ASSEMBLY, No. 1410

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
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SYNOPSIS

Permits county clerk or register of deeds and mortgages to issue identification card to Gold Star Family member.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

(Sponsorship Updated As Of: 8/25/2020)

AN ACT concerning identification cards issued by a county clerk or register of deeds and mortgages for a Gold Star Family Member and amending P.L.2017, c.289.

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

1. Section 1 of P.L.2017, c.289 (C.40A:9-78.8) is amended to read as follows:

1. Sections 1 through 8 of P.L.2017, c.289 (C.40A:9-78.8 et seq.) shall be known and may be cited as the "County Identification Cards for Gold Star **[**Parents**]** Families Act."

(cf: P.L.2017, c.289, s.1)

2. Section 2 of P.L.2017, c.289 (C.40A:9-78.9) is amended to read as follows:

2. As used in this act, P.L.2017, c.289 (C.40A:9-78.8 et seq.), "Gold Star **[**Parent**]** Family Member" means , whether of the whole or half blood or by adoption, as applicable, a spouse, domestic partner, partner in a civil union, parent, legal guardian or other legal custodian, **[**whether of the whole or half blood or by adoption,**]** or child of a member of the Armed Forces of the United States who died while on active duty for the United States.

(cf: P.L.2017, c.289, s.2)

3. Section 3 of P.L.2017, c.289 (C.40A:9-78.10) is amended to read as follows:

3. A county clerk or register of deeds and mortgages, as appropriate, may establish a Gold Star **[**Parent**]** Family identification card program for the sole purpose of identifying the holder as a Gold Star **[**Parent**]** Family Member when such identification is required to receive discounts or other courtesies extended to military families.

(cf: P.L.2017, c.289, s.3)

4. Section 4 of P.L.2017, c.289 (C.40A:9-78.11) is amended to read as follows:

4. When such a program has been authorized, the county clerk or register of deeds and mortgages, as appropriate, shall issue an identification card to any Gold Star **[**Parent**]** Family Member who is a resident of the county. The Gold Star **[**Parent**]** Family identification card shall display the words "Gold Star **[**Parent**]** Family Member," bear the true name and branch of the armed forces in which the person who lost his or her life while on active duty for the United States served, and other identifying information

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.

as certified by the applicant for the Gold Star [Parent] Family identification card. Every application for a Gold Star [Parent] Family identification card shall be signed and certified by the applicant and shall be supported by such documentary evidence as the county clerk or register of deeds and mortgages, as appropriate, may require.
(cf: P.L.2017, c.289, s.4)

5. Section 5 of P.L.2017, c.289 (C.40A:9-78.12) is amended to read as follows:

5. a. Application for issuance of a Gold Star [Parent] Family identification card shall be made in a manner prescribed by the county clerk or register of deeds and mortgages, as appropriate. In order to be deemed complete, an application shall be accompanied by proof satisfactory to the county clerk or register of deeds and mortgages, as appropriate, that the applicant is a [parent] family member of a member of the armed forces who died while on active duty for the United States. Proof satisfactory may include any or all of the following:

(1) a certification of an organization formed for the support of parents or other family members of members of the armed forces who lost their lives while on active duty for the United States [,] that the applicant is [either the] , whether of the whole or half blood or by adoption, as applicable, a spouse, domestic partner, partner in a civil union, parent, legal guardian or other legal custodian, [whether of the whole or half blood or by adoption,] or child of a member of the armed forces who died while on active duty for the United States;

(2) the service member's federal DD Form 1300, Report of Casualty, or its succeeding form, which identifies the member of the armed forces who died while on active duty for the United States; and

(3) documentation indicating the applicant's relationship to the service member.

The copy of the DD Form 1300 and the application shall be kept confidential and shall not be considered a government record under P.L.1963, c.73 (C.47:1A-1 et seq.), except that they may be released to another government agency.

b. The county clerk or register of deeds and mortgages, as appropriate, may consult with a representative of the Department of New Jersey of American Gold Star Mothers, Inc., or any other organization formed for the support of parents or other family members of members of the armed forces who lost their lives while on active duty for the United States or the Adjutant General of the Department of Military and Veterans' Affairs when establishing the documentation that may constitute satisfactory proof of an applicant's relationship to the service member. In instances where

an applicant is unable to produce documentation deemed acceptable, the Adjutant General shall assist in making a determination of the applicant's eligibility for a Gold Star ⟦Parent⟧ Family ⟦Identification⟧ identification card.
(cf: P.L.2017, c.289, s.5)

6. Section 6 of P.L.2017, c.289 (C.40A:9-78.13) is amended to read as follows:

6. It shall be unlawful for any person:

a. To display or cause or permit to be displayed or have in the person's possession any canceled, fictitious, fraudulently altered, or fraudulently obtained Gold Star ⟦Parent⟧ Family identification card;

b. To lend the Gold Star ⟦Parent⟧ Family identification card to any other person or knowingly permit the use thereof by another;

c. To display or represent any Gold Star ⟦Parent⟧ Family identification card not issued to the person as being the person's card;

d. To permit any unlawful use of a Gold Star ⟦Parent⟧ Family identification card issued to the person;

e. To photograph, photostat, duplicate, or in any way reproduce any Gold Star ⟦Parent⟧ Family identification card or facsimile thereof in such a manner that it could be mistaken for a valid Gold Star ⟦Parent⟧ Family identification card, or to display or have in the person's possession any such photograph, photostat, duplicate, reproduction, or facsimile; or

f. To alter any Gold Star ⟦Parent⟧ Family identification card in any manner.
(cf: P.L.2017, c.289, s.6)

7. Section 7 of P.L.2017, c.289 (C.40A:9-78.14) is amended to read as follows:

7. The Gold Star ⟦Parent⟧ Family identification card issued under P.L.2017, c.289 (C.40A:9-78.8 et seq.), shall not be deemed sufficient valid proof of identity for official governmental purposes when a statute, regulation, or directive of a governmental entity requires proof of identity.
(cf: P.L.2017, c.289, s.7)

8. This act shall take effect immediately.

STATEMENT

This bill permits county clerks or registers of deeds and mortgages, as appropriate, to issue an identification card to Gold Star Families.

Under current law, county clerks or registers of deeds and mortgages, as appropriate, may issue an identification card to a Gold Star Parent. The bill expands eligibility for an identification card to include a Gold Star Family Member, which under the bill is, whether of the whole or half blood or by adoption, as applicable, a spouse, domestic partner, partner in a civil union, parent, legal guardian or other legal custodian, or child of a member of the Armed Forces of the United States or National Guard, who died while on active duty for the United States.

The cards are designed to help the families of members of the armed forces who lost their lives while on active duty for the United States receive discounts or other courtesies extended to military families.

Proof of status may include any or all of the following:

(1) a certification from an organization formed for the support of parents or other family members of members of the armed forces who lost their lives while on active duty for the United States, that the applicant is, whether of the whole or half blood or by adoption, as applicable, a spouse, domestic partner, partner in a civil union, parent, legal guardian or other legal custodian, or child of a member of the armed forces who died while on active duty for the United States;

(2) the service member’s federal DD Form 1300, Report of Casualty, which identifies the member of the armed forces who died while on active duty for the United States; and

(3) documentation indicating the applicant’s relationship to the service member.

The DD Form 1300 and the application will be kept confidential and will not be considered a government record under the open public records act.