SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 3405

STATE OF NEW JERSEY

DATED: FEBRUARY 11, 2021

The Senate Commerce Committee reports favorably Senate Bill No. 3405.

This bill provides certain protections for pandemic financial assistance. As used in the bill, “financial assistance” means money provided by the State or federal government to an individual in response to the Public Health Emergency and State of Emergency declared by Executive Order No. 103 of 2020 concerning the coronavirus disease 2019 pandemic or any related federal emergency declaration pursuant to federal law concerning that same pandemic.

The bill provides that all financial assistance shall be the property of the individual that is entitled to the assistance, and shall be reserved, both before and after the individual’s death, for the individual’s use, or that of the individual’s family or estate, and shall not be liable to be seized or taken by virtue of any execution or civil process whatever, issued out of any court of this State.

The bill also provides that, if an individual has financial assistance deposited into an account at a financial institution, the financial institution shall allow the individual to access the full amount of financial assistance, without withholding any amount for overdraft or other fees that the individual may owe the financial institution at the time the assistance is deposited. The bill prohibits a financial institution from withholding any amount for overdraft or other fees that an individual may owe the financial institution if an individual with an account at the financial institution cashes a check for financial assistance at the institution. As used in the bill, "financial institution" means a State chartered bank, savings bank, savings and loan association, or credit union.