

P.L. 2019, CHAPTER 453, *approved January 21, 2020*
Senate, No. 4286 (*First Reprint*)

1 AN ACT concerning child support and amending P.L.2015, c.223.

2

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

5

6 1. Section 1 of P.L.2015, c.223 (C.2A:17-56.67) is amended to
7 read as follows:

8 1. a. Unless otherwise provided in a court order **[or]**,
9 judgment, or ¹court-approved¹ preexisting agreement, the obligation
10 to pay current child support or provide medical support, or both for
11 a child shall terminate by operation of law without order by the
12 court on the date that a child marries, dies, or enters the military
13 service. In addition, a child support obligation shall terminate by
14 operation of law without order by the court when a child reaches 19
15 years of age unless:

16 (1) another age for the termination of the obligation to pay child
17 support, which shall not extend beyond the date the child reaches 23
18 years of age, is specified in a court order or judgment;

19 (2) the child suffers from a severe mental or physical incapacity
20 that causes the child to be financially dependent on a parent, in
21 consideration of the factors set forth in N.J.S.2A:34-23, and the
22 continuation of the obligation to pay support for that child is
23 specified in a court order or judgment;

24 (3) a written request seeking the continuation of child support
25 services is submitted to the court by a custodial parent prior to the
26 child reaching the age of 19 in accordance with subsection b. of this
27 section and such request is approved by the court; or

28 **[(3)]** (4) the child receiving support is in an out-of-home
29 placement through the Division of Child Protection and
30 Permanency in the Department of Children and Families.

31 b. (1) In response to a notice of proposed termination of child
32 support issued in accordance with subsection d. of this section, a
33 custodial parent may submit a written request, on a form and within
34 timeframes promulgated by the Administrative Office of the Courts,
35 with supporting documentation to the court, including a projected
36 future date when support will terminate, seeking the continuation of
37 child support services beyond the date the child reaches 19 years of
38 age in the following circumstances:

39 (a) the child is still enrolled in high school or other secondary
40 educational program;

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SHH committee amendments adopted December 12, 2019.

1 (b) the child is a student in a post-secondary education program
2 and is enrolled for the number of hours or courses the school
3 considers to be full-time attendance during some part of [each of
4 any five calendar months of] the academic year; or
5 (c) the child has a physical or mental disability, as determined
6 by a federal or State government agency, that existed prior to the
7 child reaching the age of 19 and requires continued child support.
8 (2) A custodial parent may file a motion with the court seeking
9 to extend the obligation to pay child support beyond the date the
10 child reaches 19 years of age due to exceptional circumstances as
11 may be approved by the court.
12 c. [If the court finds that] The Probation Division of the
13 Superior Court shall review the request form and supporting
14 documentation submitted by the custodial parent [establish
15 sufficient proof] and shall make a recommendation to the court as
16 to whether to continue the child support beyond the date a child
17 reaches 19 years of age pursuant to paragraph (1) of subsection b.
18 of this section. If sufficient proof has been provided, the child
19 support obligation shall not be terminated by operation of law when
20 the child reaches the age of 19, and the court shall issue an order
21 establishing the [prospective] date of child support termination. A
22 copy of the court order shall be provided to both parents of the
23 child. A parent responsible for paying child support who disagrees
24 with the court's decision to continue child support beyond the date
25 the child reaches 19 years of age or who otherwise desires to
26 modify or terminate the child support obligation may, at any time,
27 file a motion with the court seeking relief from that obligation.
28 d. For child support orders that are administered by the
29 Probation Division of the Superior Court, the Probation Division
30 and the State IV-D agency shall cooperatively provide both parents
31 with at least two written notices of a proposed termination of child
32 support, which shall include information and the request form to
33 facilitate the continuation of child support beyond the date the child
34 reaches 19 years of age. The first notice shall be sent to the last
35 known address of the parties at least 180 days prior to the proposed
36 termination date, and the second notice shall be sent to the last
37 known address of the parties at least 90 days prior to the proposed
38 termination date. The second notice shall not be required whenever
39 a custodial parent's request for continuation is pending or a new
40 date of child support termination has been established. To the extent
41 feasible, the Probation Division and the State IV-D agency shall
42 cooperatively provide additional notice to the parents by text
43 message, telephone message, or other electronic means. In addition,
44 all orders and judgments that include a child support obligation
45 entered after the effective date of P.L.2015, c.223 (C.2A:17-56.67
46 et seq.) shall contain information regarding the termination of child
47 support obligations as provided in P.L.2015, c.223 (C.2A:17-56.67

1 et seq.). Failure of a party to provide a current mailing address
2 shall not prevent the termination of the obligation.

3 e. **【Notwithstanding the provisions of this section,】** Except for
4 child support services provided pursuant to paragraph (2) of
5 subsection a. of this section for a child who suffers from a severe
6 mental or physical incapacity that causes the child to be financially
7 dependent on a parent, the obligation to pay child support shall
8 terminate by operation of law when a child reaches 23 years of age.
9 The Probation Division of the Superior Court and the State IV-D
10 agency shall cooperatively provide both parents with a written
11 notice of termination sent to the last known address of the parties at
12 least 90 days prior to the termination date and, to the extent
13 feasible, the Probation Division and the State IV-D agency shall
14 cooperatively provide additional notice to the parents by text
15 message, telephone message, or other electronic means.

16 f. Nothing in this section shall be construed to:

17 (1) prevent a child who is beyond 23 years of age from seeking
18 a court order requiring the payment of other forms of financial
19 maintenance or reimbursement from a parent as authorized by law
20 to the extent that such financial maintenance or reimbursement is
21 not payable or enforceable as child support as defined in section 3
22 of P.L.1998, c.1 (C.2A:17-56.52); **【or】**

23 (2) prevent the court, upon application of a parent or child, from
24 converting, due to exceptional circumstances including, but not
25 limited to, a mental or physical disability, a child support obligation
26 to another form of financial maintenance for a child who has
27 reached the age of 23;

28 (3) prevent the court, upon application of a parent or child, from
29 ordering the continuation of the child support obligation or the
30 continuation of Title IV-D services, or both, for a child with a
31 severe physical or mental incapacity that causes the child to be
32 financially dependent upon a parent and consistent with paragraph
33 (2) of subsection a. of this section. The parental obligation to
34 provide support for the child shall continue until the court finds that
35 the child is relieved of the incapacity or is no longer financially
36 dependent on the parent. In assessing the financial obligation of the
37 parent, the court shall consider the factors set forth in N.J.S.2A:34-
38 23; or

39 (4) require the Probation Division of the Superior Court to
40 provide any establishment, monitoring, or enforcement of financial
41 maintenance or reimbursement orders.

42 (cf: P.L.2015, c.223, s.1)

43

44 2. Section 5 of P.L.2015, c.223 (C.2A:17-56.71) is amended to
45 read as follows:

46 5. Nothing in P.L.2015, c.223 (C.2A:17-56.67 et seq.) shall:

- 1 a. require or relieve a parent from paying support or other costs
2 while a child is enrolled full-time in a post-secondary education
3 program;
- 4 b. prohibit the State IV-D agency or the Probation Division of
5 the Superior Court from seeking to close a Title IV-D case or
6 terminate its supervision of a child support order in accordance with
7 procedures as provided under State or federal law and regulations or
8 the Rules of Court;
- 9 c. prohibit any party from filing an application with the court
10 seeking the termination of an order to pay child support for any
11 cause other than those provided under P.L.2015, c.223 (C.2A:17-
12 56.67 et seq.); **[or]**
- 13 d. prohibit the parties from consenting to a specific termination
14 date for child support that does not exceed the date a child reaches
15 23 years of age, or to any other financial arrangements for a child
16 that are not designated as child support, subject to the approval of
17 the court;
- 18 e. prohibit the parties from consenting to any other financial
19 arrangements for a non-disabled child 23 years of age or older that
20 are not enforceable by the State IV-D agency or the Probation
21 Division of the Superior Court; or
- 22 f. prohibit the State IV-D agency or the Probation Division of
23 the Superior Court from:
- 24 (1) providing full Title IV-D child support services for the
25 duration of the obligation to pay child support or provide medical
26 support or both for a child under the circumstances set forth in
27 subsection a. or b. of section 1 of P.L.2015, c.223 (C.2A:17-56.67);
28 or
- 29 (2) requiring the completion of a Title IV-D application in every
30 case where a party is seeking full Title IV-D child support services
31 and no application is on file, or an application is not required under
32 law.
- 33 (cf: P.L.2015, c.223, s.5)

34

35 3. This act shall take effect on the first day of the 11th month
36 following enactment and shall be applicable to all child support
37 orders issued prior to, on, or after the effective date. The
38 Department of Human Services, in conjunction with the
39 Administrative Office of the Courts, may take such anticipatory
40 administrative action in advance as may be necessary for the
41 implementation of this act.

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45

46 Clarifies procedures concerning collection of child support on
47 behalf of child over age 19 when court has ordered such support.

SENATE, No. 4286

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED DECEMBER 9, 2019

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

SYNOPSIS

Clarifies procedures concerning collection of child support on behalf of child over age 19 when court has ordered such support.

CURRENT VERSION OF TEXT

As introduced.



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7 read as follows:

8 1. a. Unless otherwise provided in a court order **[or]**,
9 judgment, or preexisting agreement, the obligation to pay current
10 child support or provide medical support, or both for a child shall
11 terminate by operation of law without order by the court on the date
12 that a child marries, dies, or enters the military service. In addition,
13 a child support obligation shall terminate by operation of law
14 without order by the court when a child reaches 19 years of age
15 unless:

16 (1) another age for the termination of the obligation to pay child
17 support, which shall not extend beyond the date the child reaches 23
18 years of age, is specified in a court order or judgment;

19 (2) the child suffers from a severe mental or physical incapacity
20 that causes the child to be financially dependent on a parent, in
21 consideration of the factors set forth in N.J.S.2A:34-23, and the
22 continuation of the obligation to pay support for that child is
23 specified in a court order or judgment;

24 (3) a written request seeking the continuation of child support
25 services is submitted to the court by a custodial parent prior to the
26 child reaching the age of 19 in accordance with subsection b. of this
27 section and such request is approved by the court; or

28 **[(3)]** (4) the child receiving support is in an out-of-home
29 placement through the Division of Child Protection and
30 Permanency in the Department of Children and Families.

31 b. (1) In response to a notice of proposed termination of child
32 support issued in accordance with subsection d. of this section, a
33 custodial parent may submit a written request, on a form and within
34 timeframes promulgated by the Administrative Office of the Courts,
35 with supporting documentation to the court, including a projected
36 future date when support will terminate, seeking the continuation of
37 child support services beyond the date the child reaches 19 years of
38 age in the following circumstances:

39 (a) the child is still enrolled in high school or other secondary
40 educational program;

41 (b) the child is a student in a post-secondary education program
42 and is enrolled for the number of hours or courses the school
43 considers to be full-time attendance during some part of **[each of**
44 **any five calendar months of]** the academic year; or

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 (c) the child has a physical or mental disability, as determined
2 by a federal or State government agency, that existed prior to the
3 child reaching the age of 19 and requires continued child support.

4 (2) A custodial parent may file a motion with the court seeking
5 to extend the obligation to pay child support beyond the date the
6 child reaches 19 years of age due to exceptional circumstances as
7 may be approved by the court.

8 c. **【If the court finds that】** The Probation Division of the
9 Superior Court shall review the request form and supporting
10 documentation submitted by the custodial parent **【establish**
11 **sufficient proof】** and shall make a recommendation to the court as
12 to whether to continue the child support beyond the date a child
13 reaches 19 years of age pursuant to paragraph (1) of subsection b.
14 of this section. If sufficient proof has been provided, the child
15 support obligation shall not be terminated by operation of law when
16 the child reaches the age of 19, and the court shall issue an order
17 establishing the **【prospective】** date of child support termination. A
18 copy of the court order shall be provided to both parents of the
19 child. A parent responsible for paying child support who disagrees
20 with the court's decision to continue child support beyond the date
21 the child reaches 19 years of age or who otherwise desires to
22 modify or terminate the child support obligation may, at any time,
23 file a motion with the court seeking relief from that obligation.

24 d. For child support orders that are administered by the
25 Probation Division of the Superior Court, the Probation Division
26 and the State IV-D agency shall cooperatively provide both parents
27 with at least two written notices of a proposed termination of child
28 support, which shall include information and the request form to
29 facilitate the continuation of child support beyond the date the child
30 reaches 19 years of age. The first notice shall be sent to the last
31 known address of the parties at least 180 days prior to the proposed
32 termination date, and the second notice shall be sent to the last
33 known address of the parties at least 90 days prior to the proposed
34 termination date. The second notice shall not be required whenever
35 a custodial parent's request for continuation is pending or a new
36 date of child support termination has been established. To the extent
37 feasible, the Probation Division and the State IV-D agency shall
38 cooperatively provide additional notice to the parents by text
39 message, telephone message, or other electronic means. In addition,
40 all orders and judgments that include a child support obligation
41 entered after the effective date of P.L.2015, c.223 (C.2A:17-56.67
42 et seq.) shall contain information regarding the termination of child
43 support obligations as provided in P.L.2015, c.223 (C.2A:17-56.67
44 et seq.). Failure of a party to provide a current mailing address
45 shall not prevent the termination of the obligation.

46 e. **【Notwithstanding the provisions of this section,】** Except for
47 child support services provided pursuant to paragraph (2) of

1 subsection a. of this section for a child who suffers from a severe
2 mental or physical incapacity that causes the child to be financially
3 dependent on a parent, the obligation to pay child support shall
4 terminate by operation of law when a child reaches 23 years of age.
5 The Probation Division of the Superior Court and the State IV-D
6 agency shall cooperatively provide both parents with a written
7 notice of termination sent to the last known address of the parties at
8 least 90 days prior to the termination date and, to the extent
9 feasible, the Probation Division and the State IV-D agency shall
10 cooperatively provide additional notice to the parents by text
11 message, telephone message, or other electronic means.

12 f. Nothing in this section shall be construed to:

13 (1) prevent a child who is beyond 23 years of age from seeking
14 a court order requiring the payment of other forms of financial
15 maintenance or reimbursement from a parent as authorized by law
16 to the extent that such financial maintenance or reimbursement is
17 not payable or enforceable as child support as defined in section 3
18 of P.L.1998, c.1 (C.2A:17-56.52); **[or]**

19 (2) prevent the court, upon application of a parent or child, from
20 converting, due to exceptional circumstances including, but not
21 limited to, a mental or physical disability, a child support obligation
22 to another form of financial maintenance for a child who has
23 reached the age of 23;

24 (3) prevent the court, upon application of a parent or child, from
25 ordering the continuation of the child support obligation or the
26 continuation of Title IV-D services, or both, for a child with a
27 severe physical or mental incapacity that causes the child to be
28 financially dependent upon a parent and consistent with paragraph (2)
29 of subsection a. of this section. The parental obligation to provide
30 support for the child shall continue until the court finds that the
31 child is relieved of the incapacity or is no longer financially
32 dependent on the parent. In assessing the financial obligation of the
33 parent, the court shall consider the factors set forth in N.J.S.2A:34-
34 23; or

35 (4) require the Probation Division of the Superior Court to
36 provide any establishment, monitoring, or enforcement of financial
37 maintenance or reimbursement orders.

38 (cf: P.L.2015, c.223, s.1)

39

40 2. Section 5 of P.L.2015, c.223 (C.2A:17-56.71) is amended to
41 read as follows:

42 5. Nothing in P.L.2015, c.223 (C.2A:17-56.67 et seq.) shall:

43 a. require or relieve a parent from paying support or other costs
44 while a child is enrolled full-time in a post-secondary education
45 program;

46 b. prohibit the State IV-D agency or the Probation Division of
47 the Superior Court from seeking to close a Title IV-D case or
48 terminate its supervision of a child support order in accordance with

1 procedures as provided under State or federal law and regulations or
2 the Rules of Court;

3 c. prohibit any party from filing an application with the court
4 seeking the termination of an order to pay child support for any
5 cause other than those provided under P.L.2015, c.223 (C.2A:17-
6 56.67 et seq.); **[or]**

7 d. prohibit the parties from consenting to a specific termination
8 date for child support that does not exceed the date a child reaches
9 23 years of age, or to any other financial arrangements for a child
10 that are not designated as child support, subject to the approval of
11 the court;

12 e. prohibit the parties from consenting to any other financial
13 arrangements for a non-disabled child 23 years of age or older that
14 are not enforceable by the State IV-D agency or the Probation
15 Division of the Superior Court; or

16 f. prohibit the State IV-D agency or the Probation Division of
17 the Superior Court from:

18 (1) providing full Title IV-D child support services for the
19 duration of the obligation to pay child support or provide medical
20 support or both for a child under the circumstances set forth in
21 subsection a. or b. of section 1 of P.L.2015, c.223 (C.2A:17-56.67);
22 or

23 (2) requiring the completion of a Title IV-D application in every
24 case where a party is seeking full Title IV-D child support services
25 and no application is on file, or an application is not required under
26 law.

27 (cf: P.L.2015, c.223, s.5)

28
29 3. This act shall take effect on the first day of the 11th month
30 following enactment and shall be applicable to all child support
31 orders issued prior to, on, or after the effective date. The
32 Department of Human Services, in conjunction with the
33 Administrative Office of the Courts, may take such anticipatory
34 administrative action in advance as may be necessary for the
35 implementation of this act.

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STATEMENT

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40 This bill would clarify certain procedures concerning the
41 collection of child support on behalf of a child over the age of 19
42 when such support has been ordered by the court.

43 Under section 1 of P.L.2015, c.223 (C.2A:17-56.67), when a
44 child reaches age 19, the obligation to pay child support terminates
45 by operation of law, without a court order, unless otherwise
46 provided in a court order or judgment. Prior to the enactment, which
47 took effect February 1, 2017, there was no set termination date for

1 child support and payors were required to obtain a court order
2 authorizing such termination.

3 Section 1 of P.L.2015, c.223 (C.2A:17-56.67) provides that child
4 support will *not* terminate by operation of law when the child
5 reaches age 19 if:

6 (1) another age for termination, which may not extend beyond
7 the date the child reaches age 23, is specified in a court order; or

8 (2) the child is in an out-of-home placement through the
9 Division of Child Protection and Permanency in the Department of
10 Children and Families.

11 The statute provides that the court may order child support to
12 continue after age 19 if:

13 (a) the child is still enrolled in high school or in another
14 secondary educational program;

15 (b) the child is enrolled in a post-secondary education program;
16 or

17 (c) the child has a physical or mental disability, as determined
18 by a federal or State government agency, that existed prior to age
19 19, and requires continued child support.

20 In addition, the court may order child support to continue beyond
21 age 19 if the court finds “exceptional circumstances as may be
22 approved by the court.”

23 Section 1 of P.L.2015, c.223 (C.2A:17-56.67) also provides that
24 nothing in the statute shall prevent the court from converting, due to
25 exceptional circumstances including, but not limited to, a mental or
26 physical disability, a child support obligation to another form of
27 financial maintenance for a child who has reached the age of 23.

28 SECTION 1 OF P.L.2015, C.223 (C.2A:17-56.67):

29 The bill would amend section 1 of P.L.2015, c.223 (C.2A:17-
30 56.67) to add to the age 19 child support termination provision a
31 specific exception for a child with a severe incapacity. Under the
32 bill, child support would not terminate at age 19 if the child suffers
33 from a severe mental or physical incapacity, as defined in
34 subsection a. of N.J.S.2A:34-23, that causes the child to be
35 financially dependent on a parent and the continuation of the
36 obligation to pay support for that child is specified in a court order
37 or judgment.

38 In addition, the bill specifies that where a parent submits a
39 request to the court seeking continuation of child support beyond
40 the child reaching age 19, the Probation Division of the Superior
41 Court would review the request and make a recommendation to the
42 court. If sufficient proof has been provided, the child support
43 obligation would not be terminated by operation of law when the
44 child reaches age 19, and the court would issue an order
45 establishing the date of child support termination.

46 The bill also specifies that child support would not terminate by
47 operation of law when a child reaches age 23 if the child suffers

1 from a severe mental or physical incapacity that causes the child to
2 be financially dependent on a parent.

3 The bill additionally specifies that nothing in section 1 of
4 P.L.2015, c.223 (C.2A:17-56.67) shall be construed to prevent the
5 court, upon application of a parent or child, from ordering the
6 continuation of the child support obligation or the continuation of
7 Title IV-D services, or both, for a child with a severe physical or
8 mental incapacity as defined in N.J.S.2A:34-23 and consistent with
9 paragraph (2) of subsection a. of C.2A:17-56.67 concerning a child
10 who suffers from a severe mental or physical incapacity. The
11 parental obligation to provide support for the child would continue
12 until the court finds that the child is relieved of the incapacity or is
13 no longer financially dependent on the parent. In assessing the
14 financial obligation of the parent, the court would be required to
15 consider the factors set forth in N.J.S.2A:34-23.

16 The bill also provides that nothing in section 1 of P.L.2015,
17 c.223 (C.2A:17-56.67) shall be construed to require the Probation
18 Division of the Superior Court to provide any establishment,
19 monitoring, or enforcement of financial maintenance or
20 reimbursement orders.

21 SECTION 5 OF P.L.2015, c.223 (C.2A:17-56.71):

22 The bill would amend section 5 of P.L.2015, c.223 (C.2A:17-
23 56.71) to provide that nothing in the statute shall:

24 (1) prohibit the parties from consenting to any other financial
25 arrangements for a non-disabled child 23 years of age or older that
26 are not enforceable by the State IV-D agency or the Probation
27 Division of the Superior Court; or

28 (2) prohibit the State IV-D agency or the Probation Division of
29 the Superior Court from:

30 (a) providing full Title IV-D child support services for the
31 duration of the obligation to pay child support or provide medical
32 support or both for a child under the circumstances set forth in
33 subsection a. or b. of section 1 of P.L.2015, c.223 (C.2A:17-56.67);
34 or

35 (b) requiring the completion of a Title IV-D application in every
36 case where a party is seeking full Title IV-D child support services
37 and no application is on file, or an application is not required under
38 law.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO
SENATE, No. 4286

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 12, 2019

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 4286.

As amended, this bill would clarify certain procedures concerning the collection of child support on behalf of a child over the age of 19 when such support has been ordered by the court.

Under section 1 of P.L.2015, c.223 (C.2A:17-56.67), when a child reaches age 19, the obligation to pay child support terminates by operation of law, without a court order, unless otherwise provided in a court order or judgment. Prior to the enactment, which took effect February 1, 2017, there was no set termination date for child support and payors were required to obtain a court order authorizing such termination.

Current law provides that child support will not terminate by operation of law when the child reaches age 19 if: (1) another age for termination, which may not extend beyond the date the child reaches age 23, is specified in a court order; or (2) the child is in an out-of-home placement through the Division of Child Protection and Permanency in the Department of Children and Families.

A court may order child support to continue after age 19 if the child is still enrolled in high school or in another secondary educational program, the child is enrolled in a post-secondary education program, or the child has a physical or mental disability, as determined by a federal or State government agency, that existed prior to age 19, and requires continued child support. In addition, the court may order child support to continue beyond age 19 if the court finds “exceptional circumstances as may be approved by the court.”

Current law also provides that nothing prevents a court from converting a child support obligation to another form of financial maintenance for a child who has reached the age of 23 under exceptional circumstances, such as a physical or mental disability.

The bill amends these provisions to add a specific exception for a child with a severe incapacity. Under the bill, child support will not terminate at age 19 if the child has a severe mental or physical incapacity that causes the child to be financially dependent on a parent,

and the continuation of the obligation to pay support for that child is specified in a court order or judgment.

In addition, the bill specifies that, where a parent submits a request to the court seeking continuation of child support beyond the child reaching age 19, the Probation Division of the Superior Court will review the request and make a recommendation to the court. If sufficient proof has been provided, the child support obligation will not be terminated by operation of law when the child reaches age 19, and the court will issue an order establishing the date of child support termination.

The bill also specifies that child support will not terminate by operation of law when a child reaches age 23 if the child has a severe mental or physical incapacity that causes the child to be financially dependent on a parent.

The bill additionally specifies that nothing in section 1 of P.L.2015, c.223 (C.2A:17-56.67) will be construed to prevent the court, upon application of a parent or child, from ordering the continuation of the child support obligation or the continuation of Title IV-D services, or both, for a child with a severe physical or mental incapacity. The parental obligation to provide support for the child will continue until the court finds that the child is relieved of the incapacity or is no longer financially dependent on the parent. In assessing the financial obligation of the parent, the court will be required to consider the factors set forth in N.J.S.2A:34-23.

The bill also provides that nothing in section 1 of P.L.2015, c.223 (C.2A:17-56.67) will be construed to require the Probation Division of the Superior Court to provide any establishment, monitoring, or enforcement of financial maintenance or reimbursement orders.

The bill also amends section 5 of P.L.2015, c.223 (C.2A:17-56.71) to provide that nothing in the statute will: (1) prohibit the parties from consenting to any other financial arrangements for a non-disabled child 23 years of age or older that are not enforceable by the State IV-D agency or the Probation Division of the Superior Court; or (2) prohibit the State IV-D agency or the Probation Division of the Superior Court from providing full Title IV-D child support services beyond the date the child reaches 19 years of age or requiring the completion of a Title IV-D application in every case where a party is seeking full Title IV-D child support services and no application is on file, or an application is not required under law.

COMMITTEE AMENDMENTS:

The committee amendments clarify that the bill applies to preexisting agreements that have been approved by the court.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 4286

STATE OF NEW JERSEY

DATED: JANUARY 6, 2020

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 4286 (1R).

This bill clarifies certain procedures concerning the collection of child support on behalf of a child over the age of 19 when such support has been ordered by the court.

Under section 1 of P.L.2015, c.223 (C.2A:17-56.67), when a child reaches age 19, the obligation to pay child support terminates by operation of law, without a court order, unless otherwise provided in a court order or judgment. Prior to the enactment, which took effect February 1, 2017, there was no set termination date for child support and payors were required to obtain a court order authorizing such termination.

Current law provides that child support will not terminate by operation of law when the child reaches age 19 if: (1) another age for termination, which may not extend beyond the date the child reaches age 23, is specified in a court order; or (2) the child is in an out-of-home placement through the Division of Child Protection and Permanency in the Department of Children and Families.

A court may order child support to continue after age 19 if the child is still enrolled in high school or in another secondary educational program, the child is enrolled in a post-secondary education program, or the child has a physical or mental disability, as determined by a federal or State government agency, that existed prior to age 19, and requires continued child support. In addition, the court may order child support to continue beyond age 19 if the court finds “exceptional circumstances as may be approved by the court.”

Current law also provides that nothing prevents a court from converting a child support obligation to another form of financial maintenance for a child who has reached the age of 23 under exceptional circumstances, such as a physical or mental disability.

The bill amends these provisions to add a specific exception for a child with a severe incapacity. Under the bill, child support will not terminate at age 19 if the child has a severe mental or physical incapacity that causes the child to be financially dependent on a parent, and the continuation of the obligation to pay support for that child is specified in a court order or judgment.

In addition, the bill specifies that, where a parent submits a request to the court seeking continuation of child support beyond the child reaching age 19, the Probation Division of the Superior Court will review the request and make a recommendation to the court. If sufficient proof has been provided, the child support obligation will not be terminated by operation of law when the child reaches age 19, and the court will issue an order establishing the date of child support termination.

The bill also specifies that child support will not terminate by operation of law when a child reaches age 23 if the child has a severe mental or physical incapacity that causes the child to be financially dependent on a parent.

The bill additionally specifies that nothing in section 1 of P.L.2015, c.223 (C.2A:17-56.67) will be construed to prevent the court, upon application of a parent or child, from ordering the continuation of the child support obligation or the continuation of Title IV-D services, or both, for a child with a severe physical or mental incapacity. The parental obligation to provide support for the child will continue until the court finds that the child is relieved of the incapacity or is no longer financially dependent on the parent. In assessing the financial obligation of the parent, the court will be required to consider the factors set forth in N.J.S.2A:34-23.

The bill also provides that nothing in section 1 of P.L.2015, c.223 (C.2A:17-56.67) will be construed to require the Probation Division of the Superior Court to provide any establishment, monitoring, or enforcement of financial maintenance or reimbursement orders.

The bill also amends section 5 of P.L.2015, c.223 (C.2A:17-56.71) to provide that nothing in the statute will: (1) prohibit the parties from consenting to any other financial arrangements for a non-disabled child 23 years of age or older that are not enforceable by the State IV-D agency or the Probation Division of the Superior Court; or (2) prohibit the State IV-D agency or the Probation Division of the Superior Court from providing full Title IV-D child support services beyond the date the child reaches 19 years of age or requiring the completion of a Title IV-D application in every case where a party is seeking full Title IV-D child support services and no application is on file, or an application is not required under law.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that the bill will result in annual, indeterminate State expenditure increases. According to informal information provided by the Administrative Office of the Courts (AOC), the Judiciary may incur an indeterminate increase in its annual caseload. The Judiciary and the Office of Probation Services would also incur an indeterminate increase in annual operating expenditures related to child support enforcement, court time, hearings, and both pre-dispositional and post-dispositional

work under the provisions of this bill. According to the AOC, an estimate cannot be made regarding the number of cases that may be brought as a result of the bill and cannot estimate the fiscal impact that the bill would have on the court system.

The Department of Human Services may have a decrease in annual expenditures on the WorkFirst NJ program, which is the State program that provides temporary cash assistance and other support services to families through the federal Temporary Assistance for Needy Families block grant. Eligible recipients that receive child support have these payments collected by county welfare agencies to cover the costs of the assistance provided. If the bill results in more adult children receiving child support payment for longer periods of time, these services would be funded by these payments rather than State sources, thereby resulting in a State cost decrease.

To the extent that the extended child support payments provided in the bill make the adult child ineligible for Medicaid or other services, this bill would reduce State Medicaid expenditures and revenues. However, there are several unknown variables (i.e. the amount of the child support payment, the adult child's income, type of Medicaid program for which the adult child qualifies, etc.) which prevent an estimate of the magnitude of the fiscal impact from being made.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 4286 STATE OF NEW JERSEY 218th LEGISLATURE

DATED: JANUARY 8, 2020

SUMMARY

- Synopsis:** Clarifies procedures concerning collection of child support on behalf of child over age 19 when court has ordered such support.
- Type of Impact:** Annual State expenditure impact; potential annual State revenue decrease
- Agencies Affected:** Department of Human Services; the Judiciary.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Expenditure Impact	Indeterminate
Potential State Revenue Decrease	Indeterminate

- The Office of Legislative Services (OLS) estimates that the bill will result in annual, indeterminate State expenditure increases. According to informal information provided by the Administrative Office of the Courts (AOC), the Judiciary may incur an indeterminate increase in its annual caseload. The Judiciary and the Office of Probation Services would also incur an indeterminate increase in annual operating expenditures related to child support enforcement, court time, hearings, and both pre-dispositional and post-dispositional work under the provisions of this bill. According to the AOC, an estimate cannot be made regarding the number of cases that may be brought as a result of the bill and cannot estimate the fiscal impact that the bill would have on the court system.
- The Department of Human Services (DHS) may have a decrease in annual expenditures on the WorkFirst NJ program, which is the State program that provides temporary cash assistance and other support services to families through the federal Temporary Assistance for Needy Families (TANF) block grant. Eligible recipients that receive child support have these payments collected by county welfare agencies to cover the costs of the assistance provided. If the bill results in more adult children receiving child support payment for longer periods of time, these services would be funded by these payments rather than State sources, thereby resulting in a State cost decrease.

- To the extent that the extended child support payments provided in the bill make the adult child ineligible for Medicaid or other services, this bill would reduce State Medicaid expenditures and revenues. However, there are several unknown variables (i.e. the amount of the child support payment, the adult child's income, type of Medicaid program for which the adult child qualifies, etc.) which prevent an estimate of the magnitude of the fiscal impact from being made.

BILL DESCRIPTION

This bill clarifies certain procedures concerning the collection of child support on behalf of a child over the age of 19 when such support has been ordered by the court. Under current law, when a child reaches age 19, the obligation to pay child support terminates by operation of law, without a court order, unless otherwise provided in a court order or judgment.

The bill amends certain provisions related to child support obligations to add a specific exception for a child with a severe incapacity. Under the bill, child support will not terminate at age 19 if the child has a severe mental or physical incapacity that causes the child to be financially dependent on a parent, and the continuation of the obligation to pay support for that child is specified in a court order or judgment.

In addition, the bill specifies that, where a parent submits a request to the court seeking continuation of child support beyond the child reaching age 19, the Probation Division of the Superior Court will review the request and make a recommendation to the court. If sufficient proof has been provided, the child support obligation will not be terminated by operation of law when the child reaches age 19, and the court will issue an order establishing the date of child support termination.

The bill also specifies that child support will not terminate by operation of law when a child reaches age 23 if the child has a severe mental or physical incapacity that causes the child to be financially dependent on a parent.

The bill additionally specifies that nothing in current law will be construed to prevent the court, upon application of a parent or child, from ordering the continuation of the child support obligation or the continuation of Title IV-D services, or both, for a child with a severe physical or mental incapacity. The parental obligation to provide support for the child will continue until the court finds that the child is relieved of the incapacity or is no longer financially dependent on the parent.

The bill also amends current law to provide that nothing in the statute will: (1) prohibit the parties from consenting to any other financial arrangements for a non-disabled child 23 years of age or older that are not enforceable by the State IV-D agency or the Probation Division of the Superior Court; or (2) prohibit the State IV-D agency or the Probation Division of the Superior Court from providing full Title IV-D child support services beyond the date the child reaches 19 years of age or requiring the completion of a Title IV-D application in every case where a party is seeking full Title IV-D child support services and no application is on file, or an application is not required under law.

FISCAL ANALYSIS

JUDICIAL BRANCH

Based on information informally provided to the OLS, the Judiciary states that the bill may require the filing of a motion or action for continuation of child support services after age 23 for

those children with a severe mental or physical incapacity who are financially dependent on a parent. There may also be a court filing to terminate child support services if the child is relieved of the incapacity or is no longer financially dependent on the parent. The Judiciary states that it would incur an increase in expenditures related to court time, hearings, and both pre-dispositional and post-dispositional work. In addition, according to the Judiciary, the Office of Probation Services would incur additional expenditures in its child support enforcement efforts for children over age 23 who would receive child support services pursuant to the bill. The Judiciary has stated that as it is unable to determine the number of filings, hearings, and cases that would be impacted by the bill, it is unable to estimate with any certainty the resulting effect on Judiciary expenditures related to judges and staff in both the Family and Probation Divisions.

EXECUTIVE BRANCH

Based on information informally provided, the DHS states that it expect a minimal cost to update IT systems to effectuate the legislation.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that the bill will result in annual, indeterminate State expenditure increases. According to informal information provided by the AOC, the Judiciary may incur an indeterminate increase in its annual caseload. The Judiciary and the Office of Probation Services would also incur an indeterminate increase in annual operating expenditures related to child support enforcement, court time, hearings, and both pre-dispositional and post-dispositional work under the provisions of this bill. According to the AOC, an estimate cannot be made regarding the number of cases that may be brought as a result of the bill and cannot estimate the fiscal impact that the bill would have on the court system.

The DHS may have a decrease in annual expenditures on the WorkFirst NJ program, which is the State program that provides temporary cash assistance and other support services to families through the federal TANF block grant. Eligible recipients that receive child support payments have these payments collected by county welfare agencies to cover the costs of the assistance provided. If the bill results in more adult children receiving child support payments for longer periods of times, these services would be largely funded by these payments rather than State sources, thereby resulting in a State cost decrease.

To the extent that the extended child support payments provided in the bill make the adult child ineligible for Medicaid or other services, this bill would reduce State Medicaid expenditures and federal matching revenues. According to the Social Security Administration, when a parent or other person receives current child support payments for an adult child after the adult child stops meeting the definition of a child, the income belongs to the adult child. The support payments are income to the adult child even if he or she does not live with or receive any of the child support payment from the parent or other person. Considering that the bill targets child support for individuals with a severe incapacity, it is likely that they will not have any other form of earned income. With that said, an unmarried individual would have been eligible for Medicaid in New Jersey in 2019 only if the following income and financial resource tests were met:

- Under the NJ FamilyCare Aged, Blind, Disabled program if the individual's gross monthly income is equal to or less than \$802.25. The current resource maximum for an individual is \$2,000.
- Under the NJ Care – Special Medicaid program if the individual's gross monthly income is equal to or less than \$1,041. The current resource maximum for an individual is \$4,000.

- Under the State's long-term services and supports program if the individual's gross monthly income is equal to or less than \$2,313. The current resource maximum for an individual is \$2,000. In determining financial eligibility, if the gross monthly income exceeds the income limit allowed, the individual can establish and fund a Qualified Income Trust with the excess income that is above the limit.

However, there are several unknown variables including the amount of the child support payment, the adult child's income, type of Medicaid program for which the adult child qualifies, etc., which prevent the OLS from estimating the magnitude of the decrease in State revenues and expenditures that could occur as a result of this bill.

Section: Judiciary

*Analyst: Sarita Welsh
 Associate Counsel*

*Approved: Frank W. Haines III
 Legislative Budget and Finance Officer*

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

ASSEMBLY, No. 5890

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED NOVEMBER 14, 2019

Sponsored by:

**Assemblywoman LISA SWAIN
District 38 (Bergen and Passaic)**

SYNOPSIS

Clarifies procedures concerning collection of child support on behalf of child over age 19 when court has ordered such support.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning child support and amending P.L.2015, c.223.

2

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

5

6 1. Section 1 of P.L.2015, c.223 (C.2A:17-56.67) is amended to
7 read as follows:

8 1. a. Unless otherwise provided in a court order **[or]**,
9 judgment, or preexisting agreement, the obligation to pay current
10 child support and the obligation to pay current health care coverage
11 for a child shall terminate by operation of law without order by the
12 court on the date that a child marries, dies, or enters the military
13 service. In addition, a child support obligation shall terminate by
14 operation of law without order by the court when a child reaches 19
15 years of age unless:

16 (1) another age for the termination of the obligation to pay child
17 support, which shall not extend beyond the date the child reaches 23
18 years of age, is specified in a court order or judgment;

19 (2) the child suffers from a severe mental or physical incapacity
20 as defined in subsection a. of N.J.S.2A:34-23 that causes the child
21 to be financially dependent on a parent and the continuation of the
22 obligation to pay support for that child is specified in a court order
23 or judgment;

24 (3) a written request seeking the continuation of child support
25 services is submitted to the court by a custodial parent prior to the
26 child reaching the age of 19 in accordance with subsection b. of this
27 section and such request is approved by the court; or

28 **[(3)]** (4) the child receiving support is in an out-of-home
29 placement through the Division of Child Protection and
30 Permanency in the Department of Children and Families.

31 b. (1) In response to a notice of proposed termination of child
32 support issued in accordance with subsection d. of this section, a
33 custodial parent may submit a written request, on a form and within
34 timeframes promulgated by the Administrative Office of the Courts,
35 with supporting documentation to the court, including a projected
36 future date when support will terminate, seeking the continuation of
37 child support beyond the date the child reaches 19 years of age in
38 the following circumstances:

39 (a) the child is still enrolled in high school or other secondary
40 educational program;

41 (b) the child is a student in a post-secondary education program
42 and is enrolled for the number of hours or courses the school
43 considers to be full-time attendance during some part of **[each of**
44 **any five calendar months of]** the academic year; or

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 (c) the child has a physical or mental disability, as determined
2 by a federal or State government agency, that existed prior to the
3 child reaching the age of 19 and requires continued child support.

4 (2) A custodial parent may file a motion with the court seeking
5 to extend the obligation to pay child support beyond the date the
6 child reaches 19 years of age due to exceptional circumstances as
7 may be approved by the court.

8 c. **【If the court finds that】** The Probation Division of the
9 Superior Court shall review the request form and supporting
10 documentation submitted by the custodial parent **【establish**
11 **sufficient proof】** and shall make a recommendation to the court as
12 to whether to continue the child support beyond the date a child
13 reaches 19 years of age pursuant to paragraph (1) of subsection b.
14 of this section. If sufficient proof has been provided, the child
15 support obligation shall not be terminated by operation of law when
16 the child reaches the age of 19, and the court shall issue an order
17 establishing the **【prospective】** date of child support termination. A
18 copy of the court order shall be provided to both parents of the
19 child. A parent responsible for paying child support who disagrees
20 with the court's decision to continue child support beyond the date
21 the child reaches 19 years of age or who otherwise desires to
22 modify or terminate the child support obligation may, at any time,
23 file a motion with the court seeking relief from that obligation.

24 d. For child support orders that are administered by the
25 Probation Division of the Superior Court, the Probation Division
26 and the State IV-D agency shall cooperatively provide both parents
27 with at least two written notices of a proposed termination of child
28 support, which shall include information and the request form to
29 facilitate the continuation of child support beyond the date the child
30 reaches 19 years of age. The first notice shall be sent to the last
31 known address of the parties at least 180 days prior to the proposed
32 termination date, and the second notice shall be sent to the last
33 known address of the parties at least 90 days prior to the proposed
34 termination date. The second notice shall not be required whenever
35 a custodial parent's request for continuation is pending or a new
36 date of child support termination has been established. To the extent
37 feasible, the Probation Division and the State IV-D agency shall
38 cooperatively provide additional notice to the parents by text
39 message, telephone message, or other electronic means. In addition,
40 all orders and judgments that include a child support obligation
41 entered after the effective date of P.L.2015, c.223 (C.2A:17-56.67
42 et seq.) shall contain information regarding the termination of child
43 support obligations as provided in P.L.2015, c.223 (C.2A:17-
44 56.67 et seq.). Failure of a party to provide a current mailing
45 address shall not prevent the termination of the obligation.

46 e. **【Notwithstanding the provisions of this section,】** Except for
47 child support services provided pursuant to paragraph (2) of

1 subsection a. of this section for a child who suffers from a severe
2 mental or physical incapacity and subparagraph (c) of paragraph (1)
3 of subsection b. of this section for a child with a physical or mental
4 disability, the obligation to pay child support shall terminate by
5 operation of law when a child reaches 23 years of age. The
6 Probation Division of the Superior Court and the State IV-D agency
7 shall cooperatively provide both parents with a written notice of
8 termination sent to the last known address of the parties at least 90
9 days prior to the termination date and, to the extent feasible, the
10 Probation Division and the State IV-D agency shall cooperatively
11 provide additional notice to the parents by text message, telephone
12 message, or other electronic means.

13 f. Nothing in this section shall be construed to:

14 (1) prevent a child who is beyond 23 years of age from seeking
15 a court order requiring the payment of other forms of financial
16 maintenance or reimbursement from a parent as authorized by law
17 to the extent that such financial maintenance or reimbursement is
18 not payable **【or enforceable】** as child support as defined in section
19 3 of P.L.1998, c.1 (C.2A:17-56.52); **【or】**

20 (2) prevent the court, upon application of a parent or child, from
21 converting, due to exceptional circumstances including, but not
22 limited to, a mental or physical disability, a child support obligation
23 to another form of financial maintenance for a child who has
24 reached the age of 23;

25 (3) prevent the court, upon application of a parent or child, from
26 ordering the continuation of the child support obligation or the
27 continuation of Title IV-D services, or both, for a child with a
28 severe physical or mental incapacity as defined in N.J.S.2A:34-23
29 and consistent with paragraph (2) of subsection a. of this section
30 concerning a child who suffers from a severe mental or physical
31 incapacity. The parental obligation to provide support for the child
32 shall continue until the court finds that the child is relieved of the
33 incapacity or is no longer financially dependent on the parent. In
34 assessing the financial obligation of the parent, the court shall
35 consider the factors set forth in N.J.S.2A:34-23; or

36 (4) require the Probation Division of the Superior Court to
37 provide any establishment, monitoring, or enforcement of financial
38 maintenance or reimbursement orders.

39 (cf: P.L.2015, c.223, s.1)

40

41 2. Section 5 of P.L.2015, c.223 (C.2A:17-56.71) is amended to
42 read as follows:

43 5. Nothing in P.L.2015, c.223 (C.2A:17-56.67 et seq.) shall:

44 a. require or relieve a parent from paying support or other costs
45 while a child is enrolled full-time in a post-secondary education
46 program;

47 b. prohibit the State IV-D agency or the Probation Division of
48 the Superior Court from seeking to close a Title IV-D case or

1 terminate its supervision of a child support order in accordance with
2 procedures as provided under State or federal law and regulations or
3 the Rules of Court;

4 c. prohibit any party from filing an application with the court
5 seeking the termination of an order to pay child support for any
6 cause other than those provided under P.L.2015, c.223 (C.2A:17-
7 56.67 et seq.); **[or]**

8 d. prohibit the parties from consenting to a specific termination
9 date for child support that does not exceed the date a child reaches
10 23 years of age, or to any other financial arrangements for a child
11 that are not designated as child support, subject to the approval of
12 the court;

13 e. prohibit the parties from consenting to any other financial
14 arrangements for a non-disabled child 23 years of age or older that
15 are not enforceable by the State IV-D agency or the Probation
16 Division of the Superior Court; or

17 f. prohibit the State IV-D agency or the Probation Division of
18 the Superior Court from:

19 (1) providing full Title IV-D child support services beyond the
20 date the child reaches 19 years of age under the circumstances set
21 forth in subsection a. or b. of section 1 of P.L.2015, c.223
22 (C.2A:17-56.67); or

23 (2) requiring the completion of a Title IV-D application in every
24 case where a party is seeking full Title IV-D child support services
25 and no application is on file, or an application is not required under
26 law.

27 (cf: P.L.2015, c.223, s.5)

28

29 3. This act shall take effect on the first day of the 11th month
30 following enactment and shall be applicable to all child support
31 orders issued prior to, on, or after the effective date. The
32 Department of Human Services, in conjunction with the
33 Administrative Office of the Courts, may take such anticipatory
34 administrative action in advance as may be necessary for the
35 implementation of this act.

36

37

38

STATEMENT

39

40 This bill would clarify certain procedures concerning the
41 collection of child support on behalf of a child over the age of 19
42 when such support has been ordered by the court.

43 Under section 1 of P.L.2015, c.223 (C.2A:17-56.67), when a
44 child reaches age 19, the obligation to pay child support terminates
45 by operation of law, without a court order, unless otherwise
46 provided in a court order or judgment. Prior to the enactment, which
47 took effect February 1, 2017, there was no set termination date for

1 child support and payors were required to obtain a court order
2 authorizing such termination.

3 Section 1 of P.L.2015, c.223 (C.2A:17-56.67) provides that child
4 support will not terminate by operation of law when the child
5 reaches age 19 if:

6 (1) another age for termination, which may not extend beyond
7 the date the child reaches age 23, is specified in a court order; or

8 (2) the child is in an out-of-home placement through the
9 Division of Child Protection and Permanency in the Department of
10 Children and Families.

11 The statute provides that the court may order child support to
12 continue after age 19 if:

13 (a) the child is still enrolled in high school or in another
14 secondary educational program;

15 (b) the child is enrolled in a post-secondary education program;
16 or

17 (c) the child has a physical or mental disability, as determined
18 by a federal or State government agency, that existed prior to age
19 19, and requires continued child support.

20 In addition, the court may order child support to continue beyond
21 age 19 if the court finds “exceptional circumstances as may be
22 approved by the court.”

23 Section 1 of P.L.2015, c.223 (C.2A:17-56.67) also provides that
24 nothing in the statute shall prevent the court from converting, due to
25 exceptional circumstances including, but not limited to, a mental or
26 physical disability, a child support obligation to another form of
27 financial maintenance for a child who has reached the age of 23.

28 AMENDMENTS TO SECTION 1 OF P.L.2015, c.223 (C.2A:17-56.67):

29 This bill would add to the age 19 child support termination
30 provision a specific exception for a child with a severe incapacity.
31 Under the bill, child support would not terminate at age 19 if the
32 child suffers from a severe mental or physical incapacity, as defined
33 in subsection a. of N.J.S.2A:34-23, that causes the child to be
34 financially dependent on a parent and the continuation of the
35 obligation to pay support for that child is specified in a court order
36 or judgment.

37 In addition, the bill specifies that where a parent submits a
38 request to the court seeking continuation of child support beyond
39 the child reaching age 19, the Probation Division of the Superior
40 Court would review the request and make a recommendation to the
41 court. If sufficient proof has been provided, the child support
42 obligation would not be terminated by operation of law when the
43 child reaches age 19, and the court would issue an order
44 establishing the date of child support termination.

45 The bill also specifies that child support would not terminate by
46 operation of law when a child reaches age 23 if the child suffers
47 from a severe mental or physical incapacity, or has a physical or

1 mental disability that existed prior to reaching age 19 and requires
2 continued child support.

3 The bill additionally specifies that nothing in section 1 of
4 P.L.2015, c.223 (C.2A:17-56.67) shall be construed to prevent the
5 court, upon application of a parent or child, from ordering the
6 continuation of the child support obligation or the continuation of
7 Title IV-D services, or both, for a child with a severe physical or
8 mental incapacity as defined in N.J.S.2A:34-23 and consistent with
9 paragraph (2) of subsection a. of C.2A:17-56.67 concerning a child
10 who suffers from a severe mental or physical incapacity. The
11 parental obligation to provide support for the child would continue
12 until the court finds that the child is relieved of the incapacity or is
13 no longer financially dependent on the parent. In assessing the
14 financial obligation of the parent, the court would be required to
15 consider the factors set forth in N.J.S.2A:34-23.

16 The bill also provides that nothing in section 1 of P.L.2015,
17 c.223 (C.2A:17-56.67) shall be construed to require the Probation
18 Division of the Superior Court to provide any establishment,
19 monitoring, or enforcement of financial maintenance or
20 reimbursement orders.

21 AMENDMENTS TO SECTION 5 OF P.L.2015, c.223 (C.2A:17-56.71):

22 The bill would amend section 5 of P.L.2015, c.223 (C.2A:17-
23 56.71) to provide that nothing in the statute shall:

24 (1) prohibit the parties from consenting to any other financial
25 arrangements for a non-disabled child 23 years of age or older that
26 are not enforceable by the State IV-D agency or the Probation
27 Division of the Superior Court; or

28 (2) prohibit the State IV-D agency or the Probation Division of
29 the Superior Court from:

30 (a) providing full Title IV-D child support services beyond the
31 date the child reaches 19 years of age under the circumstances set
32 forth in subsection a. or b. of section 1 of P.L.2015, c.223
33 (C.2A:17-56.67); or

34 (b) requiring the completion of a Title IV-D application in every
35 case where a party is seeking full Title IV-D child support services
36 and no application is on file, or an application is not required under
37 law.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5890

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 18, 2019

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 5890.

This bill would clarify certain procedures concerning the collection of child support on behalf of a child over the age of 19 when such support has been ordered by the court.

Under section 1 of P.L.2015, c.223 (C.2A:17-56.67), when a child reaches age 19, the obligation to pay child support terminates by operation of law, without a court order, unless otherwise provided in a court order or judgment. Prior to the enactment, which took effect February 1, 2017, there was no set termination date for child support and payors were required to obtain a court order authorizing such termination.

Section 1 of P.L.2015, c.223 (C.2A:17-56.67) provides that child support will not terminate by operation of law when the child reaches age 19 if:

(1) another age for termination, which may not extend beyond the date the child reaches age 23, is specified in a court order; or

(2) the child is in an out-of-home placement through the Division of Child Protection and Permanency in the Department of Children and Families.

The statute provides that the court may order child support to continue after age 19 if:

(a) the child is still enrolled in high school or in another secondary educational program;

(b) the child is enrolled in a post-secondary education program; or

(c) the child has a physical or mental disability, as determined by a federal or State government agency, that existed prior to age 19, and requires continued child support.

In addition, the court may order child support to continue beyond age 19 if the court finds “exceptional circumstances as may be approved by the court.”

Section 1 of P.L.2015, c.223 (C.2A:17-56.67) also provides that nothing in the statute shall prevent the court from converting, due to exceptional circumstances including, but not limited to, a mental or physical disability, a child support obligation to another form of financial maintenance for a child who has reached the age of 23.

SECTION 1 OF P.L.2015, c.223 (C.2A:17-56.67):

The bill would amend section 1 of P.L.2015, c.223 (C.2A:17-56.67) to add to the age 19 child support termination provision a specific exception for a child with a severe incapacity. Under the bill, child support would not terminate at age 19 if the child suffers from a severe mental or physical incapacity, as defined in subsection a. of N.J.S.2A:34-23, that causes the child to be financially dependent on a parent and the continuation of the obligation to pay support for that child is specified in a court order or judgment.

In addition, the bill specifies that where a parent submits a request to the court seeking continuation of child support beyond the child reaching age 19, the Probation Division of the Superior Court would review the request and make a recommendation to the court. If sufficient proof has been provided, the child support obligation would not be terminated by operation of law when the child reaches age 19, and the court would issue an order establishing the date of child support termination.

The bill also specifies that child support would not terminate by operation of law when a child reaches age 23 if the child suffers from a severe mental or physical incapacity, or has a physical or mental disability that existed prior to reaching age 19 and requires continued child support.

The bill additionally specifies that nothing in section 1 of P.L.2015, c.223 (C.2A:17-56.67) shall be construed to prevent the court, upon application of a parent or child, from ordering the continuation of the child support obligation or the continuation of Title IV-D services, or both, for a child with a severe physical or mental incapacity as defined in N.J.S.2A:34-23 and consistent with paragraph (2) of subsection a. of C.2A:17-56.67 concerning a child who suffers from a severe mental or physical incapacity. The parental obligation to provide support for the child would continue until the court finds that the child is relieved of the incapacity or is no longer financially dependent on the parent. In assessing the financial obligation of the parent, the court would be required to consider the factors set forth in N.J.S.2A:34-23.

The bill also provides that nothing in section 1 of P.L.2015, c.223 (C.2A:17-56.67) shall be construed to require the Probation Division of the Superior Court to provide any establishment, monitoring, or enforcement of financial maintenance or reimbursement orders.

SECTION 5 OF P.L.2015, c.223 (C.2A:17-56.71):

The bill would amend section 5 of P.L.2015, c.223 (C.2A:17-56.71) to provide that nothing in the statute shall:

(1) prohibit the parties from consenting to any other financial arrangements for a non-disabled child 23 years of age or older that are not enforceable by the State IV-D agency or the Probation Division of the Superior Court; or

(2) prohibit the State IV-D agency or the Probation Division of the Superior Court from:

(a) providing full Title IV-D child support services beyond the date the child reaches 19 years of age under the circumstances set forth in subsection a. or b. of section 1 of P.L.2015, c.223 (C.2A:17-56.67); or

(b) requiring the completion of a Title IV-D application in every case where a party is seeking full Title IV-D child support services and no application is on file, or an application is not required under law.

COMMITTEE AMENDMENTS:

The committee amendments make several clarifications to the bill. In section 1 of the bill, the amendments replace the phrase “current health care coverage” with “medical support,” delete statutory cross-references concerning a child with a physical or mental disability or incapacity, and add language following the phrase “severe mental or physical incapacity” to clarify that the incapacity must be one that “causes the child to be financially dependent on a parent.” The amendments also clarify that a parent would ask the court to continue “child support services” beyond the date the child reaches age 19. In section 2 of the bill, the committee amendments delete a phrase concerning the provision of full Title IV-D support services “beyond the date the child reaches 19 years of age” and replace it with the phrase “for the duration of the obligation to pay child support or provide medical support or both for a child.”

COMMITTEE AMENDMENTS:

1. In section 1, replace “current health care coverage” with “medical support”; delete statutory cross-references concerning a child with a physical or mental disability or incapacity; add language following the phrase “severe mental or physical incapacity” to clarify that the incapacity must be one that “causes the child to be financially dependent on a parent”; clarify that a parent would ask the court to continue “child support services” beyond the date the child reaches age 19.

2. In section 2, delete the phrase concerning the provision of full Title IV-D support services “beyond the date the child reaches 19 years of age” and replace it with “for the duration of the obligation to pay child support or provide medical support or both for a child.”

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 5890

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 9, 2020

The Assembly Appropriations Committee reports favorably Assembly Bill No. 5890 (1R), with committee amendments.

As amended, this bill would clarify certain procedures concerning the collection of child support on behalf of a child over the age of 19 when such support has been ordered by the court.

Under section 1 of P.L.2015, c.223 (C.2A:17-56.67), when a child reaches age 19, the obligation to pay child support terminates by operation of law, without a court order, unless otherwise provided in a court order or judgment. Prior to the enactment, which took effect February 1, 2017, there was no set termination date for child support and payors were required to obtain a court order authorizing such termination.

Current law provides that child support will not terminate by operation of law when the child reaches age 19 if: (1) another age for termination, which may not extend beyond the date the child reaches age 23, is specified in a court order; or (2) the child is in an out-of-home placement through the Division of Child Protection and Permanency in the Department of Children and Families.

A court may order child support to continue after age 19 if the child is still enrolled in high school or in another secondary educational program, the child is enrolled in a post-secondary education program, or the child has a physical or mental disability, as determined by a federal or State government agency, that existed prior to age 19, and requires continued child support. In addition, the court may order child support to continue beyond age 19 if the court finds “exceptional circumstances as may be approved by the court.”

Current law also provides that nothing prevents a court from converting a child support obligation to another form of financial maintenance for a child who has reached the age of 23 under exceptional circumstances, such as a physical or mental disability.

The bill amends these provisions to add a specific exception for a child with a severe incapacity. Under the bill, child support will not terminate at age 19 if the child has a severe mental or physical incapacity that causes the child to be financially dependent on a parent,

and the continuation of the obligation to pay support for that child is specified in a court order or judgment.

In addition, the bill specifies that, where a parent submits a request to the court seeking continuation of child support beyond the child reaching age 19, the Probation Division of the Superior Court will review the request and make a recommendation to the court. If sufficient proof has been provided, the child support obligation will not be terminated by operation of law when the child reaches age 19, and the court will issue an order establishing the date of child support termination.

The bill also specifies that child support will not terminate by operation of law when a child reaches age 23 if the child has a severe mental or physical incapacity that causes the child to be financially dependent on a parent.

The bill additionally specifies that nothing in section 1 of P.L.2015, c.223 (C.2A:17-56.67) will be construed to prevent the court, upon application of a parent or child, from ordering the continuation of the child support obligation or the continuation of Title IV-D services, or both, for a child with a severe physical or mental incapacity. The parental obligation to provide support for the child will continue until the court finds that the child is relieved of the incapacity or is no longer financially dependent on the parent. In assessing the financial obligation of the parent, the court will be required to consider the factors set forth in N.J.S.2A:34-23.

The bill also provides that nothing in section 1 of P.L.2015, c.223 (C.2A:17-56.67) will be construed to require the Probation Division of the Superior Court to provide any establishment, monitoring, or enforcement of financial maintenance or reimbursement orders.

The bill also amends section 5 of P.L.2015, c.223 (C.2A:17-56.71) to provide that nothing in the statute will: (1) prohibit the parties from consenting to any other financial arrangements for a non-disabled child 23 years of age or older that are not enforceable by the State IV-D agency or the Probation Division of the Superior Court; or (2) prohibit the State IV-D agency or the Probation Division of the Superior Court from providing full Title IV-D child support services beyond the date the child reaches 19 years of age or requiring the completion of a Title IV-D application in every case where a party is seeking full Title IV-D child support services and no application is on file, or an application is not required under law.

COMMITTEE AMENDMENTS:

The bill provides that its provisions apply unless otherwise provided in a court order, judgment, or preexisting agreement. The committee amendments clarify that in the case of a preexisting agreement, the exception applies only if the preexisting agreement is court-approved.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that the bill will result in annual, indeterminate State expenditure increases. According to informal information provided by the Administrative Office of the Courts (AOC), the Judiciary may incur an indeterminate increase in its annual caseload. The Judiciary and the Office of Probation Services would also incur an indeterminate increase in annual operating expenditures related to child support enforcement, court time, hearings, and both pre-dispositional and post-dispositional work under the provisions of this bill. According to the AOC, an estimate cannot be made regarding the number of cases that may be brought as a result of the bill and cannot estimate the fiscal impact that the bill would have on the court system.

The Department of Human Services (DHS) may have a decrease in annual expenditures on the WorkFirst NJ program, which is the State program that provides temporary cash assistance and other support services to families through the federal Temporary Assistance for Needy Families (TANF) block grant. Eligible recipients that receive child support have these payments collected by county welfare agencies to cover the costs of the assistance provided. If the bill results in more adult children receiving child support payment for longer periods of time, these services would be funded by these payments rather than State sources, thereby resulting in a State cost decrease.

To the extent that the extended child support payments provided in the bill make the adult child ineligible for Medicaid or other services, this bill would reduce State Medicaid expenditures and revenues. However, there are several unknown variables (i.e. the amount of the child support payment, the adult child's income, type of Medicaid program for which the adult child qualifies, etc.) which prevent an estimate of the magnitude of the fiscal impact from being made.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 5890

STATE OF NEW JERSEY 218th LEGISLATURE

DATED: JANUARY 10, 2020

SUMMARY

- Synopsis:** Clarifies procedures concerning collection of child support on behalf of child over age 19 when court has ordered such support.
- Type of Impact:** Annual State expenditure impact; potential annual State revenue decrease
- Agencies Affected:** Department of Human Services; the Judiciary.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Expenditure Impact	Indeterminate
Potential State Revenue Decrease	Indeterminate

- The Office of Legislative Services (OLS) estimates that the bill will result in annual, indeterminate State expenditure increases. According to informal information provided by the Administrative Office of the Courts (AOC), the Judiciary may incur an indeterminate increase in its annual caseload. The Judiciary and the Office of Probation Services would also incur an indeterminate increase in annual operating expenditures related to child support enforcement, court time, hearings, and both pre-dispositional and post-dispositional work under the provisions of this bill. According to the AOC, an estimate cannot be made regarding the number of cases that may be brought as a result of the bill and cannot estimate the fiscal impact that the bill would have on the court system.
- The Department of Human Services (DHS) may have a decrease in annual expenditures on the WorkFirst NJ program, which is the State program that provides temporary cash assistance and other support services to families through the federal Temporary Assistance for Needy Families (TANF) block grant. Eligible recipients that receive child support have these payments collected by county welfare agencies to cover the costs of the assistance provided. If the bill results in more adult children receiving child support payment for longer periods of time, these services would be funded by these payments rather than State sources, thereby resulting in a State cost decrease.

- To the extent that the extended child support payments provided in the bill make the adult child ineligible for Medicaid or other services, this bill would reduce State Medicaid expenditures and revenues. However, there are several unknown variables (i.e. the amount of the child support payment, the adult child's income, type of Medicaid program for which the adult child qualifies, etc.) which prevent an estimate of the magnitude of the fiscal impact from being made.

BILL DESCRIPTION

This bill clarifies certain procedures concerning the collection of child support on behalf of a child over the age of 19 when such support has been ordered by the court. Under current law, when a child reaches age 19, the obligation to pay child support terminates by operation of law, without a court order, unless otherwise provided in a court order or judgment.

The bill amends certain provisions related to child support obligations to add a specific exception for a child with a severe incapacity. Under the bill, child support will not terminate at age 19 if the child has a severe mental or physical incapacity that causes the child to be financially dependent on a parent, and the continuation of the obligation to pay support for that child is specified in a court order or judgment.

In addition, the bill specifies that, where a parent submits a request to the court seeking continuation of child support beyond the child reaching age 19, the Probation Division of the Superior Court will review the request and make a recommendation to the court. If sufficient proof has been provided, the child support obligation will not be terminated by operation of law when the child reaches age 19, and the court will issue an order establishing the date of child support termination.

The bill also specifies that child support will not terminate by operation of law when a child reaches age 23 if the child has a severe mental or physical incapacity that causes the child to be financially dependent on a parent.

The bill additionally specifies that nothing in current law will be construed to prevent the court, upon application of a parent or child, from ordering the continuation of the child support obligation or the continuation of Title IV-D services, or both, for a child with a severe physical or mental incapacity. The parental obligation to provide support for the child will continue until the court finds that the child is relieved of the incapacity or is no longer financially dependent on the parent.

The bill also amends current law to provide that nothing in the statute will: (1) prohibit the parties from consenting to any other financial arrangements for a non-disabled child 23 years of age or older that are not enforceable by the State IV-D agency or the Probation Division of the Superior Court; or (2) prohibit the State IV-D agency or the Probation Division of the Superior Court from providing full Title IV-D child support services beyond the date the child reaches 19 years of age or requiring the completion of a Title IV-D application in every case where a party is seeking full Title IV-D child support services and no application is on file, or an application is not required under law.

FISCAL ANALYSIS

JUDICIAL BRANCH

Based on information informally provided to the OLS, the Judiciary states that the bill may require the filing of a motion or action for continuation of child support services after age 23 for

those children with a severe mental or physical incapacity who are financially dependent on a parent. There may also be a court filing to terminate child support services if the child is relieved of the incapacity or is no longer financially dependent on the parent. The Judiciary states that it would incur an increase in expenditures related to court time, hearings, and both pre-dispositional and post-dispositional work. In addition, according to the Judiciary, the Office of Probation Services would incur additional expenditures in its child support enforcement efforts for children over age 23 who would receive child support services pursuant to the bill. The Judiciary has stated that as it is unable to determine the number of filings, hearings, and cases that would be impacted by the bill, it is unable to estimate with any certainty the resulting effect on Judiciary expenditures related to judges and staff in both the Family and Probation Divisions.

EXECUTIVE BRANCH

Based on information informally provided, the DHS states that it expect a minimal cost to update IT systems to effectuate the legislation.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that the bill will result in annual, indeterminate State expenditure increases. According to informal information provided by the AOC, the Judiciary may incur an indeterminate increase in its annual caseload. The Judiciary and the Office of Probation Services would also incur an indeterminate increase in annual operating expenditures related to child support enforcement, court time, hearings, and both pre-dispositional and post-dispositional work under the provisions of this bill. According to the AOC, an estimate cannot be made regarding the number of cases that may be brought as a result of the bill and cannot estimate the fiscal impact that the bill would have on the court system.

The DHS may have a decrease in annual expenditures on the WorkFirst NJ program, which is the State program that provides temporary cash assistance and other support services to families through the federal TANF block grant. Eligible recipients that receive child support payments have these payments collected by county welfare agencies to cover the costs of the assistance provided. If the bill results in more adult children receiving child support payments for longer periods of times, these services would be largely funded by these payments rather than State sources, thereby resulting in a State cost decrease.

To the extent that the extended child support payments provided in the bill make the adult child ineligible for Medicaid or other services, this bill would reduce State Medicaid expenditures and federal matching revenues. According to the Social Security Administration, when a parent or other person receives current child support payments for an adult child after the adult child stops meeting the definition of a child, the income belongs to the adult child. The support payments are income to the adult child even if he or she does not live with or receive any of the child support payment from the parent or other person. Considering that the bill targets child support for individuals with a severe incapacity, it is likely that they will not have any other form of earned income. With that said, an unmarried individual would have been eligible for Medicaid in New Jersey in 2019 only if the following income and financial resource tests were met:

- Under the NJ FamilyCare Aged, Blind, Disabled program if the individual's gross monthly income is equal to or less than \$802.25. The current resource maximum for an individual is \$2,000.
- Under the NJ Care – Special Medicaid program if the individual's gross monthly income is equal to or less than \$1,041. The current resource maximum for an individual is \$4,000.

- Under the State's long-term services and supports program if the individual's gross monthly income is equal to or less than \$2,313. The current resource maximum for an individual is \$2,000. In determining financial eligibility, if the gross monthly income exceeds the income limit allowed, the individual can establish and fund a Qualified Income Trust with the excess income that is above the limit.

However, there are several unknown variables including the amount of the child support payment, the adult child's income, type of Medicaid program for which the adult child qualifies, etc., which prevent the OLS from estimating the magnitude of the decrease in State revenues and expenditures that could occur as a result of this bill.

Section: Judiciary

*Analyst: Sarita Welsh
Associate Counsel*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

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

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

ASSEMBLY, No. 5890

STATE OF NEW JERSEY 218th LEGISLATURE

DATED: JANUARY 16, 2020

SUMMARY

- Synopsis:** Clarifies procedures concerning collection of child support on behalf of child over age 19 when court has ordered such support.
- Type of Impact:** Annual State expenditure impact; potential annual State revenue decrease
- Agencies Affected:** Department of Human Services; the Judiciary.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Expenditure Impact	Indeterminate
Potential State Revenue Decrease	Indeterminate

- The Office of Legislative Services (OLS) estimates that the bill will result in annual, indeterminate State expenditure impacts. According to informal information provided by the Administrative Office of the Courts (AOC), the Judiciary may incur an indeterminate increase in its annual caseload. The Judiciary and the Office of Probation Services would also incur an indeterminate increase in annual operating expenditures related to child support enforcement, court time, hearings, and both pre-dispositional and post-dispositional work under the provisions of this bill. According to the AOC, an estimate cannot be made regarding the number of cases that may be brought as a result of the bill and cannot estimate the fiscal impact that the bill would have on the court system.
- However, the Department of Human Services (DHS) may have a decrease in annual expenditures on the WorkFirst NJ program, which is the State program that provides temporary cash assistance and other support services to families through the federal Temporary Assistance for Needy Families (TANF) block grant. Eligible recipients that receive child support have these payments collected by county welfare agencies to cover the costs of the assistance provided. If the bill results in more adult children receiving child support payment for longer periods of time, these services would be funded by these payments rather than State sources, thereby resulting in a State cost decrease.

- To the extent that the extended child support payments provided in the bill make the adult child ineligible for Medicaid or other services, this bill would reduce State Medicaid expenditures and revenues. However, there are several unknown variables (i.e. the amount of the child support payment, the adult child's income, type of Medicaid program for which the adult child qualifies, etc.) which prevent an estimate of the magnitude of the fiscal impact from being made.

BILL DESCRIPTION

This bill clarifies certain procedures concerning the collection of child support on behalf of a child over the age of 19 when such support has been ordered by the court. Under current law, when a child reaches age 19, the obligation to pay child support terminates by operation of law, without a court order, unless otherwise provided in a court order or judgment.

The bill amends certain provisions related to child support obligations to add a specific exception for a child with a severe incapacity. Under the bill, child support will not terminate at age 19 if the child has a severe mental or physical incapacity that causes the child to be financially dependent on a parent, and the continuation of the obligation to pay support for that child is specified in a court order or judgment.

In addition, the bill specifies that, where a parent submits a request to the court seeking continuation of child support beyond the child reaching age 19, the Probation Division of the Superior Court will review the request and make a recommendation to the court. If sufficient proof has been provided, the child support obligation will not be terminated by operation of law when the child reaches age 19, and the court will issue an order establishing the date of child support termination.

The bill also specifies that child support will not terminate by operation of law when a child reaches age 23 if the child has a severe mental or physical incapacity that causes the child to be financially dependent on a parent.

The bill additionally specifies that nothing in current law will be construed to prevent the court, upon application of a parent or child, from ordering the continuation of the child support obligation or the continuation of Title IV-D services, or both, for a child with a severe physical or mental incapacity. The parental obligation to provide support for the child will continue until the court finds that the child is relieved of the incapacity or is no longer financially dependent on the parent.

The bill also amends current law to provide that nothing in the statute will: (1) prohibit the parties from consenting to any other financial arrangements for a non-disabled child 23 years of age or older that are not enforceable by the State IV-D agency or the Probation Division of the Superior Court; or (2) prohibit the State IV-D agency or the Probation Division of the Superior Court from providing full Title IV-D child support services beyond the date the child reaches 19 years of age or requiring the completion of a Title IV-D application in every case where a party is seeking full Title IV-D child support services and no application is on file, or an application is not required under law.

FISCAL ANALYSIS

JUDICIAL BRANCH

Based on information informally provided to the OLS, the Judiciary states that the bill may require the filing of a motion or action for continuation of child support services after age 23 for those children with a severe mental or physical incapacity who are financially dependent on a parent. There may also be a court filing to terminate child support services if the child is relieved

of the incapacity or is no longer financially dependent on the parent. The Judiciary states that it would incur an increase in expenditures related to court time, hearings, and both pre-dispositional and post-dispositional work. In addition, according to the Judiciary, the Office of Probation Services would incur additional expenditures in its child support enforcement efforts for children over age 23 who would receive child support services pursuant to the bill. The Judiciary has stated that as it is unable to determine the number of filings, hearings, and cases that would be impacted by the bill, it is unable to estimate with any certainty the resulting effect on Judiciary expenditures related to judges and staff in both the Family and Probation Divisions.

EXECUTIVE BRANCH

Based on information informally provided, the DHS states that it expect a minimal cost to update IT systems to effectuate the legislation.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that the bill will result in annual, indeterminate State expenditure impacts. According to informal information provided by the AOC, the Judiciary may incur an indeterminate increase in its annual caseload. The Judiciary and the Office of Probation Services would also incur an indeterminate increase in annual operating expenditures related to child support enforcement, court time, hearings, and both pre-dispositional and post-dispositional work under the provisions of this bill. According to the AOC, an estimate cannot be made regarding the number of cases that may be brought as a result of the bill and cannot estimate the fiscal impact that the bill would have on the court system.

However, the DHS may have a decrease in annual expenditures on the WorkFirst NJ program, which is the State program that provides temporary cash assistance and other support services to families through the federal TANF block grant. Eligible recipients that receive child support payments have these payments collected by county welfare agencies to cover the costs of the assistance provided. If the bill results in more adult children receiving child support payments for longer periods of times, these services would be largely funded by these payments rather than State sources, thereby resulting in a State cost decrease.

To the extent that the extended child support payments provided in the bill make the adult child ineligible for Medicaid or other services, this bill would reduce State Medicaid expenditures and federal matching revenues. According to the Social Security Administration, when a parent or other person receives current child support payments for an adult child after the adult child stops meeting the definition of a child, the income belongs to the adult child. The support payments are income to the adult child even if he or she does not live with or receive any of the child support payment from the parent or other person. Considering that the bill targets child support for individuals with a severe incapacity, it is likely that they will not have any other form of earned income. With that said, an unmarried individual would have been eligible for Medicaid in New Jersey in 2019 only if the following income and financial resource tests were met:

- Under the NJ FamilyCare Aged, Blind, Disabled program if the individual's gross monthly income is equal to or less than \$802.25. The current resource maximum for an individual is \$2,000.
- Under the NJ Care – Special Medicaid program if the individual's gross monthly income is equal to or less than \$1,041. The current resource maximum for an individual is \$4,000.
- Under the State's long-term services and supports program if the individual's gross monthly income is equal to or less than \$2,313. The current resource maximum for an individual is \$2,000. In determining financial eligibility, if the gross monthly income

exceeds the income limit allowed, the individual can establish and fund a Qualified Income Trust with the excess income that is above the limit.

However, there are several unknown variables including the amount of the child support payment, the adult child's income, type of Medicaid program for which the adult child qualifies, etc., which prevent the OLS from estimating the magnitude of the decrease in State revenues and the impact on expenditures that could occur as a result of this bill.

Section: Judiciary

Analyst: Sarita Welsh
Associate Counsel

Approved: Frank W. Haines III
Legislative Budget and Finance Officer

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

Governor Murphy Takes Action on Legislation

01/21/2020

TRENTON – Today, Governor Phil Murphy signed the following bills into law:

S-62/A-2478 (Singleton, Oroho/DeAngelo, Houghtaling, Space) – Requires certain contractors to register under "The Public Works Contractor Registration Act"

S-358/A-4587 (Rice/Sumter, Reynolds-Jackson) – Establishes database with certain information about individuals elected to public office in this State

S-376/A-3839 (Madden, Gopal/Moriarty, Lagana, Mukherji, Murphy) – Eliminates eligibility time limit on tuition benefits for spouses of certain public safety workers killed in performance of their duties

S-497/A-4626 (Vitale, Madden/Mosquera, McKnight, Vainieri Huttle) – Allows certain prior statements by children to be admitted into evidence in child abuse and termination of parental rights cases

S-498/ACS for A-3391 (Vitale, Oroho/DeCroce, Johnson, DiMaso) – Makes various changes to "Criminal Injuries Compensation Act of 1971"

S-521/A-4378 (T. Kean, C.A. Brown, Pou, Ruiz/Caputo, Mukherji, Vainieri Huttle) – Requires NJ State Council on Arts to establish "Artist District" designation and select certain municipalities or areas within municipalities for such designation

S-589/ACS for A-422 (Weinberg/Mosquera, Jones, Moriarty) – Requires Secretary of State to establish secure Internet website for online voter registration; authorizes use of digitized signatures from New Jersey Motor Vehicle Commission's database

S-700/A-3836 (Ruiz, Cunningham/Schaer, Mukherji, Jasey) – "Higher Education Citizenship Equality Act"; defines domicile for dependent students for purpose of eligibility for State student grants and scholarships, and resident tuition rate

S-721/A-1751 (Greenstein, Cunningham, Diegnan/Quijano, Benson) – Authorizes use of certain electric school buses

S-758/A-1987 (Cunningham, Cruz-Perez/Sumter, Mukherji, Quijano) – Requires incarcerated individual from State to be counted at residential address for legislative redistricting purposes

S-765/A-541 (Cunningham, T. Kean, Ruiz/Mazzeo, Jasey, Vainieri Huttle, Sumter, Benson) – Prohibits Higher Education Student Assistance Authority from referring defaulted loans under New Jersey College Loans to Assist State Students (NJCLASS) Loan Program for certain actions if authority and borrower have entered into settlement agreement

S-782/A-1110 (Sarlo, Scutari/Downey, Houghtaling, Dancer) – Increases workers' compensation for loss of hand or foot

S-834 wGR/A-4186 (Scutari, Greenstein/Jones, Pintor Marin) – Prohibits resale of non-prescription diabetes test devices by pharmacists

S-939/A-3331 (Pou/Vainieri Huttle, Lopez, McKnight) – Requires forms and materials for individuals with developmental disabilities to be available in languages other than English

S-974/A-3040 (Singleton, T. Kean/Vainieri Huttle, Timberlake, Mosquera) – Requires newborn infants be screened for spinal muscular atrophy

- S-1032/A-2389 (Vitale, Gopal/Schaer, Benson, Verrelli)** – Concerns expansion of services provided by DHS mental health screening services
- S-1146/A-2365 (Codey, Rice/Vainieri Huttle, Mukherji, Downey)** – Requires hospital patient's medical record to include notation if patient is at increased risk of confusion, agitation, behavioral problems, and wandering due to dementia related disorder
- S-1298/ACS for A-2972 (A.M. Bucco, Singleton/Mazzeo, Dunn, Space)** – Permits municipalities to provide information on property tax bills concerning amount of local tax dollars saved through shared services
- S-1318/A-3156 (Ruiz, Scutari/Lampitt, Mosquera)** – Permits counties and non-governmental, community-based agencies to establish family justice centers which provide coordinated, multi-agency governmental and non-governmental assistance to victims of certain crimes and offenses, including domestic violence, and their family members
- S-1505/A-1707 (Vitale/Vainieri Huttle, Lampitt, Benson, Mosquera)** – Expands membership of NJ Task Force on Child Abuse and Neglect
- S-1647/A-3181 (Diegnan, Codey/Conaway, Vainieri Huttle, Benson, Murphy)** – Prohibits use of coupons, price rebates, and price reduction promotions in sales of tobacco and vapor products
- S-1683/A-4267 (Smith, Greenstein/McKeon, Space, Wirths)** – Concerns regulation of solid waste, hazardous waste, and soil and fill recycling industries
- S-1703/A-715 (Connors, Holzapfel/Gove, Rumpf, DiMaso)** – Exempts disabled veterans from beach buggy permit fees
- S-1791/A-3414 (Weinberg/Johnson, Vainieri Huttle, Houghtaling)** – Requires employers to disclose certain wage information to employees
- S-1796/A-4693 (Addiego, Sweeney/Murphy)** – Permits school district of residence to provide aid in-lieu-of transportation to pupil attending Marine Academy of Science and Technology provided certain conditions are met
- S-1832/A-211 (Ruiz, Sarlo/Chiaravalloti, Zwicker, Pintor Marin)** – Establishes loan redemption program and tuition reimbursement program for certain teachers of science, technology, engineering, and mathematics
- S-2267/A-3616 (Sweeney, Corrado/Burzichelli, Holley, Calabrese)** – Gives State lottery winners option of remaining anonymous indefinitely
- S-2303/A-4843 (Sweeney, Ruiz, Cunningham/Wimberly, Karabinchak, Calabrese)** – Requires establishment of Work and Learn Consortiums by certain educational institutions to establish certificate and degree programs identified in high labor-demand industries
- S-2389 wGR/A-5449 (Singleton/Quijano, Downey, Houghtaling, Moriarty)** – Requires New Jersey State Board of Pharmacy to establish prescription drug pricing disclosure website and certain pharmaceutical manufacturing companies to provide prescription drug price information
- S-2428/A-4965 (Scutari/Quijano, Vainieri Huttle)** – Requires that massage and bodywork therapists and employers carry professional liability insurance
- S-2469/A-3745 (Singleton, Oroho/Wirths, Mazzeo, Space)** – Prohibits person from contracting for public work if person is federally debarred from receiving federal contract
- S-2511/A-4020 (Madden/Mazzeo, Murphy, Johnson)** – Changes title of DEP "conservation officer" to "conservation police officer"
- S-2521/A-4087 (Cryan, Greenstein/Vainieri Huttle, Lopez, Timberlake)** – Requires reporting of inmate abuse by employees of State correctional facilities and establishes reporting and investigation program
- S-2522/A-4090 (Cryan, Greenstein/Vainieri Huttle, Lopez, Timberlake)** – Limits cross gender strip searches in

State correctional facilities

S-2532/A-4086 (Greenstein, Cruz-Perez/Vainieri Huttle, Lopez, Timberlake) – Requires correctional police officers receive 20 hours in-service training, including four hours in prevention of sexual misconduct, non-fraternization, and manipulation

S-2555/A-3990 (Gopal, Ruiz/Mukherji, Benson, Karabinchak) – Allows dependent students whose parents or guardians hold H-1B visas to qualify for in-State tuition at public institutions of higher education provided they meet certain criteria

S-2564/A-3519 (Turner, Singleton/Benson, McKnight, Jasey) – Establishes "Restorative Justice in Education Pilot Program" in Department of Education

SCS for S-2599/ACS for A-1268 (Bateman, Beach/Tucker, Conaway, Lampitt, Quijano) – Authorizes veterans' property tax exemption and veterans' property tax deduction for honorably discharged veterans of United States Armed Forces who did not serve in time of war or other emergency

S-2826/A-3274 (Greenstein/Vainieri Huttle, Dancer, Benson) – Requires institutions of higher education to offer cats and dogs no longer used for educational, research, or scientific purposes for adoption; designated the "Homes for Animal Heroes Act"

S-2849/A-4590 (A.M. Bucco/DiMaio, Caputo, Dunn) – Designates Seeing Eye® dog as State Dog

S-3036/A-1697 (Lagana, Scutari/Dancer, Downey) – Prohibits medical providers from reporting certain workers' compensation medical charges to collection and credit reporting agencies

S-3061/A-4603 (Ruiz, Greenstein/Lampitt, Mukherji, Benson) – Provides corporation business tax and gross income tax credits for businesses that participate in DOL registered apprenticeship programs; establishes grant program for tax-exempt organizations participating in DOL registered apprenticeship programs

S-3065/A-4657 (Ruiz, Singleton/Armato, Benson, Timberlake) – Establishes youth apprenticeship pilot program in Department of Education

S-3067/A-4602 (Ruiz, Singleton/Lampitt, Reynolds-Jackson, Sumter) – Establishes five year Apprentice Assistance and Support Services Pilot Program

S-3116/A-4683 (Ruiz/Speight, Munoz, Tucker) – Requires certain medical facilities to undertake end-of-life planning and training

S-3117/A-4685 (Ruiz/Speight, Pinkin, Munoz) – Requires emergency departments to take certain measures concerning palliative care for patients

S-3126/A-4107 (Gopal/Benson, DeCroce, Chiaravalloti) – Requires drivers to stop at railroad crossing when on-track equipment is approaching railroad crossing

S-3170/A-5145 (Cryan, Pou/Quijano, Milam, Land) – Increases prenotification time and requires severance pay in certain plant closings, transfers, and mass layoffs

S-3227/A-5261 (Gopal/Tully, Pinkin, Swain) – Requires restaurants to post signs advising customers to notify servers of food allergies; requires restaurant managers to complete food allergen training

S-3265/A-3178 (Turner, Codey, Vitale/Conaway, Murphy, Vainieri Huttle) – Prohibits sale or distribution of flavored vapor products

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S-3330 wGR/A-5066 (Addiego, Singleton/Jones, Vainieri Huttle, Lampitt, Murphy) – Establishes pilot program in DCF to study impact of child care services provided by community providers operating in public school facilities; requires community providers to meet certain criteria

S-3422/A-6056 (Singer, T. Kean/Houghtaling, Downey, Vainieri Huttle) – Requires declaration of Code Blue

alert when National Weather Service predicts temperatures of 32 degrees Fahrenheit or lower

S-3468/A-5105 (Sweeney, Singleton/Murphy, Karabinchak, Vainieri Huttle) – Establishes Task Force on Maximizing Employment for People with Disabilities

S-3511/A-5298 (Singer, T. Kean/Mukherji, Vainieri Huttle, Downey) – Authorizes certain health care and social service resources to be made available during Code Blue alert

S-3581/A-5963 (Singleton/Lopez, Quijano) – Prohibits certain business financing contracts that contain judgment by confession provisions

S-3685/A-5345 (Sarlo, Singleton/Mukherji, Conaway, McKnight) – Establishes program to increase participation of underrepresented students in New Jersey's science and engineering workforce

S-3756/A-6115 (Ruiz, Sarlo, O'Scanlon/Jasey, Jones, Wirths) – Requires limited purpose regional school districts to coordinate with constituent districts regarding school calendar and curriculum

S-3763/A-6116 (Addiego, Bateman, Sarlo/DeAngelo, Dancer, Space) – Renames joint meetings as regional service agencies; grandfathers existing joint meetings

S-3869/A-5561 (Sarlo/Burzichelli, Houghtaling) – Prohibits local governments from imposing fines on alarm companies in certain circumstances

S-3871/A-5427 (Bateman, Scutari/DePhillips, McKeon) – Adds member from Retired Judges Association of New Jersey to State Investment Council

SCS for S-3878/ACS for A-5394 (Ruiz, Weinberg, Cunningham/Moriarty, McKnight, Pinkin) – Reaffirms and clarifies that Attorney General and Division on Civil Rights may initiate actions in Superior Court to enforce "Law Against Discrimination"

S-3920 wGR/A-5552 (Pou/Wimberly, Sumter) – Concerns provision of energy to certain manufacturing facilities by providing exemptions to certain energy related taxes

S-3923/A-5680 (Madden, Singleton/Giblin, Timberlake, Murphy) – Concerns labor harmony agreements for hospitality projects

SCS for S-3939 and 3944/ACS for A-5681 and 5682 (Smith, Greenstein, Bateman, Codey/Pinkin, Lopez, McKeon) – Establishes Recycling Market Development Council

S-3985/A-5663 (Smith/McKeon, Pinkin, Vainieri Huttle) – Amends "Electric Discount and Energy Competition Act" to add definition of "open access offshore wind transmission facility" and revises law concerning "qualified offshore wind projects"

S-4025/A-5695 (Pou/Wimberly, Sumter) – Makes FY 2020 language allocation of \$1,000,000 appropriated to Grants for Urban Parks to Hinchliffe Stadium in Paterson

S-4162/A-6014 (Smith, Greenstein/Vainieri Huttle, Pinkin, Houghtaling) – Establishes NJ Climate Change Resource Center at Rutgers University; appropriates up to \$500,000

S-4165/A-4364 (Rice/Giblin, Caputo, Tucker) – Expands University Hospital board of directors membership from 11 to 13 members

S-4188/A-6075 (Beach/Murphy, Dancer, Lampitt) – "Lindsay's Law"; provides tax benefits to organ and bone marrow donors and their employers, and provides paid time off to donors who are State or local government employees

S-4200/A-5855 (Ruiz, Turner/Coughlin, Lampitt, Holley) – Requires State to pay difference between federal allocation and total cost of reduced price breakfast or lunch; appropriates \$4.5 million

S-4247/A-6049 (Gopal, O'Scanlon/Conaway, Houghtaling, Downey) – Establishes criteria for distribution of Fiscal Year 2020 funding to Community Food Bank of New Jersey and partner organizations

S-4264/A-5962 (Pou/Wimberly, Sumter, Calabrese) – Designates State Highway Route 19 as "William J. Pascrell Jr. Highway"

S-4275/A-6088 (Smith, Greenstein/Burzichelli) – Allows BPU to increase cost to customers of Class I renewable energy requirement for energy years 2022 through 2024, under certain conditions

S-4276/A-6109 (Corrado, Bateman/Armato, Calabrese, Land) – Appropriates \$32,153,936 to State Agriculture Development Committee, and amends 2017 appropriations for stewardship activities, for farmland preservation purposes

S-4277/A-6112 (Greenstein, Bateman/Freiman, Danielsen, Downey) – Appropriates \$5,000,000 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for municipal planning incentive grants for farmland preservation purposes

S-4278/A-6108 (Greenstein, Bateman/Taliaferro, Karabinchak, Kennedy) – Appropriates \$21 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for county planning incentive grants for farmland preservation purposes

S-4279/A-6106 (Smith, Bateman/Houghtaling, Reynolds-Jackson, Pinkin) – Appropriates \$1,350,000 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for grants to certain nonprofit organizations for farmland preservation purposes

S-4286/A-5890 (Vitale/Swain, Jones) – Clarifies procedures concerning collection of child support on behalf of child over age 19 when court has ordered such support

S-4309/A-6107 (Turner, Cruz-Perez/Mejia, Vainieri Huttie, Zwicker) – Appropriates \$13,902,723 from constitutionally dedicated CBT revenues to NJ Historic Trust for grants for certain historic preservation projects and associated administrative expenses

S-4310/A-6114 (Codey, Bateman/Carter, Murphy, Lopez) – Appropriates \$8,872,682 to DEP from constitutionally dedicated CBT revenues for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes

S-4311/A-6113 (Greenstein, Bateman/Speight, Mukherji, Verrelli) – Appropriates \$77,450,448 from constitutionally dedicated CBT revenues and various Green Acres funds to DEP for local government open space acquisition and park development projects

S-4312/A-6111 (Smith, Bateman/Giblin, Mazzeo, Land) – Appropriates \$36.143 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

S-4313/A-6110 (Corrado, Bateman/Moriarty, McKeon, Swain) – Appropriates \$33.915 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects

SCS for S-4315/ACS for A-6063 (Beach, Turner/Jones, Zwicker) – Creates fund to reimburse local units of government for cost of certain mail-in ballot procedures; appropriates \$3,000,000

SJR-51/AJR-189 (Rice, Turner/Verrelli, Reynolds-Jackson, Sumter) – Establishes the "New Jersey State Commission on Urban Violence"

SJR-65/AJR-90 (Weinberg, Addiego/DiMaso, Vainieri Huttie, Schepisi) – Designates March 19th "Women in Public Office Day" in New Jersey

SJR-80/AJR-121 (Lagana, Weinberg/Jones, Benson, Chiaravalloti, DeCroce) – Urges federal government to adhere to commitment to improve Northeast Corridor rail infrastructure by providing funding to complete Gateway Program

SJR-125/AJR-169 (Gopal, Codey/Wolfe, Pinkin) – Designates the second week of October of each year as "Obesity Care Week" in NJ

- A-344/S-1575 (Murphy, McKeon, Timberlake/Cruz-Perez, Singleton)** – Revises certain aspects of the New Jersey Individual Development Account Program
- A-1040/S-3928 (Houghtaling, Taliaferro/Andrzejczak)** – Establishes NJ "Landowner of the Year" award program
- A-1146/S-4330 (Wimberly, Holley/Pou, Singleton)** – Establishes "New Jersey Investing in You Promise Neighborhood Commission"
- A-1277/S-2629 (Tucker, Holley, Lopez/Singleton, Gopal)** – Requires hospitals and homeless shelters to provide information on services and resources to individuals who are homeless or military veterans
- A-1449/S-3168 (Benson, DeAngelo/Greenstein, Turner)** – Provides job security to certain organ and bone marrow donors
- A-1477/S-3228 (Chaparro, Vainieri Huttle, Benson, Jimenez, Mukherji, Downey/Gopal, Scutari)** – Establishes Statewide Hit and Run Advisory Program to facilitate apprehension of persons fleeing motor vehicle accident scene; designated as "Zackhary's Law"
- A-1478/S-1648 (Chaparro, Vainieri Huttle/Diegnan, T. Kean)** – Revises law governing theater liquor licenses
- A-1604/S-2734 (Conaway, Murphy, Jimenez/Singleton)** – "Recreational Therapists Licensing Act"
- A-1796/S-2609 (McKeon, Downey/Lagana, Gopal)** – Prevents criminal defendant from asserting "gay and transgender panic" defense to murder charge in order to reduce charge to manslaughter committed in heat of passion
- A-1924/S-2930 (Mukherji, A.M. Bucco, DeAngelo, DeCroce/Beach)** – Exempts certain honorably discharged United States military veterans from initial insurance producer licensing fee
- A-1992/S-1780 (Sumter, Benson, Vainieri Huttle, Houghtaling, Wimberly/Diegnan, Turner)** – "New Jersey Call Center Jobs Act"
- A-2183/S-1687 (Land, Johnson/Cruz-Perez, Andrzejczak)** – "Music Therapist Licensing Act"
- ACS for A-2431 wGR/SCS for S-1865 (Benson, Jimenez, DeCroce/Weinberg, T. Kean)** – Requires health insurers to provide plans that limit patient cost-sharing concerning certain prescription drug coverage
- ACS for A-2444 and S-2656/S-2081 (Benson, Lampitt, Pinkin, Mukherji/Turner, Singleton)** – Provides for coverage of comprehensive tobacco cessation benefits in Medicaid
- A-2767/S-2924 (Greenwald, Mosquera, McKnight/Greenstein, Singleton)** – Amends certain provisions of sexual assault statute to clarify elements necessary for conviction
- A-3312/S-1972 (Murphy, Lagana, Downey, Sumter/Gopal, Corrado)** – Requires Legislature to adopt and distribute policy prohibiting sexual harassment; requires members, officers, and employees of Legislature to complete online training on policy once every two years
- A-3670/S-995 (Benson, Giblin, Murphy/Vitale, Weinberg)** – Provides for designation of acute stroke ready hospitals, establishes Stroke Care Advisory Panel and Statewide stroke database, and requires development of emergency medical services stroke care protocols
- ACS for A-4136/SCS for S-2675 (Land, Milam/Andrzejczak, Van Drew)** – Establishes Possession In Excess of Daily Limit Vessel License for black sea bass and summer flounder; dedicates fees therefrom to marine fisheries programs
- A-4147/S-2744 (Lampitt, Houghtaling, Zwicker/Ruiz, Corrado)** – Requires school districts and nonpublic schools to conduct audit of security features of buildings, grounds, and communication systems and to submit audit to NJ Office of Homeland Security and Preparedness and DOE

- A-4150/S-2742 (Lampitt, Jones, Timberlake/Ruiz, Corrado)** – Requires meeting between student and appropriate school personnel after multiple suspensions or proposed expulsion from public school to identify behavior or health difficulties
- A-4151/S-2745 (Swain, Tully, Jasey/Ruiz, Corrado)** – Requires school security training for persons employed by public and nonpublic schools in substitute capacity and for employees and volunteers of youth programs operated in school buildings
- A-4260/S-4335 (Timberlake, Giblin, Tucker, Caputo/Pou, Scutari)** – Prohibits sale of certain toy guns and imitation firearms
- A-4370/S-2919 (Carroll/A.M. Bucco)** – Increases membership of board of trustees of Washington Association of New Jersey
- A-4377/S-2934 (Benson, Land, DeCroce/Greenstein)** – Requires DOT and OIT to develop materials concerning capabilities of airports in NJ and establishes "Public Use Airports Task Force"
- A-4517/S-4341 (Wimberly, Speight, Reynolds-Jackson/Singleton, Cunningham)** – Establishes "New Jersey Eviction Crisis Task Force"
- A-4529/S-3191 (Mazzeo, Armato/Gopal, Andrezejczak)** – Concerns reimbursements to Superstorm Sandy-impacted homeowners subjected to contractor fraud
- A-4563/S-3096 (Zwicker, Benson/Greenstein, Gill)** – Prohibits use of bots to deceive person about origin and content of communication for certain commercial or election purposes
- A-4564/S-3087 (Zwicker, Freiman/Greenstein)** – Establishes "Voting Precinct Transparency Act;" requires filing of election district, county district, and municipal ward boundary data with Secretary of State for posting and download on official website with matching election results data
- A-4699/S-2938 (Moriarty, Burzichelli, Bramnick/Turner)** – Regulates annual report filing services
- A-4803/S-4211 (Greenwald, Johnson, Pintor Marin/Cryan, Vitale)** – Authorizes certain entities to directly bill Victims of Crime Compensation Office for counseling services provided to victims of firearm and stabbing crimes
- A-4822/S-3408 (Wimberly, Tully, Swain/Singleton, Greenstein)** – Permits municipalities to lease vacant municipal land for tiny home occupancy; directs DCA to enhance regulatory guidance on acceptable tiny home construction and use
- A-4904 wGR/S-3347 (Mukherji, Quijano, Mazzeo/Cryan, Sweeney)** – Concerns property taxes due and owing on real property owned by certain federal employees or contractors under certain circumstances
- A-4954/S-3368 (Quijano, Murphy, Carter/Singleton, Greenstein)** – Revises requirements for provision of counseling and support services to emergency services personnel
- ACS for A-4972/SCS for S-1490 (Moriarty/Beach, Scutari)** – Establishes certain consumer protections related to arbitration organizations
- A-4978 wGR/S-3498 (Timberlake, Zwicker, Vainieri Huttle/Greenstein, Cryan)** – Prohibits online education services from using and disclosing certain information, engaging in targeted advertising, and requires deletion of certain information in certain circumstances
- A-5023/S-3467 (McKnight, Mukherji, Chaparro, Chiaravalloti/Cunningham)** – Exempts from DOT permitting requirements certain signs not located in protected areas that have been approved by municipality
- A-5028/S-3523 (Mukherji, Conaway, Pintor Marin/Vitale, Diegnan)** – Establishes "James Nicholas Rentas's Law," revises "New Jersey SmokeFree Air Act"
- A-5029/S-3522 (Sumter, Reynolds-Jackson, Johnson/Rice, T. Kean)** – Requires New Jersey Office on Minority and Multicultural Health to study racial disparities on sexual and reproductive health of African-American women

A-5031/S-3455 (Speight, McKnight, Timberlake/Ruiz) – Requires hospital emergency departments to ask person of childbearing age about recent pregnancy history

A-5314/S-3692 (Zwicker, Milam, Mazzeo/Cryan, Ruiz) – Requires DHS to study social isolation occurring in certain population groups

A-5344/S-3833 (Mukherji, Vainieri Huttel, Milam/Gopal, Corrado) – Establishes uniform standard for acceptable proof of veteran status for veteran's ID cards and various State and local programs

A-5388/S-3895 (Speight, Pintor Marin, Greenwald/Greenstein, Ruiz) – Requires specialized in-service training regarding crime victims for police departments in certain high-crime areas

A-5389/S-3896 (Speight, Pintor Marin, Greenwald/Greenstein, Ruiz) – Requires training or experience in crime victims' rights for certain members of Victims of Crime Compensation Review Board

A-5432/S-3796 (Milam, Land/Andrzejczak) – Requires DEP Commissioner to establish individual transferable quota system for menhaden purse seine fishery

A-5445/S-3909 (Swain, Tully, Spearman/T. Kean, Corrado) – Requires AG to establish program to detect fentanyl in State's illegal drug supply and make information related to presence of fentanyl available in database accessible by law enforcement

A-5511/S-1852 (Spearman, Jones, Reynolds-Jackson/Turner, Cruz-Perez) – Revises certain penalties for illegal operation of snowmobile, all-terrain vehicle, or dirt bike

A-5580/S-3842 (Johnson, Moriarty, Greenwald/Weinberg, Sarlo) – Extends availability period for tax credits for certain expenses incurred for production of certain film and digital media content, raises annual cap related to film production, and provides for annual administration of film tax credits

A-5583/S-3919 (Pinkin, Lopez, Mukherji/Smith, Bateman) – Prohibits sale, lease, rent, or installation of certain equipment or products containing hydrofluorocarbons or other greenhouse gases

A-5630/S-3981 (Pintor Marin, Munoz, Reynolds-Jackson/Weinberg, Corrado) – Requires Civil Service Commission to establish and maintain hotline for State employees to submit reports of workplace discrimination and harassment

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A-5667/S-3933 (Mukherji, Vainieri Huttel, Armato, DeCroce, Karabinchak/Singer, Scutari) – "Charlie's Law"; requires pharmacy practice sites and hospice programs to furnish patients with information and means to safely dispose of unused prescription drugs and medications

A-5801/S-4064 (Coughlin, Houghtaling, Verrelli/Singleton, Sweeney) – Concerns responsibility of contractors for wage claims against subcontractors

A-5817/S-4263 (Mazzeo, Armato/Cunningham, Sweeney, C.A. Brown) – Allows certain persons to qualify for casino key employee license and casino employee registration

A-5916/S-4255 (Chiaravalloti, McKnight, Karabinchak/Cunningham, Weinberg) – Authorizes DOH to notify elected officials of financial distress of certain hospitals

A-5918/SCS for S-3741 and 4253 (Chiaravalloti, McKnight/Weinberg, Cunningham, Vitale) – Expands hospital reporting requirements

A-5970/S-4201 (Lopez, Speight, Chaparro/Codey) – Amends list of environmental infrastructure projects approved for long-term funding for FY2020 to include new projects, remove certain projects, and modify estimated loan amounts for certain projects

A-5971/S-4202 (Mukherji, Pintor Marin, Spearman/Bateman, Corrado) – Authorizes NJ Infrastructure Bank to expend additional sums to make loans for environmental infrastructure projects for FY2020

A-5972/S-4203 (Pinkin, Benson, Zwicker/Greenstein, Singleton) – Makes changes to New Jersey Infrastructure Bank's enabling act

A-5977/S-4282 (Greenwald, Downey, Vainieri Huttie/Vitale, Singleton) – Provides for establishment of Regional Health Hub Program as replacement to Accountable Care Organization Demonstration Project, and designates existing accountable care organizations and look-alike organizations as Regional Health Hubs

A-6119/S-4336 (Egan, Houghtaling/Madden) – Revises "The Public Works Contractor Registration Act" and amends definition of registered apprenticeship program

AJR-35/SJR-159 (McKnight, Chaparro, Chiaravalloti, DeCroce/Cunningham, Greenstein) – Designates third full week in March as "Domestic Violence Services Awareness Week" to bring awareness of services available to domestic violence victims

AJR-103/SJR-70 (Rooney, DePhillips, Murphy/Corrado) – Permanently designates January as "NUT Carcinoma Awareness Month" in New Jersey

AJR-118/SJR-157 (McKnight, Timberlake, McKeon/Pou, Madden) – Designates April of each year as "Financial Literacy Month" in New Jersey

AJR-180/SJR-112 (DeAngelo, McKnight, Murphy/Singleton, Corrado) –Designates February in each year as "Career and Technical Education Month" in New Jersey

Governor Murphy declined to sign the following bills, meaning they expire without becoming law:

S-691/A-657 (Ruiz, Pou/Jasey, Caputo, Pintor Marin, Sumter, Wimberly) – Requires that if a school district satisfies 80% or more of the required NJ Quality Single Accountability Continuum standards in an area of district effectiveness under State intervention, the State must return that area to local control

S-1083/A-544 (Cruz-Perez, Gopal/Mazzeo, Houghtaling, Holley, Dancer) – Establishes loan program and provides corporation business tax and gross income tax credits for establishment of new vineyards and wineries

S-2421/A-1030 (Smith, Bateman/Johnson, Kennedy, Benson, DeAngelo) – Concerns installation of electric vehicle charging stations in common interest communities

S-2425/A-3851 (Singleton, Andrzejczak/Conaway) – Revises law relating to common interest communities

S-2429/A-4028 (Scutari, Pou/Bramnick, Downey) – Requires automobile insurers to disclose policy limits upon request by an attorney under certain circumstances

S-2835/A-3926 (Singleton, Ruiz/Conaway, Lampitt, Murphy) – Requires public schools to administer written screenings for depression for students in certain grades

S-2897/A-1433 (Madden, Singer/Benson, Wimberly, Carter) – Requires DCA to establish procedures for inspection and abatement of mold hazards in residential buildings and school facilities, and certification programs for mold inspectors and mold hazard abatement workers

S-2957/A-4712 (Stack/Mukherji, Chaparro) – Establishes five-year moratorium on conversions of certain residential rental premises in qualified counties

S-2958/A-4535 (Sarlo, Oroho/Zwicker, DePhillips, DeCroce) – Establishes the "Energy Infrastructure Public-Private Partnership Act"

S-3062/A-2049 (Ruiz, Greenstein/Howarth, Benson, Murphy) – Provides corporation business tax and gross income tax credits for businesses that employ apprentices in DOL registered apprenticeships

S-3063/A-4655 (Ruiz/Armato, Vainieri Huttie, DeAngelo) – Provides tuition fee waiver apprenticeship courses

S-3137/A-1308 (Sweeney, Oroho, Singleton/Greenwald, Milam, Land) – The "Electronic Construction Procurement Act"

S-3252/A-4713 (Greenstein, Stack/DeAngelo, Quijano) – "New Townhouse Fire Safety Act"; requires automatic fire sprinkler systems in new townhomes

S-3263/A-4837 (T. Kean, Diegnan/Vainieri Huttle, Chiaravalloti, McKnight) – Revises and updates membership and purpose of Advisory Council on the Deaf and Hard of Hearing in DHS

S-3270/A-5095 (Pou/McKeon, Freiman, DeCroce) – Establishes certain requirements for stop loss insurance offered to small employers

S-3393/ACS for A-5384 and 5157 (Sarlo, Addiego/Mazzeo, Murphy, Houghtaling, Calabrese, Armato, Dancer) – Allows certain preserved farms to hold 14 special occasion events per year; imposes further event restrictions on residentially-exposed preserved farms

S-3770/A-6118 (Sarlo, Oroho, Sweeney/Greenwald, Jones) – Establishes "New Jersey Economic and Fiscal Policy Review Commission" to provide ongoing review of State and local tax structure, economic conditions, and related fiscal issues

S-3888/A-5585 (Ruiz/Dancer, Pintor Marin) – Extends document submission deadlines under Economic Redevelopment and Growth Grant program and Urban Transit Hub Tax Credit program

S-4035/A-5702 (Pou, Singleton/Wimberly, Reynolds-Jackson, Sumter) – Makes Fiscal Year 2020 supplemental appropriation of \$1,700,000 for Thomas Edison State University

S-4281/A-6094 (Smith, Diegnan/Danielsen, Pinkin) – Requires State to sell and convey to Educational Services Commission of New Jersey certain land and improvements known as Piscataway Regional Day School

S-4331/A-4727 (Diegnan, Madden/Karabinchak, Holley, Jones) – Requires person taking written examination for permit to watch video of rights and responsibilities of driver stopped by law enforcement; requires testing on rights and responsibilities of driver stopped by law enforcement

A-491/S-4340 (Jimenez/Sacco, Stack) – Enhances PFRS accidental death pension for surviving spouse by providing for minimum of \$50,000 annually

A-1044/S-1441 (Houghtaling, Downey, DiMaio, Space/Doherty, Madden) – Requires Director of Division of Taxation to examine feasibility of centralized property tax information system to verify property taxes paid by homestead property tax reimbursement claimants

A-1045/S-2856 (Houghtaling, Downey, Dancer/Gopal, Oroho) – Clarifies sales tax collection responsibilities of horse-boarding businesses in New Jersey

A-1526/S-1048 (Zwicker, Johnson/Vitale) – Concerns payment of independent contractors

A-2731/S-3407 (Taliaferro, Space/Sweeney, Oroho) – Removes statutory limitation on number of permits that may be issued by Division of Fish and Wildlife for the taking of beaver

A-4382/S-2815 (Pinkin, Lopez, Kennedy/Beach, Smith) – Requires paint producers to implement or participate in paint stewardship program

A-4463/S-3927 (Freiman, Egan, Karabinchak/Oroho, Andrzejczak) – Establishes "Electronic Permit Processing Review System"

A-4788/S-3880 (Karabinchak, Freiman, Calabrese/Diegnan) – Establishes expedited construction inspection program

A-5072/S-3496 (Karabinchak, Johnson, Mukherji/Greenstein, Cryan) – "Defense Against Porch Pirates Act"; creates new category of theft, with penalties including mandatory restitution and community service, for taking package delivered to residence by cargo carrier

A-5446/S-3907 (Land, Reynolds-Jackson, Verrelli/T. Kean, Lagana) – Requires reporting of opioid deaths

A-5629/S-3980 (Pintor Marin, Munoz/Weinberg, Corrado) – Clarifies provisions concerning disclosure of existence and content of discrimination or harassment complaints; requires certain disclosures to person against whom complaint is made

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ACS for A-5922 and 5923/SCS for S-4223 and 4224 (Conaway, Vainieri Huttle, Lopez, Pinkin/Vitale, Sweeney) – Revises requirements for sale of tobacco and vapor products; increases penalties for prohibited sales; increases fees for cigarette and vapor business licensure

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