

SENATE, No. 1133

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JANUARY 30, 2020

Sponsored by:
Senator JOSEPH F. VITALE
District 19 (Middlesex)

SYNOPSIS

Concerns special needs trusts for persons with developmental disabilities.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning certain trusts for persons with developmental
2 disabilities.

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

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7 1. a. The Division of Developmental Disabilities in the
8 Department of Human Services shall study whether it is feasible to
9 establish a State program to enable pre-tax dollars to be used for
10 funding special needs trusts for individuals with developmental
11 disabilities.

12 b. The division shall consult with representatives of at least
13 five advocacy groups representing the interests of persons with
14 developmental disabilities or family members of persons with
15 developmental disabilities, and shall review their recommendations
16 about the need for special needs trusts and the information that
17 would be useful to provide as a resource for persons with
18 developmental disabilities and their families, including information
19 regarding how special needs trusts may be used to address the
20 placement needs of persons with developmental disabilities. After
21 such consultation, the division shall electronically post
22 informational resources regarding the potential benefits of
23 establishing special needs trusts to provide for long-term care needs
24 of individuals with developmental disabilities.

25 c. Within nine months after the effective date of this act, the
26 division shall report its findings and recommendations to the
27 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-
28 19.1), to the Legislature.

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30 2. This act shall take effect immediately, and shall expire upon
31 the issuance of the report required pursuant to subsection c. of
32 section 1 of P.L. , c. (pending before the Legislature as this
33 bill).

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STATEMENT

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38 The bill requires the Division of Developmental Disabilities
39 (DDD) in the Department of Human Services to study the feasibility
40 of establishing a State program to enable pre-tax dollars to be used
41 for funding special needs trusts for individuals with developmental
42 disabilities.

43 Under the provisions of the bill, DDD is required to consult with
44 representatives of at least five advocacy groups representing the
45 interests of persons with developmental disabilities or family
46 members of persons with developmental disabilities, and is to
47 review their recommendations about the need for special needs
48 trusts and the information that would be useful to persons with

1 developmental disabilities and their families, including information
2 regarding how special needs trusts may be used to address the
3 placement needs of persons with developmental disabilities.
4 DDD also would be required to: electronically post
5 informational resources regarding the potential benefits of
6 establishing special needs trusts to provide for long-term care needs
7 of individuals with developmental disabilities; and report its
8 findings and recommendations to the Governor and to the
9 Legislature within nine months after the effective date of the bill, at
10 which point the bill would expire.