

P.L. 2025, CHAPTER 117, *approved July 23, 2025*
Assembly, No. 5381 (*First Reprint*)

1 **AN ACT** concerning the accidental disability retirement allowance
2 for certain members of the Public Employees' Retirement
3 System, the Police and Firemen's Retirement System, and the
4 State Police Retirement System, and amending P.L.1954, c.84,
5 P.L.1944, c.255, and P.L.1965, c.89.

6
7 **BE IT ENACTED** *by the Senate and General Assembly of the State*
8 *of New Jersey:*
9

10 1. Section 43 of P.L.1954, c.84 (C.43:15A-43) is amended to
11 read as follows:

12 43. a. A member who has not attained age 65 shall, upon the
13 application of the head of the department in which he is employed
14 or upon his own application or the application of one acting in his
15 behalf, be retired by the board of trustees, if said employee is
16 permanently and totally disabled as a direct result of a traumatic
17 event occurring during and as a result of the performance of his
18 regular or assigned duties, on an accidental disability allowance. A
19 traumatic event occurring during voluntary performance of regular
20 or assigned duties at a place of employment before or after required
21 hours of employment which is not in violation of any valid work
22 rule of the employer or otherwise prohibited by the employer shall
23 be deemed as occurring during the performance of regular or
24 assigned duties.

25 The application to accomplish such retirement must be filed
26 within five years of the original traumatic event, but the board of
27 trustees may consider an application filed after the five-year period
28 if it can be factually demonstrated to the satisfaction of the board of
29 trustees that the disability is due to the accident and the filing was
30 not accomplished within the five-year period due to a delayed
31 manifestation of the disability or to circumstances beyond the
32 control of the member.

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

37 Before consideration of the application by the board of trustees,
38 the physician or physicians designated by the board shall have first
39 made a medical examination of the member at his residence or at
40 any other place mutually agreed upon and shall have certified to the
41 board that he is physically or mentally incapacitated for the

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AAP committee amendments adopted June 19, 2025.

1 performance of duty, and should be retired, and the appointing
2 authority shall have certified to the board that the member is
3 permanently and totally disabled as a direct result of a traumatic
4 event occurring during and as a result of the performance of his
5 regular or assigned duties, the time and place where the duty
6 causing the disability was performed, that the disability was not the
7 result of his willful negligence and that the member should be
8 retired.

9 No person who becomes a member of the retirement system on
10 or after the effective date of P.L.2010, c.3 shall be eligible for
11 retirement pursuant to this section.

12 b. (1) For purposes of this subsection:

13 "Qualifying condition or impairment of health" includes:

14 diseases of the upper respiratory tract and mucosae, including
15 conditions such as conjunctivitis, rhinitis, sinusitis, pharyngitis,
16 laryngitis, vocal cord disease, upper airway hyper-reactivity and
17 tracheo-bronchitis, or a combination of such conditions;

18 diseases of the lower respiratory tract, including but not limited
19 to bronchitis, asthma, reactive airway dysfunction syndrome, and
20 different types of pneumonitis, such as hypersensitivity,
21 granulomatous, or eosinophilic;

22 diseases of the gastroesophageal tract, including esophagitis and
23 reflux disease, either acute or chronic, caused by exposure or
24 aggravated by exposure;

25 diseases of the psychological axis, including post-traumatic
26 stress disorder, anxiety, depression, or any combination of such
27 conditions;

28 diseases of the skin such as contact dermatitis or burns, either
29 acute or chronic in nature, infectious, irritant, allergic, idiopathic or
30 non-specific reactive in nature, caused by exposure or aggravated
31 by exposure; and

32 new onset diseases resulting from exposure as such diseases
33 occurring in the future including cancer, chronic obstructive
34 pulmonary disease, asbestos-related disease, heavy metal poisoning,
35 musculoskeletal disease and chronic psychological disease.

36 "World Trade Center rescue, recovery, or cleanup operations"
37 means the rescue, recovery, or cleanup operations at the World
38 Trade Center site between September 11, 2001 and October 11,
39 2001.

40 "World Trade Center site" means any location below a line
41 starting from the Hudson River and Canal Street, east on Canal
42 Street to Pike Street, south on Pike Street to the East River, and
43 extending to the lower tip of Manhattan.

44 (2) Notwithstanding any provision of subsection a. of this
45 section or any other law to the contrary, for a member who
46 participated, whether or not under orders or instruction by an
47 employer to so participate, in World Trade Center rescue, recovery,
48 or cleanup operations for a minimum of eight hours, permanent and

1 total disability resulting from a qualifying condition or impairment
2 of health shall be presumed to have occurred during and as a result
3 of the performance of the member's regular or assigned duties and
4 not the result of the member's willful negligence, unless the
5 contrary can be proved by competent evidence.

6 A member who did not participate in such operations for a
7 minimum of eight hours shall be eligible for the presumption
8 provided that:

9 the member participated in the rescue, recovery, or cleanup
10 operations at the World Trade Center site between September 11,
11 2001 and September 12, 2001;

12 the member sustained a documented physical injury at the World
13 Trade Center site between September 11, 2001 and September 12,
14 2001 that is a qualifying condition or impairment of health resulting
15 in a disability to the member that prevented the member from
16 continuing to participate in World Trade Center rescue, recovery, or
17 cleanup operations for a minimum of eight hours; and

18 the documented physical injury that resulted in a disability to the
19 member that prevented the member from continuing to participate
20 in World Trade Center rescue, recovery, or cleanup operations for a
21 minimum of eight hours is the qualifying condition or impairment
22 of health for which the member seeks a presumption under this
23 subsection.

24 In order to be eligible for the presumption provided under this
25 subsection, a member shall have successfully passed a physical
26 examination for entry into public service, or shall present such
27 sufficient evidence of one or more medical examinations or results
28 performed within a reasonable period of time before or after entry
29 into public service, which failed to disclose evidence of the
30 qualifying condition or impairment of health that formed the basis
31 for the permanent and total disability.

32 (3) A member who participated in the World Trade Center
33 rescue, recovery, or cleanup operations for a minimum of eight
34 hours and subsequently retired on a service retirement, special
35 retirement, accidental disability retirement, or an ordinary disability
36 retirement and thereafter incurred a disability caused by a
37 qualifying condition or impairment of health which the medical
38 board determines to be caused by participation in World Trade
39 Center rescue, recovery, or cleanup operations shall be eligible to
40 apply to the board of trustees to have the retiree's retirement
41 allowance recalculated as an accidental disability retirement
42 allowance for benefit payments on or after the date of the
43 application, provided the retiree filed an application for such
44 recalculation within **[30]** 180 days of the date that the retiree knew
45 or should have known of the existence of such disability and its
46 relation to the rescue, recovery, or cleanup operations. In order to
47 be eligible for such recalculation, the retiree shall have successfully
48 passed a physical examination for entry into public service, or shall

1 present such sufficient evidence of one or more medical
 2 examinations or results performed within a reasonable period of
 3 time before or after entry into public service, which failed to
 4 disclose evidence of the qualifying condition or impairment of
 5 health that formed the basis for the disability.

6 If a retiree previously filed an eligibility registration form with
 7 the Public Employees' Retirement System and the retiree was
 8 denied because the retiree did not file within the required
 9 registration period ¹in effect prior to the effective date of P.L. , c.
 10 (pending before the Legislature as this bill)¹, the retiree shall be
 11 permitted to petition the board of trustees for reconsideration ¹[or
 12 shall be permitted to resubmit the previously submitted eligibility
 13 registration form to the board for the presumption or recalculation
 14 granted under P.L. , c. (pending before the Legislature as this
 15 bill)]¹.

16 (4) The board of trustees ¹[shall] may¹ promulgate rules and
 17 regulations ¹that the board determines are¹ necessary to implement
 18 the provisions of this subsection ¹[and shall notify all members and
 19 retirants in the retirement system of the enactment of]¹ [this act,]
 20 ¹[P.L.2019, c.157, and the enactment of P.L. , c. (pending
 21 before the Legislature as this bill), within]¹ [30] ¹[60 days of
 22 enactment. The board shall notify all members and retirants
 23 enrolled in the retirement system by letter sent via certified mail
 24 and shall be required to communicate, in an easily understood
 25 manner, the provisions of P.L. , c. (pending before the
 26 Legislature as this bill), including the class of members and retirees
 27 impacted, the filing requirements, and the prescribed time limits]¹.

28 A member or retiree shall not be eligible for the presumption or
 29 recalculation under this subsection unless ¹[within two years of the
 30 effective date of]¹ [this act,] ¹[P.L.2019, c.157, or within two
 31 years after the effective date of P.L. , c. (pending before the
 32 Legislature as this bill),]¹ the member or retiree files a written and
 33 sworn statement with the retirement system on a form provided by
 34 the board of trustees thereof indicating the dates and locations of
 35 service. ¹[The board of trustees may approve filing extensions in
 36 two-year increments thereafter.]]¹

37 (5) This subsection shall apply only to: any member or retiree
 38 who is or was enrolled in the Public Employees' Retirement System
 39 because the member or retiree did not meet the age or medical
 40 requirements for enrollment in the Police and Firemen's Retirement
 41 System on the basis of the position held; and to any emergency
 42 medical technician who is a member or retiree of the Public
 43 Employees' Retirement System. For the purposes of this paragraph,
 44 "emergency medical technician" means a person trained in basic life
 45 support services as defined in section 1 of P.L.1985, c.351

1 (C.26:2K-21) and who is certified by the Department of Health to
2 perform these services.

3 (6) This subsection shall apply regardless of whether the
4 member or retiree, who is otherwise eligible, was enrolled in the
5 retirement system at the time of participation in World Trade Center
6 rescue, recovery, or cleanup operations as specified herein.
7 (cf: P.L.2019, c.157, s.4)

8
9 2. Section 7 of P.L.1944, c.255 (C.43:16A-7) is amended to read
10 as follows:

11 7. a. (1) Upon the written application by a member in service, by
12 one acting in his behalf or by his employer any member may be
13 retired on an accidental disability retirement allowance; provided,
14 that the medical board, after a medical examination of such
15 member, shall certify that the member is permanently and totally
16 disabled as a direct result of a traumatic event occurring during and
17 as a result of the performance of his regular or assigned duties and
18 that such disability was not the result of the member's willful
19 negligence and that such member is mentally or physically
20 incapacitated for the performance of his usual duty and of any other
21 available duty in the department which his employer is willing to
22 assign to him. The application to accomplish such retirement must
23 be filed within five years of the original traumatic event, but the
24 board of trustees may consider an application filed after the five-
25 year period if it can be factually demonstrated to the satisfaction of
26 the board of trustees that the disability is due to the accident and the
27 filing was not accomplished within the five-year period due to a
28 delayed manifestation of the disability or to other circumstances
29 beyond the control of the member.

30 (2) Upon retirement for accidental disability, a member shall
31 receive an accidental disability retirement allowance which shall
32 consist of:

33 (a) An annuity which shall be the actuarial equivalent of his
34 aggregate contributions and

35 (b) A pension in the amount which, when added to the member's
36 annuity, will provide a total retirement allowance of $\frac{2}{3}$ of the
37 member's actual annual compensation for which contributions were
38 being made at the time of the occurrence of the accident or at the
39 time of the member's retirement, whichever provides the largest
40 possible benefit to the member.

41 (3) Upon receipt of proper proofs of the death of a member who
42 has retired on accidental disability retirement allowance, there shall
43 be paid to such member's beneficiary, an amount equal to $3\frac{1}{2}$
44 times the compensation upon which contributions by the member to
45 the annuity savings fund were based in the last year of creditable
46 service; provided, however, that if such death shall occur after the
47 member shall have attained 55 years of age the amount payable

1 shall equal 1/2 of such compensation instead of 3 1/2 times such
2 compensation.

3 (4) Permanent and total disability resulting from a
4 cardiovascular, pulmonary or musculoskeletal condition which was
5 not a direct result of a traumatic event occurring in the performance
6 of duty shall be deemed an ordinary disability.

7 b. (1) For purposes of this subsection:

8 "Qualifying condition or impairment of health" includes:

9 diseases of the upper respiratory tract and mucosae, including
10 conditions such as conjunctivitis, rhinitis, sinusitis, pharyngitis,
11 laryngitis, vocal cord disease, upper airway hyper-reactivity and
12 tracheo-bronchitis, or a combination of such conditions;

13 diseases of the lower respiratory tract, including but not limited
14 to bronchitis, asthma, reactive airway dysfunction syndrome, and
15 different types of pneumonitis, such as hypersensitivity,
16 granulomatous, or eosinophilic;

17 diseases of the gastroesophageal tract, including esophagitis and
18 reflux disease, either acute or chronic, caused by exposure or
19 aggravated by exposure;

20 diseases of the psychological axis, including post-traumatic
21 stress disorder, anxiety, depression, or any combination of such
22 conditions;

23 diseases of the skin such as contact dermatitis or burns, either
24 acute or chronic in nature, infectious, irritant, allergic, idiopathic or
25 non-specific reactive in nature, caused by exposure or aggravated
26 by exposure; and

27 new onset diseases resulting from exposure as such diseases
28 occurring in the future including cancer, chronic obstructive
29 pulmonary disease, asbestos-related disease, heavy metal poisoning,
30 musculoskeletal disease and chronic psychological disease.

31 "World Trade Center rescue, recovery, or cleanup operations"
32 means the rescue, recovery, or cleanup operations at the World
33 Trade Center site between September 11, 2001 and October 11,
34 2001.

35 "World Trade Center site" means any location below a line
36 starting from the Hudson River and Canal Street, east on Canal
37 Street to Pike Street, south on Pike Street to the East River, and
38 extending to the lower tip of Manhattan.

39 (2) Notwithstanding any provision of subsection a. of this
40 section or any other law to the contrary, for a member who
41 participated, whether or not under orders or instruction by an
42 employer to so participate, in World Trade Center rescue, recovery,
43 or cleanup operations for a minimum of eight hours, permanent and
44 total disability resulting from a qualifying condition or impairment
45 of health shall be presumed to have occurred during and as a result
46 of the performance of the member's regular or assigned duties and
47 not the result of the member's willful negligence, unless the
48 contrary can be proved by competent evidence.

1 A member who did not participate in such operations for a
2 minimum of eight hours shall be eligible for the presumption
3 provided that:

4 the member participated in the rescue, recovery, or cleanup
5 operations at the World Trade Center site between September 11,
6 2001 and September 12, 2001;

7 the member sustained a documented physical injury at the World
8 Trade Center site between September 11, 2001 and September 12,
9 2001 that is a qualifying condition or impairment of health resulting
10 in a disability to the member that prevented the member from
11 continuing to participate in World Trade Center rescue, recovery, or
12 cleanup operations for a minimum of eight hours; and

13 the documented physical injury that resulted in a disability to the
14 member that prevented the member from continuing to participate
15 in World Trade Center rescue, recovery, or cleanup operations for a
16 minimum of eight hours is the qualifying condition or impairment
17 of health for which the member seeks a presumption under this
18 subsection.

19 In order to be eligible for the presumption provided under this
20 subsection, a member shall have successfully passed a physical
21 examination for entry into public service, or shall present such
22 sufficient evidence of one or more medical examinations or results
23 performed within a reasonable period of time before or after entry
24 into public service, which failed to disclose evidence of the
25 qualifying condition or impairment of health that formed the basis
26 for the permanent and total disability.

27 (3) A member who participated in the World Trade Center
28 rescue, recovery, or cleanup operations for a minimum of eight
29 hours and subsequently retired on a service retirement, special
30 retirement, accidental disability retirement, or an ordinary disability
31 retirement and thereafter incurred a disability caused by a
32 qualifying condition or impairment of health which the medical
33 board determines to be caused by participation in World Trade
34 Center rescue, recovery, or cleanup operations shall be eligible to
35 apply to the board of trustees to have the retiree's retirement
36 allowance recalculated as an accidental disability retirement
37 allowance for benefit payments on or after the date of the
38 application, provided the retiree filed an application for such
39 recalculation within **[30]** 180 days of the date that the retiree knew
40 or should have known of the existence of such disability and its
41 relation to the rescue, recovery, or cleanup operations. In order to
42 be eligible for such recalculation, the retiree shall have successfully
43 passed a physical examination for entry into public service, or shall
44 present such sufficient evidence of one or more medical
45 examinations or results performed within a reasonable period of
46 time before or after entry into public service, which failed to
47 disclose evidence of the qualifying condition or impairment of
48 health that formed the basis for the disability.

1 If a retiree previously filed an eligibility registration form with
 2 the Police and Firemen's Retirement System and the retiree was
 3 denied because the retiree did not file within the required
 4 registration period ¹in effect prior to the effective date of P.L. , c.
 5 (pending before the Legislature as this bill)¹, the retiree shall be
 6 permitted to petition the board of trustees for reconsideration ¹[or
 7 shall be permitted to resubmit the previously submitted eligibility
 8 registration form to the board for the presumption or recalculation
 9 granted under P.L. , c. (pending before the Legislature as this
 10 bill)]¹.

11 (4) The board of trustees ¹[shall] may¹ promulgate rules and
 12 regulations ¹that the board determines are¹ necessary to implement
 13 the provisions of this subsection ¹[and shall notify all members and
 14 retirants in the retirement system of the enactment of] ¹[this act,]
 15 ¹[P.L.2019, c.157 and the enactment of P.L. , c. (pending before
 16 the Legislature as this bill), within] ¹[30] ¹[60 days of enactment.

17 The board shall notify all members and retirants enrolled in the
 18 retirement system by letter sent via certified mail and shall be
 19 required to communicate, in an easily understood manner, the
 20 provisions of P.L. , c. (pending before the Legislature as this
 21 bill), including the class of members and retirees impacted, the
 22 filing requirements, and the prescribed time limits]¹.

23 A member or retiree shall not be eligible for the presumption or
 24 recalculation under this subsection unless ¹[within two years of the
 25 effective date of] ¹[this act,] ¹[P.L.2019, c.157, or within two
 26 years after the effective date of P.L. , c. (pending before the
 27 Legislature as this bill),]¹ the member or retiree files a written and
 28 sworn statement with the retirement system on a form provided by
 29 the board of trustees thereof indicating the dates and locations of
 30 service. ¹[The board of trustees may approve filing extensions in
 31 two-year increments thereafter.]]¹

32 (5) This subsection shall apply regardless of whether the
 33 member or retiree, who is otherwise eligible, was enrolled in the
 34 retirement system at the time of participation in World Trade Center
 35 rescue, recovery, or cleanup operations as specified herein.
 36 (cf: P.L.2019, c.157, s.2)

37
 38 3. Section 10 of P.L.1965, c.89 (C.53:5A-10) is amended to read
 39 as follows:

40 10. a. Upon the written application by a member in service, by
 41 one acting in his behalf or by the State, any member may be retired,
 42 not less than 1 month next following the date of filing such
 43 application, on an accidental disability retirement allowance,
 44 provided, that the medical board, after a medical examination of
 45 such member, shall certify that the member is permanently and
 46 totally disabled as a direct result of a traumatic event occurring

1 during and as a result of the performance of his regular or assigned
2 duties and that such disability was not the result of the member's
3 willful negligence and that such member is mentally or physically
4 incapacitated for the performance of his usual duties in the Division
5 of State Police which the Superintendent of State Police is willing
6 to assign to him.

7 A member with a preexisting and asymptomatic condition that is
8 rendered symptomatic as a direct result of a traumatic event
9 occurring during and as a result of the performance of the member's
10 regular or assigned duties may be eligible for an accidental
11 disability retirement allowance, provided that the traumatic event is
12 caused by a circumstance external to the member and is the
13 substantial contributing cause of the member's permanent and total
14 disability.

15 The application to accomplish such retirement must be filed
16 within 5 years of the original traumatic event, but the board of
17 trustees may consider an application filed after the 5-year period if
18 it can be factually demonstrated to the satisfaction of the board of
19 trustees that the disability is due to the accident and the filing was
20 not accomplished within the 5-year period due to a delayed
21 manifestation of the disability or to the member's continued
22 employment in a restricted capacity consistent with the nature of his
23 disability in the Division of the State Police upon and at the written
24 request of the superintendent, with the concurrence of the Attorney
25 General, or to other circumstances beyond the control of the
26 member.

27 b. Upon retirement for accidental disability, a member shall
28 receive an accidental disability retirement allowance which shall
29 consist of:

30 (1) An annuity which shall be the actuarial equivalent of his
31 aggregate contributions and

32 (2) A pension in the amount which, when added to the member's
33 annuity, will provide a total retirement allowance of $\frac{2}{3}$ of his final
34 compensation.

35 c. Upon the receipt of proper proofs of the death of a member
36 who has retired on an accidental disability retirement allowance,
37 there shall be paid to the member's beneficiary an amount equal to $3\frac{1}{2}$
38 times the final compensation received by the member in the last
39 year of creditable service; provided, however, that if such death
40 shall occur after the member shall have attained 55 years of age the
41 amount payable shall equal $\frac{1}{2}$ of such compensation instead of $3\frac{1}{2}$
42 times such compensation.

43 d. Permanent and total disability resulting from a
44 cardiovascular, pulmonary or musculoskeletal condition which was
45 not a direct result of a traumatic event occurring in the performance
46 of duty shall be deemed an ordinary disability.

47 e. (1) For purposes of this subsection:

48 "Qualifying condition or impairment of health" includes:

1 diseases of the upper respiratory tract and mucosae, including
2 conditions such as conjunctivitis, rhinitis, sinusitis, pharyngitis,
3 laryngitis, vocal cord disease, upper airway hyper-reactivity and
4 tracheo-bronchitis, or a combination of such conditions;

5 diseases of the lower respiratory tract, including but not limited
6 to bronchitis, asthma, reactive airway dysfunction syndrome, and
7 different types of pneumonitis, such as hypersensitivity,
8 granulomatous, or eosinophilic;

9 diseases of the gastroesophageal tract, including esophagitis and
10 reflux disease, either acute or chronic, caused by exposure or
11 aggravated by exposure;

12 diseases of the psychological axis, including post-traumatic
13 stress disorder, anxiety, depression, or any combination of such
14 conditions;

15 diseases of the skin, such as contact dermatitis or burns, either
16 acute or chronic in nature, infectious, irritant, allergic, idiopathic or
17 non-specific reactive in nature, caused by exposure or aggravated
18 by exposure; and

19 new onset diseases resulting from exposure as such diseases
20 occurring in the future including cancer, chronic obstructive
21 pulmonary disease, asbestos-related disease, heavy metal poisoning,
22 musculoskeletal disease and chronic psychological disease.

23 "World Trade Center rescue, recovery, or cleanup operations"
24 means the rescue, recovery, or cleanup operations at the World
25 Trade Center site between September 11, 2001 and October 11,
26 2001.

27 "World Trade Center site" means any location below a line
28 starting from the Hudson River and Canal Street, east on Canal
29 Street to Pike Street, south on Pike Street to the East River, and
30 extending to the lower tip of Manhattan.

31 (2) Notwithstanding any provision of subsection a. of this section
32 or any other law to the contrary, for a member who participated,
33 whether or not under orders or instruction by an employer to so
34 participate, in World Trade Center rescue, recovery, or cleanup
35 operations for a minimum of eight hours, permanent and total
36 disability resulting from a qualifying condition or impairment of
37 health shall be presumed to have occurred during and as a result of
38 the performance of the member's regular or assigned duties and not
39 the result of the member's willful negligence, unless the contrary
40 can be proved by competent evidence.

41 A member who did not participate in such operations for a
42 minimum of eight hours shall be eligible for the presumption
43 provided that:

44 the member participated in the rescue, recovery, or cleanup
45 operations at the World Trade Center site between September 11,
46 2001 and September 12, 2001;

47 the member sustained a documented physical injury at the World
48 Trade Center site between September 11, 2001 and September 12,

1 2001 that is a qualifying condition or impairment of health resulting
2 in a disability to the member that prevented the member from
3 continuing to participate in World Trade Center rescue, recovery, or
4 cleanup operations for a minimum of eight hours; and

5 the documented physical injury that resulted in a disability to the
6 member that prevented the member from continuing to participate
7 in World Trade Center rescue, recovery, or cleanup operations for a
8 minimum of eight hours is the qualifying condition or impairment
9 of health for which the member seeks a presumption under this
10 subsection.

11 In order to be eligible for the presumption provided under this
12 subsection, a member shall have successfully passed a physical
13 examination for entry into public service, or shall present such
14 sufficient evidence of one or more medical examinations or results
15 performed within a reasonable period of time before or after entry
16 into public service, which failed to disclose evidence of the
17 qualifying condition or impairment of health that formed the basis
18 for the permanent and total disability.

19 (3) A member who participated in the World Trade Center
20 rescue, recovery, or cleanup operations for a minimum of eight
21 hours and subsequently retired on a service retirement, special
22 retirement, accidental disability retirement, or an ordinary disability
23 retirement and thereafter incurred a disability caused by a
24 qualifying condition or impairment of health which the medical
25 board determines to be caused by participation in World Trade
26 Center rescue, recovery, or cleanup operations shall be eligible to
27 apply to the board of trustees to have the retiree's retirement
28 allowance recalculated as an accidental disability retirement
29 allowance for benefit payments on or after the date of the
30 application, provided the retiree filed an application for such
31 recalculation within **[30]** 180 days of the date that the retiree knew
32 or should have known of the existence of such disability and its
33 relation to the rescue, recovery, or cleanup operations. In order to
34 be eligible for such recalculation, the retiree shall have successfully
35 passed a physical examination for entry into public service, or shall
36 present such sufficient evidence of one or more medical
37 examinations or results performed within a reasonable period of
38 time before or after entry into public service, which failed to
39 disclose evidence of the qualifying condition or impairment of
40 health that formed the basis for the disability.

41 If a retiree previously filed an eligibility registration form with
42 the State Police Retirement System and the retiree was denied
43 because the retiree did not file within the required registration
44 period ¹in effect prior to the effective date of P.L. , c. (pending
45 before the Legislature as this bill)¹, the retiree shall be permitted to
46 petition the board of trustees for reconsideration ¹[or shall be
47 permitted to resubmit the previously submitted eligibility
48 registration form to the board for the presumption or recalculation

1 granted under P.L. , c. (pending before the Legislature as this
2 bill)]¹.

3 (4) The board of trustees ¹~~shall~~ may¹ promulgate rules and
4 regulations ¹that the board determines are¹ necessary to implement
5 the provisions of this subsection ¹~~and shall notify all members and~~
6 ~~retirants in the retirement system of the enactment of~~¹ ~~this act,~~
7 ¹~~P.L.2019, c.157, and the enactment of P.L. , c. (pending~~
8 ~~before the Legislature as this bill), within~~¹ ~~30~~¹ ~~60~~ days of
9 enactment. The board shall notify all members and retirants
10 enrolled in the retirement system by letter sent via certified mail
11 and shall be required to communicate, in an easily understood
12 manner, the provisions of P.L. , c. (pending before the
13 Legislature as this bill), including the class of members and retirees
14 impacted, the filing requirements, and the prescribed time limits¹.

15 A member or retiree shall not be eligible for the presumption or
16 recalculation under this subsection unless ¹~~within two years of the~~
17 ~~effective date of~~¹ ~~this act,~~¹ ~~P.L.2019, c.157, or within two~~
18 ~~years after the effective date of P.L. , c. (pending before the~~
19 ~~Legislature as this bill),~~¹ the member or retiree files a written and
20 sworn statement with the retirement system on a form provided by
21 the board of trustees thereof indicating the dates and locations of
22 service. ¹~~The board of trustees may approve filing extensions in~~
23 ~~two-year increments thereafter.~~¹

24 (5) This subsection shall apply regardless of whether the member
25 or retiree, who is otherwise eligible, was enrolled in the retirement
26 system at the time of participation in World Trade Center rescue,
27 recovery, or cleanup operations as specified herein.

28 (cf: P.L.2022, c.77, s.1)

29
30 4. This act shall take effect immediately.

31
32
33
34
35 Provides medical documentation requirement for certain
36 members of PERS, PFRS, and SPRS to receive accidental disability
37 retirement allowance for participation in 9/11 World Trade Center
38 rescue, recovery, or cleanup operations; removes filing deadline.