ASSEMBLY, No. 396

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblyman EDWARD H. THOMSON
District 30 (Monmouth and Ocean)
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District 30 (Monmouth and Ocean)
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District 26 (Essex, Morris and Passaic)

Co-Sponsored by:
Assemblyman Rooney

SYNOPSIS

Extends certain civil service and tuition benefits to family members of servicemembers who died while in service.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT concerning the extension of certain benefits to family members of members of the military who died in service and amending N.J.S.11A:5-3 and P.L.1999, c.46.

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

1. N.J.S.11A:5-3 is amended to read as follows:

11A:5-3. **[**Parent and spouse**]** Family member of veteran who has died in service. A **[**parent and spouse**]** family member of any veteran who died while in service and who would have qualified under this chapter as a veteran, shall be entitled to a disabled veterans' preference. Where **[**both a parent and spouse**]** more than one of the family members survive, the exercise of the preference by one shall suspend the right of any other so long as the first individual who exercises preference remains in the employ of the State or any political subdivision operating under the provisions of this title.

As used in this section, "family member" means a spouse, parent, brother, sister, child, legal guardian or other legal custodian, whether of the whole or half blood or by adoption.

(cf: N.J.S.11A:5-3)

2. Section 22 of P.L.1999, c.46 (C.18A:62-25) is amended to read as follows:

22. Any **[**child or surviving spouse**]** family member of a member of the New Jersey National Guard or any branch of the Armed Forces who **[**heretofore completed Initial Active Duty Training and**]** was killed in the performance of his duties while on active duty **[**with the New Jersey National Guard, or who hereafter completes Initial Active Duty Training and is killed in the performance of his duties while a member of the New Jersey National Guard**]**, shall be permitted to attend regularly-scheduled courses at any public institution of higher education in this State enumerated in N.J.S.18A:62-1 and receive up to 16 credits per semester tuition-free provided that:

a. the **[**child or spouse**]** family member has been accepted to pursue a course of undergraduate study and is enrolled as an undergraduate student in good standing at that institution or a course of graduate study and is enrolled as a graduate student in good standing at that institution;

b. the **[**child or spouse**]** family member has applied for all available State student grants and scholarships and all available

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.

federal student grants and scholarships for which the [child or spouse] family member is eligible;

c. the [child or spouse] family member has applied for tuition benefits available through the United States Department of Veterans Affairs for which the [child or spouse] family member is eligible under the "Post-9/11 Veterans Educational Assistance Act of 2008," Pub.L.110-252 (38 U.S.C. s.3301 et seq.); and

d. available classroom space permits and tuition-paying students constitute the minimum number required for the course.

As used in this section, "family member" means a spouse, parent, brother, sister, child, legal guardian or other legal custodian, whether of the whole or half blood or by adoption.

(cf: P.L.2009, c.208, s.2)

3. This act shall take effect immediately.

STATEMENT

This bill would extend to certain additional family members certain benefits presently available to spouses, parents or children of members of the military who died in service. Under this bill, qualified family members would be eligible to: receive a disabled veterans' preference for public employment in the civil service and receive tuition-free credits at any public institution of higher education in New Jersey.

As used in this bill, "family member" includes a spouse, parent, brother, sister, child, legal guardian or other legal custodian, whether of the whole or half blood or by adoption.