

18A:62-4.1a & 18A:62-4.1b

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2015 **CHAPTER:** 32

NJSA: 18A:62-4.1a & 18A:62-4.1b ("New Jersey Tuition Equality for America's Military (NJTEAM) Act"; provides in-State tuition at New Jersey public institutions of higher education to military veterans and certain family members living in New Jersey)

BILL NO: A3967 (Substituted for S849)

SPONSOR(S) Andrzejczak and others

DATE INTRODUCED: December 11, 2014

COMMITTEE: **ASSEMBLY:** Military and Veterans' Affairs

SENATE: ---

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** December 18, 2014

SENATE: February 5, 2015

DATE OF APPROVAL: March 23, 2015

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced version of bill enacted)

A3967

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes

S849

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes Military
Budget and Approp.

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL NOTE: Yes

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Legislative Roundup," The Record, 6-13-14

LAW/RWH

P.L.2015, CHAPTER 32, *approved March 23, 2015*
Assembly, No. 3967

1 **AN ACT** concerning tuition for veterans at public institutions of
2 higher education and supplementing chapter 62 of Title 18A of
3 the New Jersey Statutes.

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

7
8 1. This act shall be known and may be cited as the “New Jersey
9 Tuition Equality for America’s Military (NJTEAM) Act.”

10
11 2. a. A veteran or covered individual who is living in New
12 Jersey and is attending a public institution of higher education in
13 New Jersey shall be regarded as a resident of the State for the
14 purpose of determining tuition, regardless of the veteran or covered
15 individual’s state of residence.

16 b. As used in this section:

17 “Covered individual” means an individual who is entitled to
18 educational assistance under provisions of the federal “Post-9/11
19 Educational Assistance” program (38 U.S.C. ss.3311(b)(9) or 3319)
20 by virtue of such individual’s relationship to a veteran.

21 “Veteran” means a person who has served on active duty in the
22 Uniformed Services of the United States and who was discharged or
23 released and who qualifies for educational assistance under the
24 federal “All-Volunteer Force Educational Assistance Program” (38
25 U.S.C. s.3001 et seq.) or “Post-9/11 Educational Assistance”
26 program (38 U.S.C. s.3301 et seq.).

27
28 3. This act shall take effect immediately.

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STATEMENT

33 This bill, which will be known as the “New Jersey Tuition
34 Equality for America’s Military (NJTEAM) Act,” provides that a
35 veteran who is living in New Jersey and attending a public
36 institution of higher education in New Jersey will be regarded as a
37 resident of the State for tuition purposes, thereby making the
38 veteran eligible to pay an in-State tuition rate regardless of the
39 veteran’s state of residence. A “veteran” for purposes of the bill is
40 an individual who has served on active duty in the Uniformed
41 Services of the United States and who was discharged or released
42 and who qualifies for educational assistance under the federal “All-

1 Volunteer Force Educational Assistance Program” (38 U.S.C.
2 s.3001 et seq.) or “Post-9/11 Educational Assistance” program (38
3 U.S.C. s.3301 et seq.).

4 The bill also allows certain other “covered individuals,” such as
5 a veteran’s spouse or child, who are living in New Jersey to pay in-
6 State tuition at a public institution of higher education, regardless of
7 their state of residence. A “covered individual” for purposes of the
8 bill is an individual who is entitled to educational assistance under
9 provisions of the federal “Post-9/11 Educational Assistance”
10 program (38 U.S.C. ss.3311(b)(9) or 3319) by virtue of the
11 individual’s relationship to a veteran.

12 The provisions of this bill conform with section 702 of the
13 federal “Veterans Access, Choice, and Accountability Act of 2014”
14 (38 U.S.C. s.3679). The federal law directs the Secretary of
15 Veterans Affairs to disapprove, for purposes of the All-Volunteer
16 Force and the Post-9/11 Educational Assistance programs, courses
17 of education provided by a public institution of higher education if
18 the institution charges veterans and covered individuals living in the
19 state higher tuition and fees than it charges in-state residents.

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24 “New Jersey Tuition Equality for America’s Military (NJTEAM)
25 Act”; provides in-State tuition at New Jersey public institutions of
26 higher education to military veterans and certain family members
27 living in New Jersey.

ASSEMBLY, No. 3967

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED DECEMBER 11, 2014

Sponsored by:

Assemblyman BOB ANDRZEJCZAK

District 1 (Atlantic, Cape May and Cumberland)

Assemblyman JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

Assemblyman VINCENT MAZZEO

District 2 (Atlantic)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblywoman DIANNE C. GOVE

District 9 (Atlantic, Burlington and Ocean)

Assemblyman JAY WEBBER

District 26 (Essex, Morris and Passaic)

Senator DONALD NORCROSS

District 5 (Camden and Gloucester)

Senator JAMES BEACH

District 6 (Burlington and Camden)

Co-Sponsored by:

Assemblymen Fiocchi, Diegnan, Assemblywoman Lampitt, Assemblymen Rumpf, Singleton, Eustace, Assemblywomen Pinkin, Pintor Marin, Senators Connors, Allen, Van Drew, A.R.Bucco, Whelan and Madden

SYNOPSIS

“New Jersey Tuition Equality for America’s Military (NJTEAM) Act”; provides in-State tuition at New Jersey public institutions of higher education to military veterans and certain family members living in New Jersey.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 2/6/2015)

1 AN ACT concerning tuition for veterans at public institutions of
2 higher education and supplementing chapter 62 of Title 18A of
3 the New Jersey Statutes.

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

7
8 1. This act shall be known and may be cited as the “New Jersey
9 Tuition Equality for America’s Military (NJTEAM) Act.”

10
11 2. a. A veteran or covered individual who is living in New
12 Jersey and is attending a public institution of higher education in
13 New Jersey shall be regarded as a resident of the State for the
14 purpose of determining tuition, regardless of the veteran or covered
15 individual’s state of residence.

16 b. As used in this section:

17 “Covered individual” means an individual who is entitled to
18 educational assistance under provisions of the federal “Post-9/11
19 Educational Assistance” program (38 U.S.C. ss.3311(b)(9) or 3319)
20 by virtue of such individual’s relationship to a veteran.

21 “Veteran” means a person who has served on active duty in the
22 Uniformed Services of the United States and who was discharged or
23 released and who qualifies for educational assistance under the
24 federal “All-Volunteer Force Educational Assistance Program” (38
25 U.S.C. s.3001 et seq.) or “Post-9/11 Educational Assistance”
26 program (38 U.S.C. s.3301 et seq.).

27
28 3. This act shall take effect immediately.

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STATEMENT

32

33 This bill, which will be known as the “New Jersey Tuition
34 Equality for America’s Military (NJTEAM) Act,” provides that a
35 veteran who is living in New Jersey and attending a public
36 institution of higher education in New Jersey will be regarded as a
37 resident of the State for tuition purposes, thereby making the
38 veteran eligible to pay an in-State tuition rate regardless of the
39 veteran’s state of residence. A “veteran” for purposes of the bill is
40 an individual who has served on active duty in the Uniformed
41 Services of the United States and who was discharged or released
42 and who qualifies for educational assistance under the federal “All-
43 Volunteer Force Educational Assistance Program” (38 U.S.C.
44 s.3001 et seq.) or “Post-9/11 Educational Assistance” program (38
45 U.S.C. s.3301 et seq.).

46 The bill also allows certain other “covered individuals,” such as
47 a veteran’s spouse or child, who are living in New Jersey to pay in-
48 State tuition at a public institution of higher education, regardless of

1 their state of residence. A “covered individual” for purposes of the
2 bill is an individual who is entitled to educational assistance under
3 provisions of the federal “Post-9/11 Educational Assistance”
4 program (38 U.S.C. ss.3311(b)(9) or 3319) by virtue of the
5 individual’s relationship to a veteran.

6 The provisions of this bill conform with section 702 of the
7 federal “Veterans Access, Choice, and Accountability Act of 2014”
8 (38 U.S.C. s.3679). The federal law directs the Secretary of
9 Veterans Affairs to disapprove, for purposes of the All-Volunteer
10 Force and the Post-9/11 Educational Assistance programs, courses
11 of education provided by a public institution of higher education if
12 the institution charges veterans and covered individuals living in the
13 state higher tuition and fees than it charges in-state residents.

ASSEMBLY MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3967

STATE OF NEW JERSEY

DATED: DECEMBER 11, 2014

The Assembly Military and Veterans' Affairs Committee reports favorably Assembly Bill No. 3967.

This bill, which will be known as the "New Jersey Tuition Equality for America's Military (NJTEAM) Act," provides that a veteran who is living in New Jersey and attending a public institution of higher education in New Jersey will be regarded as a resident of the State for tuition purposes, thereby making the veteran eligible to pay an in-State tuition rate regardless of the veteran's state of residence. A "veteran" for purposes of the bill is an individual who has served on active duty in the Uniformed Services of the United States and who was discharged or released and who qualifies for educational assistance under the federal "All-Volunteer Force Educational Assistance Program" (38 U.S.C. s.3001 et seq.) or "Post-9/11 Educational Assistance" program (38 U.S.C. s.3301 et seq.).

The bill also allows certain other "covered individuals," such as a veteran's spouse or child, who are living in New Jersey to pay in-State tuition at a public institution of higher education, regardless of their state of residence. A "covered individual" for purposes of the bill is an individual who is entitled to educational assistance under provisions of the federal "Post-9/11 Educational Assistance" program (38 U.S.C. ss.3311(b)(9) or 3319) by virtue of the individual's relationship to a veteran.

The provisions of this bill conform with section 702 of the federal "Veterans Access, Choice, and Accountability Act of 2014" (38 U.S.C. s.3679). The federal law directs the Secretary of Veterans Affairs to disapprove, for purposes of the All-Volunteer Force and the Post-9/11 Educational Assistance programs, courses of education provided by a public institution of higher education if the institution charges veterans and covered individuals living in the state higher tuition and fees than it charges in-state residents.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 3967
STATE OF NEW JERSEY
216th LEGISLATURE

DATED: DECEMBER 22, 2014

SUMMARY

- Synopsis:** “New Jersey Tuition Equality for America’s Military (NJTEAM) Act”; provides in-State tuition at New Jersey public institutions of higher education to military veterans and certain family members living in New Jersey.
- Type of Impact:** Indeterminate impact on public institutions of higher education.
- Agencies Affected:** Public institutions of higher education.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Public Institutions of Higher Education	Indeterminate Revenue Decrease		

- The Office of Legislative Services (OLS) believes Assembly Bill No. 3967 will have an indeterminate impact on the public institutions of higher education. It is not possible to predict how many veterans or covered individuals, such as a veteran’s spouse or child, who are living in New Jersey for less than 12 months, would enroll in a public institution. It is also not possible to predict how many veterans or covered individuals across the country would move to New Jersey in the 12 months prior to their enrollment in a public institution.
- Higher education tuition revenues are not part of State budgeted expenditures. Any changes in tuition revenues as a result of this bill would only impact the public institutions.

BILL DESCRIPTION

Assembly Bill No. 3967 of 2014, known as the “New Jersey Tuition Equality for America’s Military (NJTEAM) Act,” provides that a veteran who is living in New Jersey and attending a public institution of higher education in New Jersey will be regarded as a resident of the State for tuition purposes, thereby making the veteran eligible to pay an in-State tuition rate regardless of the veteran’s state of residence. A “veteran” for purposes of the bill is an individual who has served on active duty in the Uniformed Services of the United States and who was discharged or

released and who qualifies for educational assistance under the federal “All-Volunteer Force Educational Assistance Program” (38 U.S.C. s.3001 et seq.) or “Post-9/11 Educational Assistance” program (38 U.S.C. s.3301 et seq.).

The bill also allows certain other “covered individuals,” such as a veteran’s spouse or child, who are living in New Jersey, to pay the in-State tuition rate at a public institution of higher education, regardless of their state of residence. A “covered individual” for purposes of the bill is an individual who is entitled to educational assistance under provisions of the federal “Post-9/11 Educational Assistance” program (38 U.S.C. ss.3311(b)(9) or 3319) by virtue of the individual’s relationship to a veteran.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS cannot estimate the cost of Assembly Bill No. 3967 because there is no way of knowing how many veterans or covered individuals in the United States would attend a public institution of higher education in the State.

The OLS notes that higher education tuition revenues are not part of State budgeted expenditures, and thus the bill would have no impact on the State. Any cost impact associated with the bill would be a reduction in tuition paid to the public institutions of higher education.

Current law at N.J.S.18A:62-4 bestows resident status for in-State tuition on a person who has lived in the State for the 12 months prior to enrollment in a public institution of higher education. This bill primarily affects veterans or covered individuals, such as a veteran’s spouse or child, who have lived in New Jersey for less than 12 months prior to enrollment in a public institution. According to the United States Department of Veterans Affairs, as of September 30, 2014, there are approximately 22 million veterans in the country, with approximately 428,000 veterans living in New Jersey. It is unknown how many of the veterans living in New Jersey have lived in the State for less than 12 months, and how many of that number would enroll in a public institution. It is not possible to estimate how many of the 22 million veterans from around the country may move to New Jersey within the 12 months prior to their enrollment in a public institution and receive the in-State tuition rate. Finally, it is also unknown how many spouses or children, as covered individuals under applicable federal law, have lived in New Jersey for less than 12 months and would enroll in a public institution, or how many would move to New Jersey within the 12 months prior to their enrollment in a public institution and receive the in-State tuition rate.

Section: Education

Analyst: Jonathan Tang
Senior Fiscal Analyst

Approved: David J. Rosen
Legislative Budget and Finance Officer

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE, No. 849

STATE OF NEW JERSEY 216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

Senator DONALD NORCROSS

District 5 (Camden and Gloucester)

Senator JAMES BEACH

District 6 (Burlington and Camden)

Co-Sponsored by:

Senators Connors, Allen and Van Drew

SYNOPSIS

“New Jersey Tuition Equality for America’s Military (NJTEAM) Act;” provides in-State tuition at New Jersey public institutions of higher education to military veterans.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 1/31/2014)

S849 NORCROSS, BEACH

2

1 AN ACT concerning veterans and higher education and amending
2 P.L.1985, c.231.

3

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

6

7 1. Section 1 of P.L.1985, c.231 (C.18A:62-4.1) is amended to
8 read as follows:

9 1. a. United States military personnel and their dependents
10 who are living in New Jersey and are attending public institutions
11 of higher education in New Jersey shall be regarded as residents of
12 the State for the purpose of determining tuition.

13 b. A veteran attending a public institution of higher education
14 in New Jersey shall be regarded as a resident of the State for the
15 purpose of determining tuition.

16 As used in this subsection, “veteran” means a person who has
17 served on active duty in the Armed Forces of the United States and
18 who was discharged or released therefrom under conditions other
19 than dishonorable.

20 (cf: P.L.1985, c.231, s.1)

21

22 2. This act shall take effect immediately.

23

24

25

STATEMENT

26

27 This bill will be known and referred to as the “New Jersey
28 Tuition Equality for America’s Military (NJTEAM) Act.” The bill
29 provides that a veteran who is attending a public institution of
30 higher education in New Jersey will be regarded as a resident of the
31 State, thereby enabling the veteran to pay an in-State tuition rate.

32 A “veteran” for the purposes of this bill is a person who has
33 served on active duty in the Armed Forces of the United States and
34 who was discharged or released therefrom under conditions other
35 than dishonorable.

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.

SENATE MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO

SENATE, No. 849

STATE OF NEW JERSEY

DATED: JANUARY 30, 2014

The Senate Military and Veterans' Affairs Committee reports favorably Senate Bill No. 849.

This bill will be known and referred to as the "New Jersey Tuition Equality for America's Military (NJTEAM) Act." The bill provides that a veteran who is attending a public institution of higher education in New Jersey will be regarded as a resident of the State, thereby enabling the veteran to pay an in-State tuition rate.

A "veteran" for the purposes of this bill is a person who has served on active duty in the Armed Forces of the United States and who was discharged or released therefrom under conditions other than dishonorable.

This bill was pre-filed for introduction in the 2014-2015 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 849

STATE OF NEW JERSEY

DATED: SEPTEMBER 15, 2014

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 849.

This bill, referred to as the “New Jersey Tuition Equality for America’s Military (NJTEAM) Act,” provides that a veteran who is attending a public institution of higher education in New Jersey will be regarded as a resident of the State, and thereby enabling the veteran to pay an in-State tuition rate.

A “veteran” for the purposes of this bill is a person who has served on active duty in the Armed Forces of the United States and who was discharged or released therefrom under conditions other than dishonorable.

FISCAL IMPACT:

The Office of Legislative Services believes that the enactment of this bill will have an indeterminate impact on the public institutions of higher education. Under the bill, any veteran attending a public institution of higher education in New Jersey is regarded a resident of the State for the purpose of determining tuition. The bill is not limited to veterans living in the State. According to the United States Department of Veterans Affairs, there are approximately 23.0 million veterans living in the United States. It is not possible to determine how many veterans across the U.S. will enroll in a public institution of higher education in New Jersey and thus be eligible under the bill for in-State tuition.

FISCAL NOTE
SENATE, No. 849
STATE OF NEW JERSEY
216th LEGISLATURE

DATED: SEPTEMBER 18, 2014

SUMMARY

- Synopsis:** “New Jersey Tuition Equality for America’s Military (NJTEAM) Act;” provides in-State tuition at New Jersey public institutions of higher education to military veterans.
- Type of Impact:** Indeterminate impact on public institutions of higher education.
- Agencies Affected:** Public institutions of higher education.

Executive Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Public Institutions of Higher Education		Indeterminate.	

- The Office of Legislative Services (OLS) **concurs** with the Executive that the enactment of Senate Bill No. 849 will have an indeterminate impact on the public institutions of higher education. According to the Executive, there are over 22 million veterans living in the country. It is not possible to determine how many veterans across the country would enroll in a public institution in the State and thus be eligible for in-State tuition.
- Higher education tuition revenues are not part of State budgeted expenditures. Any changes in tuition revenues as a result of this bill would only impact the public institutions.

BILL DESCRIPTION

Senate Bill No. 849 of 2014 provides that a veteran attending a public institution of higher education in New Jersey will be regarded as a resident of the State, thereby enabling the veteran to pay an in-State tuition rate. Under the bill, a veteran is defined as a person who has served on active duty in the Armed Forces of the United States and who was discharged or released under conditions other than dishonorable.

FISCAL ANALYSIS

EXECUTIVE BRANCH

The Executive cannot estimate the cost of Senate Bill No. 849 because there is no way of knowing how many veterans in the United States would attend a public institution of higher education in the State. The Executive states that there are over 22 million veterans in the country who could be eligible under the provisions of the bill.

OFFICE OF LEGISLATIVE SERVICES

The OLS concurs with the Executive's conclusion that the cost of Senate Bill No. 849 cannot be estimated.

Current law at N.J.S.18A:62-4 bestows resident status for in-State tuition on a person who has lived in the State for the 12 months prior to enrollment in a public institution of higher education. Under Senate Bill No. 849, a veteran would not be required to live in the State in order to receive the in-State tuition rate.

The OLS notes that higher education tuition revenues are not part of State budgeted expenditures, and thus the bill would have no impact on the State. Any cost impact associated with the bill would be a reduction in tuition paid to the public institutions of higher education.

Section: Education

*Analyst: Jonathan Tang
Senior Fiscal Analyst*

*Approved: David J. Rosen
Legislative Budget and Finance Officer*

This fiscal note has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).