for retirement has been approved on or after the
35 effective date of P.L. , c. (C.) (pending before the
36 Legislature as this bill), shall be entitled to and shall receive the
37 same retirement benefits received by members who enrolled in the
38 system within the period starting after November 1, 2008, and
39 ending on or before May 21, 2010.

40 b. Notwithstanding the provisions of any other law, rule, or
41 regulation to the contrary, any members of the Teachers' Pension
42 and Annuity Fund receiving long term disability insurance pursuant
43 to section 10 of P.L.2010, c.3 (C.18A:66-39.1), shall be considered
44 eligible to apply for ordinary or accidental disability retirement
45 benefits pursuant to N.J.S.18A:66-1 et seq., eligible to be received

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 by members enrolled in the retirement system within the period
2 starting after November 1, 2008, and ending on or before May 21,
3 2010. If the member elects to apply for disability retirement
4 benefits under the Teachers' Pension and Annuity Fund in
5 accordance with this section, the member shall do so no later than
6 two calendar years following the date of the member's eligibility to
7 file an application.

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

10 18A:66-2. As used in this article:

11 a. "Accumulated deductions" means the sum of all the
12 amounts, deducted from the compensation of a member or
13 contributed by or in behalf of the member, including interest
14 credited to January 1, 1956, standing to the credit of the member's
15 individual account in the annuity savings fund.

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

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

20 d. (1) "Compensation" means the contractual salary, for services
21 as a teacher as defined in this article, which is in accordance with
22 established salary policies of the member's employer for all
23 employees in the same position but shall not include individual
24 salary adjustments which are granted primarily in anticipation of
25 the member's retirement or additional remuneration for performing
26 temporary or extracurricular duties beyond the regular school day or
27 the regular school year.

28 (2) **[In]** Except as provided in section 1 of
29 P.L. , c. (C.) (pending before the Legislature as this bill),
30 in the case of a person who becomes a member of the retirement
31 system on or after July 1, 2007, "compensation" means the amount
32 of the contractual salary equivalent to the annual maximum wage
33 contribution base for Social Security, pursuant to the Federal
34 Insurance Contributions Act, for services as a teacher as defined in
35 this article, which is in accordance with established salary policies
36 of the member's employer for all employees in the same position
37 but shall not include individual salary adjustments which are
38 granted primarily in anticipation of the member's retirement or
39 additional remuneration for performing temporary or extracurricular
40 duties beyond the regular school day or the regular school year.
41 This paragraph shall not apply to a person who at the time of
42 enrollment in the retirement system on or after July 1, 2007
43 transfers service credit from another State-administered retirement
44 system pursuant to N.J.S.18A:66-15.1, but shall apply to a former
45 member of the retirement system who has been granted a retirement
46 allowance and is reenrolled in the retirement system on or after July
47 1, 2007 pursuant to N.J.S.18A:66-53.2 after becoming employed

1 again in a position that makes the person eligible to be a member of
2 the retirement system.

3 For the period of July 1, 2009 through June 30, 2011,
4 "contractual salary" for State employees shall include wage
5 increases under a collective negotiations agreement notwithstanding
6 that, by amendment to that collective negotiations agreement, the
7 effective date of the contractual increase has been deferred. For the
8 purpose of this paragraph, "State employee" means an employee in
9 the Executive Branch of State government of New Jersey.

10 e. "Employer" means the State, the board of education or any
11 educational institution or agency of or within the State by which a
12 teacher is paid.

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

21 (2) 【In the case of】 Except as provided in section 1 of P.L. , c.
22 (C.) (pending before the Legislature as this bill), in the case of
23 a person who becomes a member of the retirement system on or
24 after the effective date of P.L.2010, c.1, "final compensation"
25 means the average annual compensation for which contributions are
26 made for the five years of creditable service in New Jersey
27 immediately preceding the member's retirement or death, or it shall
28 mean the average annual compensation for New Jersey service for
29 which contributions are made during any five fiscal years of his or
30 her membership providing the largest possible benefit to the
31 member or the member's beneficiary.

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

34 h. "Pension" means payments for life derived from
35 appropriations made by the State or employers to the Teachers'
36 Pension and Annuity Fund.

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

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

- 1 k. "Present-entrant" means any member of the Teachers'
2 Pension and Annuity Fund who had established status as a "present-
3 entrant member" of said fund prior to January 1, 1956.
- 4 l. "Rate of contribution initially certified" means the rate of
5 contribution certified by the retirement system in accordance with
6 N.J.S.18A:66-29.
- 7 m. "Regular interest" shall mean interest as determined by the
8 State Treasurer, after consultation with the Directors of the
9 Divisions of Investment and Pensions, the board of trustees and the
10 actuary. It shall bear a reasonable relationship to the percentage rate
11 of earnings on investments based on the market value of assets but
12 shall not exceed the assumed percentage rate of increase applied to
13 salaries plus 3%, provided however that the board of trustees shall
14 not set the average percentage rate of increase applied to salaries
15 below 6%.
- 16 n. "Retirement allowance" means the pension plus the annuity.
- 17 o. "School service" means any service as a "teacher" as defined
18 in this section.
- 19 p. "Teacher" means any regular teacher, special teacher,
20 helping teacher, teacher clerk, principal, vice-principal, supervisor,
21 supervising principal, director, superintendent, city superintendent,
22 assistant city superintendent, county superintendent, State
23 Commissioner or Assistant Commissioner of Education, members
24 of the State Department of Education who are certificated,
25 unclassified professional staff and other members of the teaching or
26 professional staff of any class, public school, renaissance school
27 project established pursuant to P.L.2011, c.176 (C.18A:36C-1 et
28 seq.) upon commencement of employment, high school, normal
29 school, model school, training school, vocational school, truant
30 reformatory school, or parental school, and of any and all classes or
31 schools within the State conducted under the order and
32 superintendence, and wholly or partly at the expense of the State
33 Board of Education, of a duly elected or appointed board of
34 education, board of school directors, or board of trustees of the
35 State or of any school district or normal school district thereof, and
36 any persons under contract or engagement to perform one or more
37 of these functions. It shall also mean any person who serves, while
38 on an approved leave of absence from regular duties as a teacher, as
39 an officer of a local, county or State labor organization which
40 represents, or is affiliated with an organization which represents,
41 teachers as defined in this subsection. No person shall be deemed a
42 teacher within the meaning of this article who is a substitute
43 teacher. In all cases of doubt the board of trustees shall determine
44 whether any person is a teacher as defined in this article.
- 45 q. "Teachers' Pension and Annuity Fund," hereinafter referred
46 to as the "retirement system" or "system," is the corporate name of
47 the arrangement for the payment of retirement allowances and other
48 benefits under the provisions of this article, including the several

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

5 r. "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, in any of the following wars, uprisings, insurrections,
19 expeditions or emergencies, and who has presented to the retirement
20 system evidence of such record of service in form and content
21 satisfactory to said retirement system:

22 (1) The Indian wars and uprisings during any of the periods
23 recognized by the War Department of the United States as periods
24 of active hostility;

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

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

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

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

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

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

38 (8) The Mexican border patrol, having actually participated in
39 engagements against Mexicans between April 12, 1911, and June
40 16, 1919;

41 (9) World War I, between April 6, 1917, and November 11,
42 1918;

43 (10) World War II, between September 16, 1940, and December
44 31, 1946, who shall have served at least 90 days in such active
45 service, exclusive of any period of assignment (1) for a course of
46 education or training under the Army Specialized Training Program
47 or the Navy College Training Program, which course was a
48 continuation of a civilian course and was pursued to completion, or

1 (2) as a cadet or midshipman at one of the service academies, any
2 part of which 90 days was served between said dates; provided that
3 any person receiving an actual service-incurred injury or disability
4 shall be classed as a veteran, whether or not that person has
5 completed the 90-day service as herein provided;

6 (11) Korean conflict on or after June 23, 1950, and on or prior to
7 January 31, 1955, 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; and
17 provided further that any member classed as a veteran pursuant to
18 this subsection prior to August 1, 1966, shall continue to be classed
19 as a veteran, whether or not that person completed the 90-day
20 service between said dates as herein provided;

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

31 (13) Vietnam conflict, on or after December 31, 1960, and on or
32 prior to May 7, 1975, who shall have served at least 90 days in such
33 active service, exclusive of any period of assignment (1) for a
34 course of education or training under the Army Specialized
35 Training Program or the Navy College Training Program, which
36 course was a continuation of a civilian course and was pursued to
37 completion, or (2) as a cadet or midshipman at one of the service
38 academies, any part of which 90 days was served between said
39 dates; and exclusive of any service performed pursuant to the
40 provisions of section 511(d) of Title 10, United States Code,
41 pursuant to an enlistment in the Army National Guard or as a
42 reserve for service in the Army Reserve, Naval Reserve, Air Force
43 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided
44 that any person receiving an actual service-incurred injury or
45 disability shall be classed as a veteran, whether or not that person
46 has completed the 90-day service as herein provided;

47 (14) Lebanon peacekeeping mission, on or after September 26,
48 1982, who has served in Lebanon or on board any ship actively

1 engaged in patrolling the territorial waters of that nation for a
2 period, continuous or in the aggregate, of at least 14 days
3 commencing on or before December 1, 1987 or the date of
4 termination of that mission, as proclaimed by the President of the
5 United States or Congress, whichever date of termination is the
6 latest, in such active service; provided, that any person receiving an
7 actual service-incurred injury or disability shall be classed as a
8 veteran whether or not that person has completed the 14 days'
9 service as herein provided;

10 (15) Grenada peacekeeping mission, on or after October 23,
11 1983, who has served in Grenada 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 November 21, 1983 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 (16) Panama peacekeeping mission, on or after December 20,
22 1989 or the date of inception of that mission, as proclaimed by the
23 President of the United States or Congress, whichever date of
24 inception is earliest, who has served in Panama or on board any ship
25 actively engaged in patrolling the territorial waters of that nation for
26 a period, continuous or in the aggregate, of at least 14 days
27 commencing on or before January 31, 1990 or the date of
28 termination of that mission, as proclaimed by the President of the
29 United States or Congress, whichever date of termination is the
30 latest, in such active service; provided, that any person receiving an
31 actual service-incurred injury or disability shall be classed as a
32 veteran whether or not that person has completed the 14 days'
33 service as herein provided;

34 (17) Operation "Desert Shield/Desert Storm" mission in the
35 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
36 or the date of inception of that operation, as proclaimed by the
37 President of the United States or Congress, whichever date of
38 inception is earliest, who has served in the Arabian peninsula or on
39 board any ship actively engaged in patrolling the Persian Gulf for a
40 period, continuous or in the aggregate, of at least 14 days
41 commencing on or before the date of termination of that mission, as
42 proclaimed by the President of the United States or Congress,
43 whichever date of termination is the latest, in such active service;
44 provided, that any person receiving an actual service-incurred injury
45 or disability shall be classed as a veteran whether or not that person
46 has completed the 14 days' service as herein provided;

47 (18) Operation Northern Watch and Operation Southern Watch,
48 on or after August 27, 1992, or the date of inception of that

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

14 (19) Operation "Restore Hope" in Somalia, on or after December
15 5, 1992, or the date of inception of that operation as proclaimed by
16 the President of the United States or Congress, whichever date is
17 earliest, who has served in Somalia or on board any ship actively
18 engaged in patrolling the territorial waters of that nation for a
19 period, continuously or in the aggregate, of at least 14 days in such
20 active service commencing on or before March 31, 1994; provided
21 that any person receiving an actual service-incurred injury or
22 disability shall be classed as a veteran whether or not that person
23 has completed the 14-day service as herein provided;

24 (20) Operations "Joint Endeavor" and "Joint Guard" in the
25 Republic of Bosnia and Herzegovina, on or after November 20,
26 1995, who served in such active service in direct support of one or
27 both of the operations for at least 14 days, continuously or in the
28 aggregate, commencing on or before June 20, 1998, and (1) was
29 deployed in that nation or in another area in the region, or (2) was
30 on board a United States naval vessel operating in the Adriatic Sea,
31 or (3) operated in airspace above the Republic of Bosnia and
32 Herzegovina; provided that any person receiving an actual service-
33 incurred injury or disability shall be classed as a veteran whether or
34 not that person completed the 14-day service requirement;

35 (21) Operation "Enduring Freedom", on or after September 11,
36 2001, who served in a theater of operation and in direct support of
37 that operation for a period, continuously or in the aggregate, of at
38 least 14 days in such active service commencing on or before the
39 date the President of the United States or the United States
40 Secretary of Defense designates as the termination date of that
41 operation; provided, that any person receiving an actual service-
42 incurred injury or disability while engaged in such service shall be
43 classed as a veteran whether or not that person has completed the 14
44 days' service as herein provided; and

45 (22) Operation "Iraqi Freedom", on or after the date the President
46 of the United States or the United States Secretary of Defense
47 designates as the inception date of that operation, who served in
48 Iraq or in another area in the region in direct support of that

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 3. Section 34 of P.L.2010, c.1 (C.18A:66-4.2) is amended to
2 read as follows:

3 34. **【The】** Except as provided in section 1 of
4 P.L. , c. (C.) (pending before the Legislature as this bill),
5 the provisions of N.J.S.18A:66-2, N.J.S.18A:66-36, N.J.S.18A:66-
6 37, N.J.S.18A:66-44, and N.J.S.18A:66-71 concerning persons who
7 become members of the retirement system on or after the effective
8 date of P.L.2010, c.1 shall not apply to a person who at the time of
9 enrollment in the retirement system on or after that effective date
10 transfers service credit, as permitted, from another State-
11 administered retirement system of which the person was a member
12 immediately prior to the effective date and continuously thereafter,
13 but shall apply to a former member of the retirement system who
14 has been granted a retirement allowance and is reenrolled in the
15 retirement system on or after that effective date after becoming
16 employed again in a position that makes the person eligible to be a
17 member of the retirement system.
18 (cf: P.L.2010, c.1, s.34)

19
20 4. Section 39 of P.L.1971, c.121 (C.18A:66-6.1) is amended to
21 read as follows:

22 39. a. In the case of any person who was required to become a
23 member of the retirement system as a condition of employment, and
24 whose application for enrollment in the retirement system or whose
25 application for transfer from one employer to another within the
26 system was filed beyond the effective date for his compulsory
27 enrollment in the system or his transfer within the system, such
28 person shall be required to purchase membership credit for his
29 compulsory coverage by paying into the annuity savings fund the
30 amount required by applying, in accordance with N.J.S.18A:66-29,
31 his rate of contribution on his current base salary subject to the
32 retirement system for each year of previous service during which he
33 was required to have been a member.

34 b. If more than 1 year has elapsed from the time that
35 contributions would have been required from such person, 1/2 of
36 the employee's cost established by the computation provided by
37 subsection a. of this section, will be required of his employer and
38 shall be included in the next budget subsequent to the certification
39 of this special liability by the retirement system. The amount
40 certified by the system shall be payable by the employer to the
41 contingent reserve fund and shall be due and owing to the system
42 even if the employee is no longer in the employ of the employer by
43 the date such moneys are to be paid to the system.

44 c. The employee's obligation may be satisfied by regular
45 installments, equal to at least 1/2 of the normal contribution to the
46 retirement system, over a maximum period of 10 years, but not
47 more than 2 years in the case of any employee who has attained or
48 will attain age 60 within the 2-year period or, for a person who

1 became a member of the retirement system on or after the effective
2 date of P.L.2008, c.89, has attained or will attain age 62 within the
3 2-year period, except as provided in section 1 of
4 P.L. , c. (C.) (pending before the Legislature as this bill).

5 d. In the case of any person coming under the provisions of this
6 section, full pension credit for the period of employment for which
7 arrears are being paid by the employee shall be given upon the
8 payment of at least 1/2 of the total employee's arrearage obligation
9 and the completion of 1 year of membership and the making of such
10 arrears payments, except that in the case of retirement pursuant to
11 N.J.S.18A:66-36, 18A:66-37, 18A:66-44 and 18A:66-71, the total
12 membership credit for such service shall be in direct proportion as
13 the amount paid bears to the total amount of the arrearage
14 obligation of the employee.

15 (cf: P.L.2008, c.89, s.18)

16
17 5. N.J.S.18A:66-36 is amended to read as follows:

18 18A:66-36. Should a member of the Teachers' Pension and
19 Annuity Fund, after having completed 10 years of service, be
20 separated voluntarily or involuntarily from the service, before
21 reaching service retirement age, and not by removal for conduct
22 unbecoming a teacher or other just cause under the provisions of
23 N.J.S.18A:28-4 to N.J.S.18A:28-5 and N.J.S.18A:28-9 to
24 N.J.S.18A:28-13 inclusive, such person may elect to receive, in lieu
25 of the payment provided in N.J.S.18A:66-34:

26 a. The payments provided for in N.J.S.18A:66-37, if he so
27 qualified under said section; or

28 b. **【A】** Except as provided in section 1 of P.L. , c. (C.)
29 (pending before the Legislature as this bill), a deferred retirement
30 allowance beginning at age 60, or for a person who becomes a
31 member of the retirement system on or after the effective date of
32 P.L.2008, c.89 beginning at age 62, which shall be made up of an
33 annuity derived from the member's accumulated deductions at the
34 time of his severance from the service, and a pension in the amount
35 which, when added to the member's annuity, will provide a total
36 retirement allowance of 1/64 of final compensation for each year of
37 service credited as Class A service and 1/55 of final compensation
38 for each year of service credited as class B service or for a person
39 who becomes a member of the retirement system on or after the
40 effective date of P.L.2010, c.1, 1/60 of final compensation for each
41 year of service credited as class B service, calculated in accordance
42 with N.J.S.18A:66-44, with optional privileges provided for in
43 N.J.S.18A:66-47 if he exercises such optional privilege at least 30
44 days before his attainment of the normal retirement age, provided
45 that such election is communicated by such member to the
46 retirement system in writing stating at what time subsequent to the
47 execution and filing thereof he desires to be retired and provided,
48 further, that such member may later elect: (1) to receive the

1 payments provided for in N.J.S.18A:66-37, if he had qualified
2 under that section at the time of leaving service, except that in order
3 to avail himself of the optional privileges pursuant to N.J.S.18A:66-
4 47, he must exercise such optional privilege at least 30 days before
5 the effective date of his retirement; or (2) to withdraw his
6 accumulated deductions with interest as provided in N.J.S.18A:66-
7 34. If such member shall die before attaining service retirement
8 age, then his accumulated deductions, plus regular interest after
9 January 1, 1956, shall be paid in accordance with N.J.S.18A:66-38,
10 and, in addition, if such member shall die after attaining service
11 retirement age and has not withdrawn his accumulated deductions,
12 an amount equal to 3/16 of the compensation upon which
13 contributions by the member to the annuity savings fund were based
14 in the last year of creditable service shall be paid to such member's
15 beneficiary.

16 Any member who, having elected to receive a deferred
17 retirement allowance, again becomes an employee covered by the
18 retirement system while under the age of 60 or, if that person
19 became a member of the retirement system on or after the effective
20 date of P.L.2008, c.89, while under the age of 62, shall thereupon
21 be reenrolled. If he had discontinued his service for more than 10
22 consecutive years, subsequent contributions shall be at a rate
23 applicable to the age resulting from the subtraction of his years of
24 creditable service at the time of his last discontinuance of
25 contributing membership from his age at the time of his return to
26 service. He shall be credited with all service as a member standing
27 to his credit at the time of his election to receive a deferred
28 retirement allowance.

29 (cf: P.L.2025, c.147, s.4)

30

31 6. N.J.S.18A:66-37 is amended to read as follows:

32 18A:66-37. **【Should】** Except as provided in section 1 of P.L. ,
33 c. (C.) (pending before the Legislature as this bill), should a
34 member resign after having established 25 years of creditable
35 service before reaching age 60, or before reaching the age of 62 if
36 the person became a member of the retirement system on or after
37 the effective date of P.L.2008, c.89, or after having established 30
38 years of creditable service before reaching the age of 65 if the
39 person became a member of the retirement system on or after the
40 effective date of P.L.2011, c.78, the member may elect "early
41 retirement," provided, that such election is communicated by such
42 member to the retirement system by filing a written application,
43 duly attested, stating at what time subsequent to the execution and
44 filing thereof the member desires to be retired. The member shall
45 receive, in lieu of the payment provided in N.J.S.18A:66-34, an
46 annuity which is the actuarial equivalent of the member's
47 accumulated deductions and a pension in the amount which, when
48 added to the member's annuity, will provide a total retirement

1 allowance of 1/64 of the member's final compensation for each year
2 of service credited as class A service and 1/55 of the member's final
3 compensation for each year of service credited as class B service, or
4 for a person who becomes a member of the retirement system on or
5 after the effective date of P.L.2010, c.1 1/60 of final compensation
6 for each year of service credited as class B service, calculated in
7 accordance with N.J.S.18A:66-44, reduced:

8 (a) by 1/4 of 1% for each month that the member lacks of being
9 age 55; or

10 (b) for a person who becomes a member of the retirement
11 system on or after July 1, 2007, by 1/4 of 1% for each month that
12 the member lacks of being age 55 and by 1/12 of 1% for each
13 month that the member lacks of being age 60 but over age 55;

14 (c) for a person who becomes a member of the retirement
15 system on or after the effective date of P.L.2008, c.89, by 1/4 of 1%
16 for each month that the member lacks of being age 55 and by 1/12
17 of 1% for each month that the member lacks of being age 62 but
18 over age 55; or

19 (d) for a person who becomes a member of the retirement
20 system on or after the effective date of P.L.2011, c.78, by 1/4 of 1%
21 for each month that the member lacks of being age 65; provided,
22 however, that upon the receipt of proper proofs of the death of such
23 a member there shall be paid to the member's beneficiary an amount
24 equal to 3/16 of the compensation upon which contributions by the
25 member to the annuity savings fund were based in the last year of
26 creditable service or in the year of the member's highest contractual
27 salary, whichever is higher.

28 Subparagraph (b) or (c) of this section shall not apply to a person
29 who at the time of enrollment in the retirement system on or after
30 July 1, 2007 transfers service credit from another State-
31 administered retirement system pursuant to N.J.S.18A:66-15.1, but
32 shall apply to a former member of the retirement system who has
33 been granted a retirement allowance and is reenrolled in the
34 retirement system on or after July 1, 2007 pursuant to
35 N.J.S.18A:66-53.2 after becoming employed again in a position that
36 makes the person eligible to be a member of the retirement system,
37 except as provided in section 1 of P.L. , c. (C.) (pending
38 before the Legislature as this bill).

39 The board of trustees shall retire the member at the time
40 specified or at such other time within one month after the date so
41 specified as the board finds advisable.

42 (cf: P.L.2011, c.78, s.17)

43
44 7. N.J.S.18A:66-39 is amended to read as follows:

45 18A:66-39. a. Before June 9, 1971, a member, who shall have
46 been a teacher and a member of the retirement system for each of
47 the 10 years next preceding his retirement, shall, upon the
48 application of his employer or upon his own application or the

1 application of one acting in his behalf, be retired for ordinary
2 disability by the board of trustees, on a regular disability allowance
3 if he is under 60 years of age and on a service allowance if he has
4 reached or passed that age. The physician or physicians designated
5 by the board shall have first made a medical examination of him at
6 his residence or at any other place mutually agreed upon and shall
7 have certified to the board that the member is physically or
8 mentally incapacitated for the performance of duty and should be
9 retired.

10 b. On and after June 9, 1971, a member, under 60 years of age,
11 who has 10 or more years of credit for New Jersey service, shall,
12 upon the application of his employer or upon his own application or
13 the application of one acting in his behalf, be retired for ordinary
14 disability by the board of trustees. The physician or physicians
15 designated by the board shall have first made a medical examination
16 of him at his residence or at any other place mutually agreed upon
17 and shall have certified to the board that the member is physically
18 or mentally incapacitated for the performance of duty and should be
19 retired. No person who becomes a member of the retirement system
20 on or after the effective date of P.L.2010, c.3 shall be eligible for
21 retirement pursuant to this subsection, except as provided in section
22 1 of P.L. , c. (C.) (pending before the Legislature as this
23 bill).

24 c. A member, under 65 years of age, shall, upon the application
25 of his employer or upon his own application or the application of
26 one acting in his behalf, be retired by the board of trustees, if said
27 member is permanently and totally disabled as a direct result of a
28 traumatic event occurring during and as a result of the performance
29 of his regular or assigned duties, on an accidental disability
30 allowance. A traumatic event occurring during voluntary
31 performance of regular or assigned duties at a place of employment
32 before or after required hours of employment which is not in
33 violation of any valid work rule of the employer or otherwise
34 prohibited by the employer shall be deemed as occurring during the
35 performance of regular or assigned duties. No person who becomes
36 a member of the retirement system on or after the effective date of
37 P.L.2010, c.3 shall be eligible for retirement pursuant to this
38 subsection, except as provided in section 1 of P.L. , c. (C.)
39 (pending before the Legislature as this bill).

40 The application to accomplish such retirement must be filed
41 within five years of the original traumatic event, but the board of
42 trustees may consider an application filed after the five-year period
43 if it can be factually demonstrated to the satisfaction of the board of
44 trustees that the disability is due to the accident and the filing was
45 not accomplished within the five-year period due to a delayed
46 manifestation of the disability or to circumstances beyond the
47 control of the member.

1 Permanent and total disability resulting from a cardiovascular,
2 pulmonary or musculo-skeletal condition which was not a direct
3 result of a traumatic event occurring in the performance of duty
4 shall be deemed an ordinary disability.

5 Before consideration of an application for accidental disability
6 allowance by the board of trustees, the physician or physicians
7 designated by the board shall have first made a medical examination
8 of the member at his residence or at any other place mutually
9 agreed upon and shall have certified to the board that he is
10 physically or mentally incapacitated for the performance of duty,
11 and should be retired, and the employer shall have certified to the
12 board that the member is permanently and totally disabled as a
13 direct result of a traumatic event occurring during and as a result of
14 the performance of his regular and assigned duties, the time and
15 place where the duty causing the disability was performed, that the
16 disability was not the result of his willful negligence and that the
17 member should be retired.

18 (cf: P.L.2010, c.3, s.7)

19
20 8. Section 10 of P.L.2010, c.3 (C.18A:66-39.1) is amended to
21 read as follows:

22 10. a. **【A】** Except as provided in section 1 of
23 P.L. , c. (C.) (pending before the Legislature as this bill), a
24 person who becomes a member of the Teachers' Pension and
25 Annuity Fund, N.J.S.18A:66-1 et seq., on or after the effective date
26 of P.L.2010, c.3 shall not be eligible for an ordinary or accidental
27 disability retirement allowance, but shall be eligible for disability
28 insurance coverage pursuant to this section.

29 b. The State Treasurer is hereby authorized and permitted to
30 purchase from one or more insurance companies, as determined by
31 him, group disability benefit coverage to provide for the disability
32 benefit in the amounts specified herein. The group disability
33 benefit coverage may be provided under one or more policies issued
34 to the State Treasurer specifically for this purpose or, in the
35 discretion of the State Treasurer, under one or more policies issued
36 to the State Treasurer which provide group life insurance coverage
37 for members of the retirement system designated in subsection a. of
38 this section. Any dividend or retrospective rate credit allowed by
39 an insurance company attributable to this program shall be credited
40 in an equitable manner to the funds available to meet the employers'
41 obligations under such retirement system.

42 Premiums for such group insurance coverage shall be paid from
43 a special fund, hereby created, called the "Teachers Group
44 Disability Insurance Premium Fund." The State Treasurer shall
45 estimate annually the amount which shall be required for premiums
46 for such benefits for the ensuing fiscal year and shall certify such
47 amounts which shall be applied against the total employer
48 contributions due for the members of the retirement system whose

1 members are covered, depositing such amounts in the premium
2 fund.

3 During the period such group insurance policy or policies are in
4 effect with respect to members of the retirement system, the State
5 Treasurer shall in no way commingle moneys in this fund with any
6 retirement system.

7 c. A person shall not be allowed the group disability benefit
8 coverage if on the date the person enrolls in the retirement system,
9 the person is 60 or more years of age, unless the person furnishes
10 satisfactory evidence of insurability and, on the effective date of the
11 person's enrollment, is actively at work and performing all the
12 regular duties at the customary place of employment.

13 The effective date of coverage for such a benefit shall be the first
14 day of the month which immediately follows the date when such
15 evidence is determined to be satisfactory.

16 Such evidence of insurability shall not be required of any person
17 enrolling in the retirement system upon transfer from another
18 retirement system, if such retirement system provided a benefit of a
19 similar nature and the transferring person was covered by such a
20 benefit at the time of the transfer. If such transferring person was
21 not covered by such a benefit at the time of the transfer, the person
22 may be allowed the benefit under the group policy or policies;
23 however, any such person shall furnish satisfactory evidence of
24 insurability if he had been unable or failed to give such evidence as
25 a member of the retirement system from which the person
26 transferred.

27 Any person who must furnish satisfactory evidence of
28 insurability, and who ceases to be enrolled in the retirement system
29 without such evidence having been given, shall continue to be
30 subject to the same requirement if the person subsequently becomes
31 a member.

32 d. The disability benefit coverage provided under such group
33 policy or policies shall provide a monthly income if the member
34 becomes totally disabled from occupational or nonoccupational
35 causes for a period of at least six consecutive months following the
36 effective date of the coverage. The monthly disability benefit may
37 be paid by the insurance company so long as the member remains
38 disabled up to the seventieth birthday, provided the disability
39 commenced prior to the sixtieth birthday. The benefit shall
40 terminate when the member is no longer considered totally disabled
41 or begins to receive retirement benefits.

42 The member shall be considered totally disabled if the member is
43 unable to perform each duty of the member's occupation and is
44 under the regular care of a physician. After the 12 months
45 following the commencement of such disability benefit payments,
46 the member shall be unable to engage in any gainful occupation for
47 which the member is reasonably fitted by education, training or
48 experience. Total disability shall not be considered to exist if the

1 member is gainfully employed. Following an agreement with the
2 insurance company and the policyholder, the member may continue
3 to receive disability benefits for a limited time while performing
4 some type of work. During the period of rehabilitation, the monthly
5 benefit shall be the regular payment less 80% of the member's
6 earnings from such rehabilitative position.

7 e. A member shall be deemed to be in service and covered by
8 the disability benefit insurance provisions for a period of no more
9 than six months while on official leave of absence without pay if
10 satisfactory evidence is presented to the Division of Pensions and
11 Benefits that such leave of absence without pay is due to illness and
12 that the member was not actively engaged in any gainful occupation
13 during such period of leave of absence without pay.

14 Disability benefit insurance provisions of the group policy or
15 policies shall not cover disability resulting from or contributed to
16 by pregnancy, act of war, intentionally self-inflicted injury, or
17 attempted suicide whether or not sane. For purposes of such
18 disability benefit coverage, the member shall not be considered to
19 be disabled while the member is imprisoned or while outside the
20 United States, its territories or possessions, or Canada.

21 If the member has recovered from the disability for which the
22 member had received benefits and again becomes totally disabled
23 while insured, the later disability shall be regarded as a continuation
24 of the prior one unless the member has returned to full-time covered
25 employment for at least six months. If the later absence is due to an
26 unrelated cause and the member had returned to full-time work, it
27 shall be considered a new disability. The disability benefit
28 insurance cannot be converted to an individual policy.

29 No person shall be covered by the disability benefit provision of
30 the group policy or policies except upon the completion of one year
31 of full-time continuous employment in a position eligible for
32 participation in a retirement system designated in subsection a. of
33 this section.

34 f. The disability benefit provided under such group policy or
35 policies shall be in an amount equal to 60% of the member's base
36 monthly salary, reduced by periodic benefits to which the member
37 may be entitled during the period of total disability. The minimum
38 monthly disability benefit shall be \$50.

39 The periodic benefit by which the monthly disability benefit may
40 be reduced shall include salary or wages, retirement benefits or
41 benefits from any source for which the State or other public
42 employer has paid any part of the cost or made payroll deductions,
43 Social Security disability or other benefits, including dependents'
44 benefits, and benefits paid by Social Security at the option of the
45 participant before the age of 65, but not including any increase in
46 Social Security benefits enacted after the disability benefit under
47 such group policy or policies has commenced, and any other

1 periodic benefits provided by law except on account of military
2 service.

3 When a member begins to receive a disability benefit under such
4 group policy or policies, the insurance company shall pay an
5 amount equal to the employee contribution which would have been
6 required of the member and deducted from the member's base salary
7 in order to meet the member's obligation for the purchase of the
8 member's individual retirement annuity. Such amount shall be paid
9 by the insurance company without reduction by any other periodic
10 benefit which the member is eligible to receive. Such amount shall
11 be paid by the insurance company to the insurer or insurers for the
12 member's retirement annuity.

13 g. Notwithstanding any other provision of law, an insurance
14 company or companies issuing such policy or policies may credit
15 the policyholder either directly or in the form of reduced premiums,
16 with savings by the company or companies in the event that no
17 brokerage commission or commissions are paid by the company or
18 companies on the issuance of such policy or policies.

19 No employer obligations shall be paid when the member is on a
20 leave of absence without pay or when the member no longer is
21 enrolled in the retirement system designated in subsection a. of this
22 section.

23 h. The group disability insurance policy or policies shall
24 provide a member with an opportunity to purchase additional
25 coverage.

26 i. A member who is disabled and begins receiving a benefit
27 under this section on or after January 1, 2027 shall be eligible to
28 enroll in health care benefits coverage under the "School
29 Employees' Health Benefits Program Act" P.L.2007, c.103
30 (C.52:14-17.46.1 et seq.), in accordance with the provisions of
31 section 5 of P.L. , c. (C.) (pending before the Legislature
32 as this bill).

33 j. The State Treasurer shall establish appeals processes to be
34 used when an employer or employee disagrees with the
35 administration of disability insurance coverage provided for in this
36 section, including but not limited to, the employee's ability to return
37 to employment; issues related to physical examinations; eligibility
38 for disability insurance coverage as provided for in this section; and
39 eligibility for health care benefits coverage under the "School
40 Employees' Health Benefits Program Act" P.L.2007, c.103
41 (C.52:14-17.46.1 et seq.), pursuant to subsection i. of this section,
42 including a member's required contributions determined pursuant to
43 section 5 of P.L. , c. (C.) (pending before the Legislature
44 as this bill).

45 (cf: P.L.2025, c.370, s.3)

46

47 9. N.J.S.18A:66-43 is amended to read as follows:

1 18A:66-43. **【Retirement】** Except as provided in section 1 of
2 P.L. , c. (C.) (pending before the Legislature as this bill),
3 retirement for service shall be as follows: (a) A person who was a
4 member before the effective date of P.L.2008, c.89 and has attained
5 60 years of age may retire on a service retirement allowance by
6 filing with the retirement system a written application, duly
7 attested, stating at which time subsequent to the execution and
8 filing thereof he desires to be retired. The board of trustees shall
9 retire him at the time specified or at such other time within 1 month
10 after the date so specified as the board finds advisable.

11 (b) A person who becomes a member on or after the effective
12 date of P.L.2008, c.89 and has attained 62 years of age may retire
13 on a service retirement allowance by filing with the retirement
14 system a written application, duly attested, stating at which time
15 subsequent to the execution and filing thereof the member desires to
16 be retired. The board of trustees shall retire the member at the time
17 specified or at such other time within 1 month after the date so
18 specified as the board finds advisable.

19 (c) A person who becomes a member on or after the effective
20 date of P.L.2011, c.78 and has attained 65 years of age may retire
21 on a service retirement allowance by filing with the retirement
22 system a written application, duly attested, stating at which time
23 subsequent to the execution and filing thereof the member desires to
24 be retired. The board of trustees shall retire the member at the time
25 specified or at such other time within 1 month after the date so
26 specified as the board finds advisable.

27 (cf: P.L.2011, c.78, s.37)

28

29 10. N.J.S.18A:66-44 is amended to read as follows:

30 18A:66-44. **【A】** Except as provided in section 1 of P.L. , c.
31 (C.) (pending before the Legislature as this bill), a member,
32 upon retirement for service, shall receive a retirement allowance
33 consisting of:

34 (a) an annuity which shall be the actuarial equivalent of his
35 accumulated deductions, together with interest after January 1,
36 1956, less any excess contributions as provided in N.J.S.18A:66-20;
37 and

38 (b) a pension in the amount which, when added to the member's
39 annuity, will provide a total retirement allowance of 1/64 of final
40 compensation for each year of service credited as class A service
41 and 1/55 of final compensation for each year of service credited as
42 class B service, or for a person who becomes a member of the
43 retirement system on or after the effective date of P.L.2010, c.1
44 1/60 of final compensation for each year of service credited as class
45 B service.

46 Upon the receipt of proper proofs of the death of a member who
47 has retired on a service retirement allowance, there shall be paid to
48 the member's beneficiary, an amount equal to 3/16 of the

1 compensation upon which contributions by the member to the
2 annuity savings fund were based in the last year of creditable
3 service or in the year of the member's highest contractual salary,
4 whichever is higher.

5 (cf: P.L.2010, c.1, s.10)

6
7 11. This act shall take effect immediately.
8
9

10 STATEMENT

11
12 This bill provides for the restoration of certain benefits to certain
13 members and retirees of the Teachers' Pension and Annuity Fund
14 (TPAF) to match benefits provided to members enrolled in the
15 retirement system under Tier 3.

16 Under current law, TPAF members are enrolled into certain
17 pension tiers based on when they became eligible to be enrolled in
18 the pension system. Tier 1 consists of members who were enrolled
19 before July 1, 2007; Tier 2 consists of members who were enrolled
20 on or after July 1, 2007, and on or before November 1, 2008; Tier 3
21 consists of members who were enrolled after November 1, 2008,
22 and on or before May 21, 2010; Tier 4 consists of members who
23 were enrolled after May 21, 2010, and before June 28, 2011; and
24 Tier 5 consists of members who were enrolled on or after June 28,
25 2011. TPAF member benefits differ depending on which tier the
26 member is enrolled in, with Tier 1 providing the most generous
27 benefits and each subsequent tier offering less generous benefits.

28 Under this bill, current TPAF members who are enrolled in Tier
29 4 and Tier 5, and future TPAF members who would normally be
30 enrolled in Tier 5, will be enrolled into Tier 3. These members will
31 be entitled to receive all of the benefits associated with that Tier.
32 These benefits include a decrease in the retirement age for members
33 of Tier 5, a more favorable calculation of pension benefits, and the
34 ability to receive ordinary and accidental disability retirement
35 benefits instead of long term disability insurance.