

**ASSEMBLY, No. 4260**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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INTRODUCED JUNE 15, 2020

**Sponsored by:**

**Assemblywoman CAROL A. MURPHY**

**District 7 (Burlington)**

**Assemblywoman GABRIELA M. MOSQUERA**

**District 4 (Camden and Gloucester)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Co-Sponsored by:**

**Assemblywoman Reynolds-Jackson, Assemblymen Dancer, Giblin and  
Assemblywoman Dunn**

**SYNOPSIS**

Provides tuition benefits at public institutions of higher education to New Jersey residents who are members of reserve component of Armed Forces of United States.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 7/16/2020)**

1 AN ACT concerning tuition benefits for members of a reserve  
2 component of the Armed Forces of the United States and  
3 amending P.L.1999, c.46 and P.L.2005, c.317.

4  
5 BE IT ENACTED by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. Section 20 of P.L.1999, c.46 (C.18A:62-23) is amended to  
9 read as follows:

10 20. As used in sections 20-25 of [this act,] P.L.1999, c.46  
11 (C.18A:62-23 through 18A:62-28):

12 "Initial Active Duty Training" means Basic Military Training,  
13 for members of the New Jersey Air National Guard, and Basic  
14 Combat Training and Advanced Individual Training, for members  
15 of the New Jersey Army National Guard, or the equivalent training  
16 for members of a reserve component of the Armed Forces of the  
17 United States.

18 "Member of a reserve component of the Armed Forces of the  
19 United States" means a person who is a resident of New Jersey and  
20 is a member of the Army Reserve, Navy Reserve, Marine Reserve,  
21 Air Force Reserve, or Coast Guard Reserve.

22 (cf: P.L.1999, c.46, s.20)

23  
24 2. Section 21 of P.L.1999, c.46 (C.18A:62-24) is amended to  
25 read as follows:

26 21. a. Any member of the New Jersey National Guard and any  
27 member of a reserve component of the Armed Forces of the United  
28 States shall be permitted to attend regularly-scheduled courses at  
29 any public institution of higher education in this State enumerated  
30 in N.J.S.18A:62-1 and receive up to 16 credits per semester tuition-  
31 free provided that:

32 (1) the member has completed Initial Active Duty Training and,  
33 except as otherwise provided pursuant to subsection c. of this  
34 section, is in good standing as an active member of the New Jersey  
35 National Guard, or is a member in good standing of a reserve  
36 component of the Armed Forces of the United States;

37 (2) the member has been accepted to pursue a course of  
38 undergraduate study and is enrolled as an undergraduate student in  
39 good standing at that institution or a course of graduate study and is  
40 enrolled as a graduate student in good standing at that institution;

41 (3) the member has applied for all available State student grants  
42 and scholarships and all available federal student grants and  
43 scholarships for which the member is eligible; and

44 (4) as applicable, the member has applied for tuition benefits  
45 available through the United States Department of Veterans Affairs

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 for which the member is eligible under the "Post-9/11 Veterans  
2 Educational Assistance Act of 2008," Pub.L.110-252 (38 U.S.C.  
3 s.3301 et seq.), except that such application shall not be required in  
4 the case of a tuition benefit transfer by the member as permitted by  
5 federal law, or has applied for federal tuition benefits available to  
6 members of a reserve component of the Armed Forces of the United  
7 States.

8 b. The State shall reimburse a public institution of higher  
9 education for the tuition cost of each National Guard member and  
10 of each member of a reserve component of the Armed Forces of the  
11 United States who enrolls in the institution pursuant to the  
12 provisions of this section to the extent that the tuition cost is not  
13 paid through tuition benefits available to the member through the  
14 United States Department of Veterans Affairs under the "Post-9/11  
15 Veterans Educational Assistance Act of 2008," Pub.L.110-252 (38  
16 U.S.C. s.3301 et seq.), or available under a federal tuition assistance  
17 program for members of a reserve component of the Armed Forces  
18 of the United States.

19 c. Any member of the New Jersey National Guard or any  
20 member of a reserve component of the Armed Forces of the United  
21 States whose enrollment in a public institution of higher education  
22 on a tuition-free basis pursuant to subsection a. of this section is  
23 interrupted by a deployment to active duty shall be permitted to  
24 receive the free tuition benefit after discharge from service under  
25 conditions other than dishonorable. In the event of a non-medical  
26 discharge or a medical discharge that is not caused by an illness or  
27 injury related to the performance of duties for the National Guard or  
28 for a reserve component of the Armed Forces of the United States,  
29 eligibility for the free tuition benefit shall begin from the date of  
30 discharge and shall continue for one semester or a period of time  
31 equal to the length of the deployment, whichever is longer. In the  
32 event of medical discharge or medical retirement as a result of  
33 illness or injury incurred in the combat theater, as a result of  
34 terrorist action, or in the response to a natural disaster, eligibility  
35 for the free tuition benefit shall begin from the date of discharge or  
36 retirement and shall continue until completion of the degree  
37 program in which enrolled or for five years, whichever occurs first.  
38 (cf: P.L.2009, c.208, s.1)

39  
40 3. Section 22 of P.L.1999, c.46 (C.18A:62-25) is amended to  
41 read as follows:

42 22. Any child or surviving spouse of a member of the New  
43 Jersey National Guard and any resident of New Jersey who is a  
44 child or surviving spouse of a member of a reserve component of  
45 the Armed Forces of the United States who heretofore completed  
46 Initial Active Duty Training, and was killed in the performance of  
47 his duties while on active duty with the New Jersey National Guard  
48 or while on active duty with a reserve component of the Armed

1 Forces of the United States, or who hereafter completes Initial  
2 Active Duty Training and is killed in the performance of his duties  
3 while a member of the New Jersey National Guard, or is killed in  
4 the performance of his duties as a member of a reserve component  
5 of the Armed Forces of the United States, shall be permitted to  
6 attend regularly-scheduled courses at any public institution of  
7 higher education in this State enumerated in N.J.S.18A:62-1 and  
8 receive up to 16 credits per semester tuition-free provided that:

9 a. the child or spouse has been accepted to pursue a course of  
10 undergraduate study and is enrolled as an undergraduate student in  
11 good standing at that institution or a course of graduate study and is  
12 enrolled as a graduate student in good standing at that institution;

13 b. the child or spouse has applied for all available State student  
14 grants and scholarships and all available federal student grants and  
15 scholarships for which the child or spouse is eligible;

16 c. as applicable, the child or spouse has applied for tuition  
17 benefits available through the United States Department of Veterans  
18 Affairs for which the child or spouse is eligible under the "Post-  
19 9/11 Veterans Educational Assistance Act of 2008," Pub.L.110-252  
20 (38 U.S.C. s.3301 et seq.) or has applied for federal tuition benefits  
21 available under a tuition assistance program of a reserve component  
22 of the Armed Forces of the United States; and

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

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

26  
27 4. Section 1 of P.L.2005, c.317 (C.18A:62-24.1) is amended to  
28 read as follows:

29 1. No public institution of higher education in this State shall  
30 impose a nonresident tuition rate or differential fee on a member of  
31 the New Jersey National Guard or a member of a reserve  
32 component of the Armed Forces of the United States, if the member  
33 meets the criteria set forth in section 21 of P.L.1999,  
34 c.46 (C.18A:62-24).

35 (cf: P.L.2005, c.317, s.1)

36  
37 5. Section 2 of P.L.2005, c.317 (C.18A:62-25.1) is amended to  
38 read as follows:

39 2. No public institution of higher education in this State shall  
40 impose a nonresident tuition rate or differential fee on a child or  
41 surviving spouse of a member of the New Jersey National Guard or  
42 a member of a reserve component of the Armed Forces of the  
43 United States, if the child or surviving spouse meets the criteria set  
44 forth in section 22 of P.L.1999, c.46 (C.18A:62-25).

45 (cf: P.L.2005, c.317, s.2)

46  
47 6. This act shall take effect immediately and shall first be  
48 applicable to the academic year following enactment.

STATEMENT

This bill provides tuition benefits at public institutions of higher education in this State to New Jersey residents who are members of a reserve component of the Armed Forces of the United States and to certain children and surviving spouses of those members.

Under current law, a member of the New Jersey National Guard is permitted to attend regularly-scheduled courses at a public institution of higher education and receive up to 16 credits per semester tuition-free. The law also provides a tuition benefit to a child or surviving spouse of a member of the National Guard who was or is killed in the performance of his or her duties, if available classroom space permits and the tuition-paying students constitute the minimum number required for the course.

This bill amends current law to extend these tuition benefits to a member of a reserve component of the Armed Forces of the United States who is a resident of New Jersey, and to a child or surviving spouse of such a member of the reserves who was or is killed in the performance of his or her duties. The bill requires the child or surviving spouse to be a resident of New Jersey for the tuition benefits to apply.

For purposes of the bill, the reserve components of the Armed Forces of the United States include the Army Reserve, Navy Reserve, Marine Reserve, Air Force Reserve, and Coast Guard Reserve.

The bill takes effect immediately upon enactment and is first applicable to the academic year following enactment.