

the local municipal health agency, by regular mail, as to the date upon which service to the customer shall be terminated. Such notification shall be made at least seven days prior to the date of the proposed service termination. The utility shall further advise the customer in the written notification that if he or she claims to be dependent on life-sustaining equipment, the customer must comply with the procedures for medical emergencies at N.J.A.C. 14:3-3A.2(h) and (i) within the aforementioned seven-day period. Any customer who wishes to dispute a discontinuance based on a finding that tampering has occurred may file a petition with the Board in accordance with N.J.A.C. 14:1-1.5; and

4. Any relief requested pursuant to N.J.A.C. 14:3-3A.2(h) regarding medical emergencies shall be reviewed on a case-by-case basis.

(j) A customer, otherwise eligible for the Summer Termination Program, whose electric, water, or wastewater service had been discontinued prior to the start of the cooling season and who has subsequently caused the unauthorized restoration of such service shall, when unauthorized service has been registered on the meter, be required to make a down payment of up to 25 percent of the outstanding account balance as of the most current meter reading as a precondition for the continuation of service during the cooling season.

#### SUBCHAPTER 7. BILLS AND PAYMENTS FOR SERVICE

14:3-7.5 Budget billing plans for residential accounts

(a)-(b) (No change.)

(c) The budget billing plan required by this section shall be optional[, except the utility shall ensure that residential electric or gas customers who apply for and are eligible for the Winter Termination Program under N.J.A.C. 14:3-3A.5 participate in a budget billing plan].

(d)-(i) (No change.)

(j) [Except for Winter Termination Program customers, a] A customer may go off a budget billing plan at any time, in which event the customer shall pay the amount owed for service rendered or, in the alternative, agree to a stipulated payment agreement according to N.J.A.C. 14:3-7.6.

(k) (No change.)

## TREASURY—GENERAL

### (a)

#### DIVISION OF PENSIONS AND BENEFITS

#### STATE POLICE RETIREMENT SYSTEM

#### State Police Retirement System Rules

#### Proposed Readoption with Amendments: N.J.A.C. 17:5

Authorized By: State Police Retirement System Board of Trustees,  
William Tedder, Secretary.

Authority: N.J.S.A. 53:5A-30.h.

Calendar Reference: See Summary below for explanation of  
exception to calendar requirement.

Proposal Number: PRN 2026-030.

Submit comments by September 4, 2026, to:

Danielle Schimmel, Assistant Director  
Division of Pensions and Benefits  
PO Box 295  
Trenton, NJ 08625-0295  
[DPB.regulations@treas.nj.gov](mailto:DPB.regulations@treas.nj.gov)

The agency proposal follows:

#### Summary

The Board of Trustees of the State Police Retirement System (Board) is responsible for maintaining the administrative rules at N.J.A.C. 17:5. When there are statutory changes or court decisions that may affect the State Police Retirement System ("SPRS" or "System"), the Board reviews

the rules to determine whether amendments are necessary and proposes changes to ensure compliance with the new legal requirements.

The Division of Pensions and Benefits (Division) and Board staff also periodically review the rules to ensure they remain necessary, cost-effective, consistent with current policies and procedures, and compliant with Federal Internal Revenue Service (IRS) qualified-plan requirements. When clarification or revisions are necessary, the affected rules are amended accordingly. Additionally, prior to expiration, the rules must be reviewed, amended as appropriate, and readopted.

N.J.A.C. 17:5 was scheduled to expire on May 21, 2026, pursuant to N.J.S.A. 52:14B-5.1.c. As the Board filed this notice of readoption prior to that date, the expiration date is extended 180 days to November 17, 2026, pursuant to N.J.S.A. 52:14B-5.1.c(2). The Board proposes to readopt the current rules at N.J.A.C. 17:5, with amendments to address the administration of the SPRS, including enrollment, contributions, withdrawals, insurance and death benefits, membership, eligible service, service credit purchases, retirements, and transfers.

#### Subchapter 1. Administration

N.J.A.C. 17:5-1 sets forth the administrative practices, standards, and procedures followed by the Division of Pensions and Benefits in implementing the SPRS. At N.J.A.C. 17:5-1.1, Board meetings, the Board proposes changing the mandatory meeting day to a recommended meeting day, to allow flexibility in scheduling. The Board currently meets on the fourth Tuesday of every other month. The proposed amendment is intended to strengthen the Board's ability to continue to maintain a regular and consistent meeting schedule, while accommodating necessary flexibility. In alignment with N.J.S.A. 43:1-3, the Board proposes, at N.J.A.C. 17:5-1.4, Certifying officer (employer), to include the term "honorable service" to clarify the primary purpose and scope of the certification requirement. At N.J.A.C. 17:5-1.5, Records, the Board proposes to remove the language to release the beneficiary designations upon the death of the SPRS member. This proposed change is based on the current administrative practices which require the maintenance of the confidentiality of members' beneficiary designations.

The Board proposes to amend the appeal statement set forth at N.J.A.C. 17:5-1.6, Appeals from Board decisions, to clarify the procedures governing a member's ability to appeal decisions rendered by the Board. The proposed amendment is intended to provide a clearer statement to members regarding the right to file an appeal, the timeframes for submission, and the information required to support the appeal. At N.J.A.C. 17:5-1.9(a), Proof of age, the Board proposes to accept a valid Real ID issued by any state as acceptable proof of age for members. Acceptance of a state-issued Real ID from any state would allow members to provide proof of age with less supporting documents. The issuance of a state Real ID requires all the documentation that the Division currently accepts for a member to verify identity and age.

#### Subchapter 1A. Definitions

N.J.A.C. 17:5-1A.1, Definitions, sets forth the definitions of words and terms utilized throughout N.J.A.C. 17:5 and is intended to ensure clarity and uniform interpretation in the Division's administration and implementation of the standards and procedures set forth in this chapter. The acronyms used for the terms within the text are proposed to be included in the defined terms. The Board proposes amendments to the terms "Employer Pensions and Benefits Information Connection" or "EPIC," "Member Benefits Online System" or "MBOS," and "Medical Review Board" or "MRB." The Board proposes amendments to this section to ensure formatting consistency and the standardized use of acronyms throughout the rules. These amendments are technical and clarifying in nature and are not intended to make substantial changes to the existing regulatory requirements.

#### Subchapter 2. Insurance and Death Benefits and Subchapter 3. Membership

These subchapters are proposed without change.

#### Subchapter 4. Purchases and Eligible Service

N.J.A.C. 17:5-4 sets forth the criteria for active SPRS members to purchase eligible service credit and the methods to make the purchases. The Board proposes to add language to implement P.L. 2025, c. 53, which

permits SPRS members to purchase service credit for periods of enrollment in a military service academy resulting in the award of a baccalaureate degree, enrollment in the New Jersey State Police academy immediately preceding employment, and for employment as a class two special police officer within 365 days prior to employment.

#### Subchapter 5. Retirement

N.J.A.C. 17:5-5 sets forth the criteria for applying for retirement, the payment process, repayment of outstanding loans, disability, calculation, and categories of retirement in the SPRS. The Board proposes guidance language to clarify the mandated electronic retirement application process. The proposed language at N.J.A.C. 17:5-5.1, Applications, clarifies that the Division of Pensions and Benefits may accept only paper applications submitted through a power of attorney on behalf of a member in accordance with Division directives. The Board proposes at N.J.A.C. 17:5-5.1(c), language to clarify that retirement benefits are issued as an electronic funds transfer (EFT).

#### Subchapter 6. Transfers

N.J.A.C. 17:5-6 provides the guidance of honorable service credit transfers within other State retirement systems. At N.J.A.C. 17:5-6.1(d), the Board proposes to remove language to correct an administrative error and make the subsection consistent with the Board's stated intent at 55 N.J.R. 2354(b).

#### Subchapter 7. 9/11 World Trade Center Accidental Disability

N.J.A.C. 17:5-7 provides the rules and provisions for certain SPRS members or retirees to receive an accidental disability retirement allowance for a disability resulting from participation in 9/11 World Trade Center rescue, recovery, or cleanup operations. The Board proposes to amend N.J.A.C. 17:5-7.4 to implement the provisions at P.L. 2025, c. 117, which expands eligibility for accidental disability retirement benefits pursuant to the Bill Ricci World Trade Center Rescue, Recovery, and Cleanup Operations Act, P.L. 2019, c. 157, State Police Retirement System by removing prior timing-based limitations on qualifying claims.

#### Subchapter 8. COVID-19 Accidental Disability and Accidental Death

N.J.A.C. 17:5-8.1 provides the rules, standards, and procedures established to implement P.L. 2020, c. 54, which extends eligibility for accidental disability retirement and accidental death benefits to active eligible law enforcement officers enrolled in the State Police Retirement System who are totally and permanently disabled, or who die, as a result of contracting coronavirus disease 2019 (COVID-19) during the public health emergency declared by the Governor in Executive Order No. 103 (2020).

As the Board has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-6.3.

#### Social Impact

The rules proposed for readoption with amendments at N.J.A.C. 17:5 benefit SPRS members, retirees, and survivors of members and retirees. Members, retirees, and survivors of members and retirees rely on the efficient operation of the SPRS to provide them with a monthly distribution in retirement, proper crediting of contributions and earnings, death benefits, and information regarding their individual accounts.

#### Economic Impact

The rules proposed for readoption with amendments promote the effective and efficient administration of enrollments, retirements, transfers, purchases, withdrawals, and other areas of membership in the System. They uphold the laws governing the State-administered retirements, especially in the area of recent pension reform. They will not impose any adverse economic effects on the public; in fact, they will have a positive economic impact by helping to prevent pension fraud and abuse, which will protect the pension system and monies that are contributed to the pension system by New Jersey taxpayers. While the proposed amendments may impose additional recordkeeping requirements, they will serve to preserve and improve the efficient administration and operation of the SPRS by helping to prevent members who are ineligible for specific retirement benefits from collecting such benefits. The amended rules will also promote operational efficiency by upholding the

maximum compensation limits established by recent pension laws, thereby curbing the bloating of benefits paid to public employees. Overall, the amended rules will help to put recent pension-reform laws into practice, while also helping to prevent pension fraud and promoting more effective and efficient operations in most areas of membership in the System. The rules will enable the Division to continue to provide benefits in a manner that meets both statutory and contractual requirements.

#### Federal Standards Statement

The rules proposed for readoption with amendments meet the applicable Federal standards at 26 U.S.C. § 403(b). There are no other Federal standards applicable to the subject matter of these rules.

#### Jobs Impact

The operation of the rules proposed for readoption with amendments will not result in the generation or loss of jobs. The Division invites any interested parties to submit any data or studies concerning the jobs impact of the proposed amendments with their written comments.

#### Agriculture Industry Impact

The rules proposed for readoption with amendments will not have any impact on the agriculture industry.

#### Regulatory Flexibility Statement

The rules of the SPRS affect members, retirees, and survivors of SPRS members and retirees. Thus, the rules proposed for readoption with amendments do not impose any reporting, recordkeeping, or other compliance requirements upon small businesses, as defined pursuant to the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. Therefore, a regulatory flexibility analysis is not required.

#### Housing Affordability Impact Analysis

The rules proposed for readoption with amendments will have no impact on the affordability of housing in New Jersey, nor will they evoke a change in the average costs associated with housing, because the rules pertain to administration of the SPRS for members, retirees, and survivors of members and retirees.

#### Smart Growth Development Impact Analysis

The rules proposed for readoption with amendments will not have any impact on the achievement of smart growth, nor will they evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, pursuant to the State Development and Redevelopment Plan, because the rules pertain to administration of the SPRS for members, retirees, and survivors of members and retirees.

#### Racial and Ethnic Community Criminal Justice and Public Safety Impact

The SPRS has evaluated this rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

**Full text** of rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 17:5.

**Full text** of the proposed amendments follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

### SUBCHAPTER 1. ADMINISTRATION

#### 17:5-1.1 Board meetings

(a) The Board [shall] **may** meet on the fourth Tuesday of each month, beginning in January and every other month thereafter, or at such other time as may be deemed necessary by the Board.

(b) (No change.)

#### 17:5-1.4 Certifying officer (employer)

(a) (No change.)

(b) The prime purpose of the certifying officer will be to certify facts of enrollment, retirement, withdrawal, **honorable service**, and to implement proper procedures for the reports and transmittal of employee deductions and to act as liaison for all dealings between the Division of State Police and the Retirement System. The certifying officer shall also

be responsible for all other duties relating to matters concerning the System, including providing requested documentation in a timely manner.

#### 17:5-1.5 Records

(a)-(d) (No change.)

(e) The beneficiary designations of an active or retired member are considered to be a part of the member's confidential files [and shall only be released after the member's death].

#### 17:5-1.6 Appeal from Board decisions

(a) The following statement shall be incorporated in every written notice setting forth the Board's determination in a matter where such determination is contrary to the claim made by the claimant or the claimant's legal representative:

["(a) If the member disagrees with the determination of the Board, the member may appeal by submitting a written statement to the Board within 45 days after the date of written notice of the determination. The statement shall set forth in detail the reasons for the member's disagreement with the Board's determination and shall include any relevant documentation supporting the claim. If no such written statement is received within the 45-day period, the determination by the Board shall be final.

(b) The Board shall determine whether to grant an administrative hearing based upon the standards for a contested case hearing set forth in the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1-1 et seq.

(c) Administrative hearings will be conducted by the Office of Administrative Law pursuant to the provisions of N.J.S.A. 52:14B-1 et seq. and N.J.A.C. 1:1-1.

(d) If the granted appeal involves a question of facts, the Board shall submit the matter to the Office of Administrative Law.

(e) If the granted appeal involves solely a question of law, the Board may retain the matter and issue a final administrative determination which shall include detailed findings of fact and conclusions of law based upon the documents, submissions and legal arguments of the parties. The Board's final determination may be appealed to the Superior Court, Appellate Division.]

**"If you disagree with the determination of the Board, you may appeal by submitting a written statement to the Board within 45 days after the date of written notice of the determination. The statement shall set forth in detail the reasons for your disagreement with the Board's determination and shall include any relevant documentation supporting your claim. If no such written statement is received within the 45-day period, the determination by the Board shall be final.**

The Board shall determine whether to grant an administrative hearing based upon the standards for a contested case hearing set forth at the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and 52:14F-1 et seq., and the Uniform Administrative Procedure Rule, N.J.A.C. 1:1. Administrative hearings shall be conducted by the Office of Administrative Law pursuant to the provisions at N.J.S.A. 52:14B-1 et seq., and 52:14F-1 et seq., and N.J.A.C. 1:1.

If the granted appeal involves solely a question of law, the Board may retain the matter and issue a final determination, which shall include detailed findings of fact and conclusions of law based upon the documents, submissions, and legal arguments of the parties. The Board's final determination may be appealed to the Superior Court, Appellate Division. If the granted appeal involves a question of facts, the Board shall submit the matter to the Office of Administrative Law."

[(f)] (b) The Director of the Division may authorize or deny requests to extend the time allowed for exceptions and replies, and to seek an extension of the time for the Board to render a final decision adopting, rejecting, or modifying an initial decision.["]

#### 17:5-1.9 Proof of age

(a) All members shall establish proof of their age with the System. Acceptable proof of age documents include birth certificates with a visible seal, passports, U.S. passport cards, naturalization or immigration papers, valid New Jersey, New York, or Pennsylvania digital driver licenses, [or] digital non-driver ID cards from the New Jersey Motor Vehicle Commission (MVC), or a valid Real ID issued from any state indicating a member's age.

(b)-(d) (No change.)

### SUBCHAPTER 1A. DEFINITIONS

#### 17:5-1A.1 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

...  
 "Employer Pensions and Benefits Information Connection" or "EPIC" is a set of Internet-based applications that allow registered employers who have obtained authorization by the certifying officer of the location access to manage their employees' pensions and, if applicable, health benefit account information. The specific group of application buttons that are visible will depend on the type of employer and the level of access authorized by the certifying officer of the location.

...  
 "Member Benefits Online System" or "MBOS" is a set of Internet-based applications that allow registered members access to manage their pension and, if applicable, health benefit account information.

...  
 "Retirement System," "System," or "SPRS" means the State Police Retirement System of New Jersey as defined [in] at N.J.S.A. 53:5A-4.

### SUBCHAPTER 4. PURCHASES AND ELIGIBLE SERVICE

#### 17:5-4.2 Optional purchases of eligible service

(a) [Notwithstanding] **With the exception of** the provisions at (a)5 and 6 below, the types of purchases indicated below will be calculated on the basis of the actuarial factor established for the member's age at the time of the purchase times the member's current salary:

1.-3. (No change.)

4. Military service: A member may purchase credit in the retirement system for military service in the Armed Forces of the United States prior to becoming a member. A member may purchase credit for all or a portion of such service, up to 10 years, plus an additional five years if the member qualifies as a veteran with certain wartime military service. All members must provide the Division with a DD-214 Form, which includes a member's character of service, active/entry dates of service, and discharge/ending dates of service. The SPRS credit purchased for prior military service will be equivalent to service in the State Police as a member of SPRS in qualifying for retirement benefits.

i. The Federal Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) provides that a member who leaves employment to serve on active duty is entitled to purchase service credit for the period of uniformed service. If the member makes the pension contributions that would have been normally required upon return and within the time frames specified [under] pursuant to USERRA, the military service will count for vesting, retirement eligibility, the calculation of the retirement benefit and, if applicable, health benefits eligibility, as though the member had not left. When a member returns from uniformed military service to SPRS-covered employment, the employer should notify the Division no later than 30 days after the member's return by submitting a Request for USERRA-Eligible Service form. Once notified, the Division will provide the member with a quotation for the cost for purchasing the service credit pursuant to N.J.A.C. 17:1-3.10.

ii. **For enrollment in a military service academy that resulted in the award of a baccalaureate degree, the member shall provide the Division with an official transcript from the military service academy, which shall include the member's date of graduation and confirmation of the baccalaureate degree awarded.**

5.-6. (No change.)

7. **Uncredited service: Pursuant to P.L. 2025, c. 53, for retirement effective May 8, 2025, and thereafter, a member may purchase all or a portion of the following uncredited service:**

i. **Service in the New Jersey State Police Academy that led directly to enrollment in the SPRS; and**

ii. **Service as a Class II Special Law Enforcement Officer, provided the break in service between such employment and enrollment in the State Police Retirement System is less than 365 days.**

**(1) The period or periods of service eligible for purchase as a Class II Special Law Enforcement Officer shall meet one of the following criteria:**

**(A) A year of service in which a 12-month employee is required to have worked an average of 10 days per month and an aggregate of 120 days per year; or**

**(B) A period of service of less than one year; provided the member worked a minimum average of 10 days per month for each month of service.**

#### SUBCHAPTER 5. RETIREMENT

##### 17:5-5.1 Applications

(a) Applications for retirement must be made over the Internet, using the online forms required by the System through a member's secure account established through the Member Benefit Online System (MBOS). Such forms must be completed in all respects and filed with the Division before the requested date of retirement. A member's retirement application becomes effective on the first of the month following receipt of the application, unless a future date is requested. Applications can be filed no more than one year in advance, unless filing for a deferred retirement and the member's SPRS eligible employment has ended. **The Division will only provide and accept paper applications in extenuating circumstances, including when requested and submitted by the member's valid power of attorney.**

(b) (No change.)

(c) Before an application for retirement may be processed, the Division must receive proof of the member's age, if none is already in the member's record, and a completed Certification of Service and Final Salary form from the Division of State Police setting forth the employment termination date and the salaries reported for contributions in the member's final year of employment. **Members who retire on or after July 1, 2011, must receive all pension payments through direct deposit or electronic fund transfer (EFT). All banking information must be submitted through the electronic application process provided through MBOS.**

(d)-(e) (No change)

#### SUBCHAPTER 6. TRANSFERS

##### 17:5-6.1 Honorable service; interfund transfers; other State systems

(a)-(c) (No change.)

(d) The system will transfer membership to any State-administered system as follows:

1. A member, desiring to transfer service credit and contributions from one State-administered retirement system to another shall file an Application of Interfund Transfer and an "Enrollment Application" in place of the customary "Application for Withdrawal." This application will void all possible claims against the former system and all rights and

benefits under the former system, when approved, and the new membership is commenced in the new system. [The member will be required to pay a cost differential from the non-SPRS credit to full SPRS credit. The actuary will calculate the cost differential and the member will have 30 days to decide whether they want to interfund transfer to SPRS. A waiver must be signed by the member if they wish to decline their interfund transfer rights.]

2.-4. (No change.)

(e)-(g) (No change.)

#### SUBCHAPTER 7. 9/11 WORLD TRADE CENTER ACCIDENTAL DISABILITY

##### 17:5-7.4 Filing requirements

(a) A member or retiree must file a written and sworn Eligibility Registration Form with the Division, indicating the dates, locations of service, and number of hours of participation in World Trade Center rescue, recovery, or cleanup operations [by July 8, 2021, to qualify for the presumption or recalculation pursuant to N.J.A.C. 17:5-7.3, unless a retiree files an application for recalculation, pursuant to N.J.A.C. 17:5-7.3(b), before July 8, 2021, then such application for recalculation shall serve as the Eligibility Registration Form. This form allows eligible SPRS members or retirees the right to file for an accidental disability retirement should they become totally and permanently disabled by a qualifying condition or impairment of health as a direct result of participation in World Trade Center rescue, recovery, or cleanup operations].

(b) A retiree seeking recalculation of a retirement allowance pursuant to N.J.A.C. 17:5-7.3(b) must file an application for recalculation, on a form prescribed by the Division, within [30] **180** days of the date that the retiree knew, or should have known, of the existence of a total and permanent disability caused by a qualifying condition or impairment of health and its relation to World Trade Center rescue, recovery, or cleanup operations. [Retirees who knew, or should have known, of the existence of a total and permanent disability caused by a qualifying condition or impairment of health and its relation to World Trade Center rescue, recovery, or cleanup operations before July 8, 2019, must file an application for recalculation, on a form prescribed by the Division, within 30 180 days from the date members and retirees are notified of the enactment of P.L. 2019, c. 157.]

(c)-(d) (No change.)

**(e) A retiree who previously filed an eligibility registration form with the State Police Retirement System and was denied eligibility because the retiree did not file within the registration period in effect prior to the effective date of P.L. 2025, c. 117, may petition the Board of Trustees for reconsideration.**