

30:4C-89

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2005 **CHAPTER:** 95

NJSA: 30:4C-89 ("Kinship Legal Guardianship Notification Act')

BILL NO: A208 (Substituted for S1602)

SPONSOR(S): Previte and others

DATE INTRODUCED: Pre-filed

COMMITTEE: **ASSEMBLY:** Family, Women and Children's Services
SENATE: Judiciary

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** February 5, 2004

SENATE: May 12, 2005

DATE OF APPROVAL: June 15, 2005

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (Original version of bill enacted)

A208

[SPONSOR'S STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** [Yes](#)

SENATE: [Yes](#)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S1602

[SPONSOR'S STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: [Yes](#)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

IS 5/31/07

P.L. 2005, CHAPTER 95, *approved June 15, 2005*
Assembly, No. 208

1 AN ACT concerning kinship legal guardianship and supplementing
2 Title 30 of the Revised Statutes.

3

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

6

7 1. This act shall be known and may be cited as the "Kinship Legal
8 Guardianship Notification Act."

9

10 2. The Legislature finds and declares that:

11 a. An increasing number of relatives in the State, including
12 grandparents, find themselves providing care on a long-term basis to
13 children who cannot reside with their parents due to the parent's
14 incapacity or inability to perform the regular and expected functions
15 of care and support of the child;

16 b. The State law allows for the appointment of an individual as a
17 kinship legal guardian; a kinship legal guardian has the same rights,
18 responsibilities and authority relating to a child as a birth parent, with
19 the exception of consenting to the adoption of the child or a name
20 change for the child, while the birth parent retains the obligation to
21 pay child support and the right to court-approved visitation or
22 parenting time with the child;

23 c. The Department of Human Services offers a variety of support
24 services and financial aid to kinship legal guardians, which include
25 monthly payments through the federal TANF program, Medicaid
26 eligibility for the child, funding for short-term or one-time expenses,
27 support groups, child support collection, housing assistance, legal
28 services, child care, respite services and education;

29 d. The department has established the Kinship Navigator program,
30 which is a referral service designed to help kinship caregivers
31 coordinate the various government and community resources that may
32 be available to them; and

33 e. It is appropriate for the State to ensure that individuals who may
34 be eligible to become kinship legal guardians are aware of the
35 eligibility requirements for, and the responsibilities of, kinship legal
36 guardianship, and that both individuals who may be eligible to become
37 kinship legal guardians and current kinship legal guardians are aware
38 of the services available to kinship legal guardians in the State.

39

40 3. The Department of Human Services shall, in easily
41 understandable language:

42 a. inform individuals, of whom the department is aware, who may

1 be eligible to become kinship legal guardians of:

2 (1) the eligibility requirements for, and the responsibilities of,
3 kinship legal guardianship; and

4 (2) the full-range of services for which kinship legal guardians may
5 be eligible and the eligibility requirements for those services; and

6 b. inform current kinship legal guardians of the full-range of
7 services for which kinship legal guardians may be eligible and the
8 eligibility requirements for those services.

9

10 4. The Commissioner of Human Services shall adopt rules and
11 regulations, pursuant to the "Administrative Procedure Act,"
12 P.L.1968, c.410 (C.52:14B-1 et seq.), to effectuate the purposes of
13 this act.

14

15 5. This act shall take effect on the 180th day following enactment,
16 but the Commissioner of Human Services may take such anticipatory
17 administrative action in advance as shall be necessary for the
18 implementation of the act.

19

20

21

22

23 _____
"Kinship Legal Guardianship Notification Act."

ASSEMBLY, No. 208

STATE OF NEW JERSEY 211th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2004 SESSION

Sponsored by:

Assemblywoman MARY T. PREVITE

District 6 (Camden)

Assemblyman JEFF VAN DREW

District 1 (Cape May, Atlantic and Cumberland)

Assemblywoman LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Co-Sponsored by:

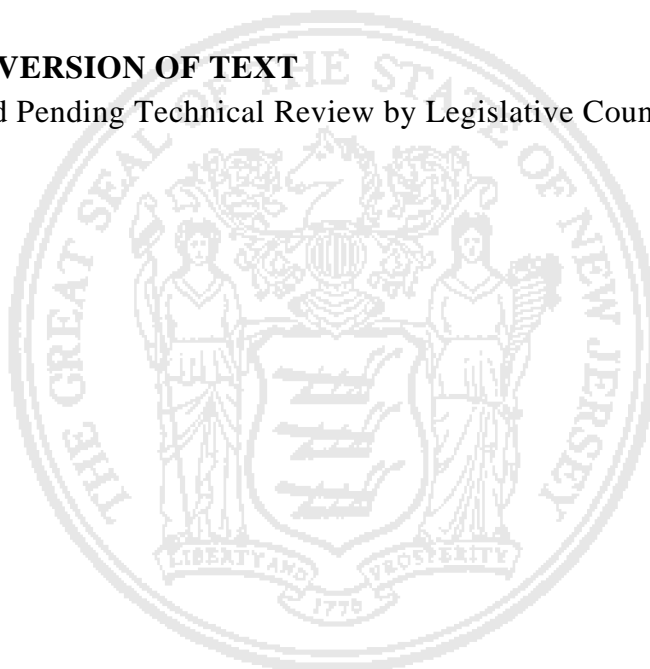
Assemblymen Dancer, Burzichelli, Conaway, Connors, Fisher and R.Smith

SYNOPSIS

"Kinship Legal Guardianship Notification Act."

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning kinship legal guardianship and supplementing
2 Title 30 of the Revised Statutes.

3

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

6

7 1. This act shall be known and may be cited as the "Kinship Legal
8 Guardianship Notification Act."

9

10 2. The Legislature finds and declares that:

11 a. An increasing number of relatives in the State, including
12 grandparents, find themselves providing care on a long-term basis to
13 children who cannot reside with their parents due to the parent's
14 incapacity or inability to perform the regular and expected functions
15 of care and support of the child;

16 b. The State law allows for the appointment of an individual as a
17 kinship legal guardian; a kinship legal guardian has the same rights,
18 responsibilities and authority relating to a child as a birth parent, with
19 the exception of consenting to the adoption of the child or a name
20 change for the child, while the birth parent retains the obligation to
21 pay child support and the right to court-approved visitation or
22 parenting time with the child;

23 c. The Department of Human Services offers a variety of support
24 services and financial aid to kinship legal guardians, which include
25 monthly payments through the federal TANF program, Medicaid
26 eligibility for the child, funding for short-term or one-time expenses,
27 support groups, child support collection, housing assistance, legal
28 services, child care, respite services and education;

29 d. The department has established the Kinship Navigator program,
30 which is a referral service designed to help kinship caregivers
31 coordinate the various government and community resources that may
32 be available to them; and

33 e. It is appropriate for the State to ensure that individuals who may
34 be eligible to become kinship legal guardians are aware of the
35 eligibility requirements for, and the responsibilities of, kinship legal
36 guardianship, and that both individuals who may be eligible to become
37 kinship legal guardians and current kinship legal guardians are aware
38 of the services available to kinship legal guardians in the State.

39

40 3. The Department of Human Services shall, in easily
41 understandable language:

42 a. inform individuals, of whom the department is aware, who may
43 be eligible to become kinship legal guardians of:

44 (1) the eligibility requirements for, and the responsibilities of,
45 kinship legal guardianship; and

46 (2) the full-range of services for which kinship legal guardians may

1 be eligible and the eligibility requirements for those services; and
2 b. inform current kinship legal guardians of the full-range of
3 services for which kinship legal guardians may be eligible and the
4 eligibility requirements for those services.

5
6 4. The Commissioner of Human Services shall adopt rules and
7 regulations, pursuant to the "Administrative Procedure Act,"
8 P.L.1968, c.410 (C.52:14B-1 et seq.), to effectuate the purposes of
9 this act.

10
11 5. This act shall take effect on the 180th day following enactment,
12 but the Commissioner of Human Services may take such anticipatory
13 administrative action in advance as shall be necessary for the
14 implementation of the act.

15
16

17 STATEMENT

18

19 This bill, known as the "Kinship Legal Guardianship Notification
20 Act," requires the Department of Human Services, in easily
21 understandable language, to:

- 22 * inform individuals, of whom the department is aware, who may be
23 eligible to become kinship legal guardians of the requirements for,
24 and the responsibilities of, kinship legal guardianship, and the full-
25 range of services for which kinship legal guardians may be eligible
26 and the eligibility requirements for those services; and
27 * inform current kinship legal guardians of the full-range of services
28 for which kinship legal guardians may be eligible and the eligibility
29 requirements for those services.

30 This bill would provide an environment in which individuals could
31 make fully informed decisions concerning their roles as caregivers to
32 children in their families whose parents are unable to perform the
33 regular and expected functions of care and support of their children.

ASSEMBLY FAMILY, WOMEN AND CHILDREN'S SERVICES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 208

STATE OF NEW JERSEY

DATED: JANUARY 26, 2004

The Assembly Family, Women and Children's Services Committee reports favorably Assembly Bill No. 208.

This bill, known as the "Kinship Legal Guardianship Notification Act," requires the Department of Human Services, in easily understandable language, to:

- * inform individuals, of whom the department is aware, who may be eligible to become kinship legal guardians of the requirements for, and the responsibilities of, kinship legal guardianship, and the full-range of services for which kinship legal guardians may be eligible and the eligibility requirements for those services; and
- * inform current kinship legal guardians of the full-range of services for which kinship legal guardians may be eligible and the eligibility requirements for those services.

This bill would provide an environment in which individuals could make fully informed decisions concerning their roles as caregivers to children in their families whose parents are unable to perform the regular and expected functions of care and support of their children.

This bill is identical to Assembly Bill No. 2988 (1R) of 2002, which this committee reported favorably during the prior session.

This bill was prefiled for introduction in the 2004-2005 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 208

STATE OF NEW JERSEY

DATED: JANUARY 24, 2005

The Senate Judiciary Committee reports favorably Assembly Bill No. 208.

This bill, known as the "Kinship Legal Guardianship Notification Act," requires the Department of Human Services, in easily understandable language, to:

inform individuals, of whom the department is aware, who may be eligible to become kinship legal guardians of the requirements for, and the responsibilities of, kinship legal guardianship, and the full-range of services for which they may be eligible and the eligibility requirements for those services; and

inform current kinship legal guardians of the full-range of services for which they may be eligible and the eligibility requirements for those services.

The Commissioner of Human Services is given rule-making authority.

This bill is identical to Senate, No. 1602.

SENATE, No. 1602

STATE OF NEW JERSEY
211th LEGISLATURE

INTRODUCED MAY 13, 2004

Sponsored by:

Senator DIANE ALLEN

District 7 (Burlington and Camden)

SYNOPSIS

"Kinship Legal Guardianship Notification Act."

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning kinship legal guardianship and supplementing
2 Title 30 of the Revised Statutes.

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

6
7 1. This act shall be known and may be cited as the "Kinship Legal
8 Guardianship Notification Act."

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10 2. The Legislature finds and declares that:

11 a. An increasing number of relatives in the State, including
12 grandparents, find themselves providing care on a long-term basis to
13 children who cannot reside with their parents due to the parent's
14 incapacity or inability to perform the regular and expected functions
15 of care and support of the child;

16 b. The State law allows for the appointment of an individual as a
17 kinship legal guardian; a kinship legal guardian has the same rights,
18 responsibilities and authority relating to a child as a birth parent, with
19 the exception of consenting to the adoption of the child or a name
20 change for the child, while the birth parent retains the obligation to
21 pay child support and the right to court-approved visitation or
22 parenting time with the child;

23 c. The Department of Human Services offers a variety of support
24 services and financial aid to kinship legal guardians, which include
25 monthly payments through the federal TANF program, Medicaid
26 eligibility for the child, funding for short-term or one-time expenses,
27 support groups, child support collection, housing assistance, legal
28 services, child care, respite services and education;

29 d. The department has established the Kinship Navigator program,
30 which is a referral service designed to help kinship caregivers
31 coordinate the various government and community resources that may
32 be available to them; and

33 e. It is appropriate for the State to ensure that individuals who may
34 be eligible to become kinship legal guardians are aware of the
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36 guardianship, and that both individuals who may be eligible to become
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45 kinship legal guardianship; and

46 (2) the full-range of services for which kinship legal guardians may

1 be eligible and the eligibility requirements for those services; and
2 b. inform current kinship legal guardians of the full-range of
3 services for which kinship legal guardians may be eligible and the
4 eligibility requirements for those services.

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6 4. The Commissioner of Human Services shall adopt rules and
7 regulations, pursuant to the "Administrative Procedure Act,"
8 P.L.1968, c.410 (C.52:14B-1 et seq.), to effectuate the purposes of
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20 Act," requires the Department of Human Services, in easily
21 understandable language, to:

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23 eligible to become kinship legal guardians of the requirements for,
24 and the responsibilities of, kinship legal guardianship, and the full-
25 range of services for which kinship legal guardians may be eligible
26 and the eligibility requirements for those services; and

27 * inform current kinship legal guardians of the full-range of services
28 for which kinship legal guardians may be eligible and the eligibility
29 requirements for those services.

30 This bill would provide an environment in which individuals could
31 make fully informed decisions concerning their roles as caregivers to
32 children in their families whose parents are unable to perform the
33 regular and expected functions of care and support of their children.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 1602

STATE OF NEW JERSEY

DATED: JANUARY 24, 2005

The Senate Judiciary Committee reports favorably Senate Bill No. 1602.

This bill, known as the "Kinship Legal Guardianship Notification Act," requires the Department of Human Services, in easily understandable language, to:

inform individuals, of whom the department is aware, who may be eligible to become kinship legal guardians of the requirements for, and the responsibilities of, kinship legal guardianship, and the full-range of services for which they may be eligible and the eligibility requirements for those services; and

inform current kinship legal guardians of the full-range of services for which they may be eligible and the eligibility requirements for those services.

The Commissioner of Human Services is given rule-making authority.

This bill is identical to Assembly, No. 208.