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LAW

P.L. 2008, CHAPTER 62, *approved August 12, 2008*
Assembly, No. 789 (*Third Reprint*)

1 AN ACT concerning the expiration date of certain professional and
2 occupational licenses ¹and registrations¹ for certain members of
3 the Armed Forces of the United States, amending P.L.1968,
4 c.362 and supplementing P.L.1978, c.73 (C.45:1-14 et seq.).
5

6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:
8

9 1. (New section) Any license issued by a professional or
10 occupational board designated in section 2 of P.L.1978, c.73
11 (C.45:1-15), ¹and any registration issued under the “New Jersey
12 Controlled Dangerous Substances Act,” P.L.1970, c.226 (C.24:21-1
13 et seq.),¹ ~~²[shall not expire]~~ ³~~[which expires²]~~ shall not expire³
14 while the licensee ²or registrant² is an active member of the Armed
15 Forces of the United States ³~~[²shall be deemed to remain in force~~
16 ~~during the period during which the licensee or registrant is an active~~
17 ~~member²]~~³ and ²~~[shall be extended]~~² ³~~shall be extended³~~ for up to
18 120 days after his ²or her² return from active service. ¹Any late
19 renewal fees, reinstatement fees and other reinstatement
20 requirements shall be waived by the applicable professional or
21 occupational board or the Division of Consumer Affairs upon
22 application by the licensee or registrant within 120 days after he or
23 she returns from active service. ¹ If the license ¹or registration¹ is
24 renewed during the 120-day period after his ¹or her¹ return from
25 active service, ¹and the licensee or registrant submits
26 documentation verifying his or her active military service,¹ the
27 licensee ¹or registrant¹ shall only be responsible for normal fees and
28 activities relating to renewal of the license ¹or registration¹ and
29 shall not be charged any additional costs, such as, but not limited to,
30 late fees or delinquency fees.

31 As used in this section, “active member” means an individual or
32 member of an organized unit ordered into active service in the
33 Armed Forces of the United States by reason of membership in a
34 reserve component of the Armed Forces of the United States or any
35 branch of the Armed Forces of the United States.
36

37 2. Section 18 of P.L.1968, c.362 (C.45:14C-18) is amended to
38 read as follows:

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:

¹Assembly AMV committee amendments adopted January 28, 2008.

²Senate SCM committee amendments adopted May 8, 2008.

³Assembly floor amendments adopted June 16, 2008.

1 18. Every State license issued hereunder shall automatically
2 expire on June 30 following the date of its issuance. Licenses may
3 be renewed annually by the State board upon written application of
4 the holder and payment of the prescribed fee and renewal of
5 required bond. Such license may be renewed without the holder
6 having to be re-examined, provided said application for renewal is
7 made within 30 days next preceding or following the scheduled
8 expiration date. Any applicant for renewal making application at
9 any time subsequent to the 30 days next following the scheduled
10 expiration date may be required by the State board to be re-
11 examined, and such person shall not continue to act as a State
12 licensed master plumber, as described in this act, and no firm,
13 corporation or other legal entity for which such person is the bona
14 fide representative shall operate thereafter under a State license in
15 the plumbing business, as described in this act, until a valid State
16 license has been secured or is held by a bona fide representative.

17 Any State license expiring while the holder thereof is outside the
18 continental limits of the United States in connection with any
19 project undertaken by the Government of the United States[, or
20 while in the services of the Armed Forces of the United States,]
21 shall be renewed without such holder being required to be re-
22 examined, upon payment of the prescribed fee at any time within 4
23 months after such person's return to the United States [or discharge
24 from the armed forces, whichever is later].

25 (cf: P.L.1968, c.362, s.18)

26

27 3. This act shall take effect immediately.

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32 Delays expiration date of certain professional and occupational
33 licenses and registrations for individuals with certain types of
34 military service.

ASSEMBLY, No. 789

STATE OF NEW JERSEY

213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblyman JACK CONNERS

District 7 (Burlington and Camden)

Assemblywoman NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

SYNOPSIS

Delays expiration date of certain professional and occupational licenses for individuals with certain types of military service.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 1/29/2008)

1 AN ACT concerning the expiration date of certain professional and
2 occupational licenses for certain members of the Armed Forces
3 of the United States, amending P.L.1968, c.362 and
4 supplementing P.L.1978, c.73 (C.45:1-14 et seq.).
5

6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:
8

9 1. (New section) Any license issued by a professional or
10 occupational board designated in section 2 of P.L.1978, c.73
11 (C.45:1-15), shall not expire while the licensee is an active member
12 of the Armed Forces of the United States and shall be extended for
13 up to 120 days after his return from active service. If the license is
14 renewed during the 120-day period after his return from active
15 service, the licensee shall only be responsible for normal fees and
16 activities relating to renewal of the license and shall not be charged
17 any additional costs, such as, but not limited to, late fees or
18 delinquency fees.

19 As used in this section, "active member" means an individual or
20 member of an organized unit ordered into active service in the
21 Armed Forces of the United States by reason of membership in a
22 reserve component of the Armed Forces of the United States or any
23 branch of the Armed Forces of the United States.
24

25 2. Section 18 of P.L.1968, c.362 (C.45:14C-18) is amended to
26 read as follows:

27 18. Every State license issued hereunder shall automatically
28 expire on June 30 following the date of its issuance. Licenses may
29 be renewed annually by the State board upon written application of
30 the holder and payment of the prescribed fee and renewal of
31 required bond. Such license may be renewed without the holder
32 having to be re-examined, provided said application for renewal is
33 made within 30 days next preceding or following the scheduled
34 expiration date. Any applicant for renewal making application at
35 any time subsequent to the 30 days next following the scheduled
36 expiration date may be required by the State board to be re-
37 examined, and such person shall not continue to act as a State
38 licensed master plumber, as described in this act, and no firm,
39 corporation or other legal entity for which such person is the bona
40 fide representative shall operate thereafter under a State license in
41 the plumbing business, as described in this act, until a valid State
42 license has been secured or is held by a bona fide representative.

43 Any State license expiring while the holder thereof is outside the
44 continental limits of the United States in connection with any
45 project undertaken by the Government of the United States[, 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 while in the services of the Armed Forces of the United States,]
2 shall be renewed without such holder being required to be re-
3 examined, upon payment of the prescribed fee at any time within 4
4 months after such person's return to the United States [or discharge
5 from the armed forces, whichever is later].

6 (cf: P.L.1968, c. 362, s. 18)

7

8 3. This act shall take effect immediately.

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STATEMENT

12

13 This bill provides that any license issued by a professional or
14 occupational board designated in section 2 of P.L.1978, c.73
15 (C.45:1-15), shall not expire while the licensee is an active member
16 of the Armed Forces of the United States and shall be extended for
17 up to 120 days after his return from active service. If the license is
18 renewed during the 120-day period after his return from active
19 service, the licensee shall only be responsible for normal fees and
20 activities relating to renewal of the license and shall not be charged
21 any additional costs, such as, but not limited to, late fees or
22 delinquency fees.

23 As defined in this bill, "active member" means an individual or
24 member of an organized unit ordered into active service in the
25 Armed Forces of the United States by reason of membership in a
26 reserve component of the Armed Forces of the United States or any
27 branch of the Armed Forces of the United States. The reserve
28 component of the Armed Forces of the United States includes the
29 New Jersey National Guard and naval militia.

30 The bill makes a technical amendment to section 18 of "The
31 State Plumbing Law of 1968," P.L.1968, c.362 (C.45:14C-18), to
32 remove a provision of that law which would conflict with the new
33 provisions of the bill, which will have general application to all
34 professions and occupations regulated by Title 45 of the Revised
35 Statutes.

ASSEMBLY MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 789

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 28, 2008

The Assembly Military and Veterans' Affairs Committee reports favorably and with committee amendments Assembly, No. 789.

As amended by the committee, this bill provides that any license issued by a professional or occupational board designated in section 2 of P.L.1978, c.73 (C.45:1-15) and any registration issued under the "New Jersey Controlled Dangerous Substances Act," P.L.1970, c.226 (C.24:21-1 et seq.), will not expire while the licensee or registrant is an active member of the Armed Forces of the United States and will be extended for up to 120 days after the licensee's or registrant's return from active service. If the license or registration is renewed during the 120-day period after the licensee's or registrant's return from active service, and the licensee or registrant submits documentation verifying his or her active military service, the licensee or registrant will only be responsible for normal fees and activities relating to renewal of the license or registration and will not be charged any additional costs, such as, but not limited to, late fees or delinquency fees.

As defined in this bill, "active member" means an individual or member of an organized unit ordered into active service in the Armed Forces of the United States by reason of membership in a reserve component of the Armed Forces of the United States or any branch of the Armed Forces of the United States. The reserve component of the Armed Forces of the United States includes the New Jersey National Guard and naval militia.

The bill also makes a technical amendment to section 18 of "The State Plumbing Law of 1968," P.L.1968, c.362 (C.45:14C-18), to remove a provision of that law that would conflict with the new provisions of the bill, which have general application to all professions and occupations regulated by Title 45 of the Revised Statutes.

This bill was pre-filed for introduction in the 2008-2009 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to include registrations issued under the “New Jersey Controlled Dangerous Substances Act” (C.24:21-1 et seq.). The amendments also specify that any late renewal fees, reinstatement fees and other reinstatement requirements will be waived by the applicable professional or occupational board or the Division of Consumer Affairs upon application by the licensee or registrant within 120 days after he or she returns from active service, and that the licensee or registrant must submit documentation verifying his or her active military service.

SENATE COMMERCE COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 789

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 8, 2008

The Senate Commerce Committee reports favorably and with committee amendments Assembly Bill No. 789.

This bill, as amended, provides that any license issued by a professional or occupational board designated in section 2 of P.L.1978, c.73 (C.45:1-15) and any registration issued under the “New Jersey Controlled Dangerous Substances Act,” P.L.1970, c.226 (C.24:21-1 et seq.), which expires while the licensee or registrant is an active member of the Armed Forces of the United States shall be deemed to remain in force during the period during which the licensee or registrant is an active member, and for up to 120 days after the licensee’s or registrant’s return from active service. If the license or registration is renewed during the 120-day period after the licensee’s or registrant’s return from active service, and the licensee or registrant submits documentation verifying his or her active military service, the licensee or registrant will only be responsible for normal fees and activities relating to renewal of the license or registration and will not be charged any additional costs, such as, but not limited to, late fees or delinquency fees.

As defined in this bill, “active member” means an individual or member of an organized unit ordered into active service in the Armed Forces of the United States by reason of membership in a reserve component of the Armed Forces of the United States or any branch of the Armed Forces of the United States. The reserve component of the Armed Forces of the United States includes the New Jersey National Guard and naval militia.

The bill also makes a technical amendment to section 18 of “The State Plumbing License Law of 1968,” P.L.1968, c.362 (C.45:14C-18), to remove a provision of that law which would conflict with the new provisions of the bill, which have general application to all professions and occupations regulated by Title 45 of the Revised Statutes.

The committee amendments to the bill:

- Provide that a license or registration which expires while a person is an active member of the Armed Forces “shall be deemed to remain in force” as a matter of law, as opposed to actually, through overt administrative efforts, extending the terms of the person’s license or registration as implicated by the underlying bill.

This bill, as amended, is identical to Senate Bill No. 1279, as amended and reported by the committee today.

STATEMENT TO
[Second Reprint]
ASSEMBLY, No. 789

with Assembly Floor Amendments
(Proposed By Assemblyman CONNERS)

ADOPTED: JUNE 16, 2008

These amendments provide that any license issued by a professional or occupational board designated in section 2 of P.L.1978, c.73 (C.45:1-15) and any registration issued under the "New Jersey Controlled Dangerous Substances Act," P.L.1970, c.226 (C.24:21-1 et seq.), will not expire while the licensee or registrant is an active member of the Armed Forces of the United States and will be extended for up to 120 days after the licensee's or registrant's return from active service. The bill, prior to these amendments, stated that such license or registration which expires while a person is an active member of the Armed Forces shall be deemed to remain in force as a matter of law, as opposed to actually being extended through overt administrative efforts.

SENATE, No. 1279

STATE OF NEW JERSEY
213th LEGISLATURE

INTRODUCED FEBRUARY 21, 2008

Sponsored by:

Senator JEFF VAN DREW

District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Delays expiration date of certain professional and occupational licenses and registrations for individuals with certain types of military service.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the expiration date of certain professional and
2 occupational licenses and registrations for certain members of
3 the Armed Forces of the United States, amending P.L.1968,
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12 Controlled Dangerous Substances Act,” P.L.1970, c.226 (C.24:21-1
13 et seq.), shall not expire while the licensee is an active member of
14 the Armed Forces of the United States and shall be extended for up
15 to 120 days after his return from active service. Any late renewal
16 fees, reinstatement fees and other reinstatement requirements shall
17 be waived by the applicable professional or occupational board or
18 the Division of Consumer Affairs upon application by the licensee
19 or registrant within 120 days after he or she returns from active
20 service. If the license or registration is renewed during the 120-day
21 period after his or her return from active service, and the licensee or
22 registrant submits documentation verifying his or her active military
23 service, the licensee or registrant shall only be responsible for
24 normal fees and activities relating to renewal of the license or
25 registration and shall not be charged any additional costs, such as,
26 but not limited to, late fees or delinquency fees.

27 As used in this section, “active member” means an individual or
28 member of an organized unit ordered into active service in the
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30 reserve component of the Armed Forces of the United States or any
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39 required bond. Such license may be renewed without the holder
40 having to be re-examined, provided said application for renewal is
41 made within 30 days next preceding or following the scheduled
42 expiration date. Any applicant for renewal making application at
43 any time subsequent to the 30 days next following the scheduled
44 expiration date may be required by the State board to be re-
45 examined, and such person shall not continue to act as a State

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Matter underlined thus is new matter.

1 licensed master plumber, as described in this act, and no firm,
2 corporation or other legal entity for which such person is the bona
3 fide representative shall operate thereafter under a State license in
4 the plumbing business, as described in this act, until a valid State
5 license has been secured or is held by a bona fide representative.

6 Any State license expiring while the holder thereof is outside the
7 continental limits of the United States in connection with any
8 project undertaken by the Government of the United States[, or
9 while in the services of the Armed Forces of the United States,]
10 shall be renewed without such holder being required to be re-
11 examined, upon payment of the prescribed fee at any time within 4
12 months after such person's return to the United States [or discharge
13 from the armed forces, whichever is later].
14 (cf: P.L.1968, c.362, s.18)
15

16 3. This act shall take effect immediately.
17
18

19 STATEMENT 20

21 This bill provides that any license issued by a professional or
22 occupational board designated in section 2 of P.L.1978, c.73
23 (C.45:1-15) and any registration issued under the "New Jersey
24 Controlled Dangerous Substances Act," P.L.1970, c.226 (C.24:21-1
25 et seq.), will not expire while the licensee or registrant is an active
26 member of the Armed Forces of the United States and will be
27 extended for up to 120 days after the licensee's or registrant's
28 return from active service. If the license or registration is renewed
29 during the 120-day period after the licensee's or registrant's return
30 from active service, and the licensee or registrant submits
31 documentation verifying his or her active military service, the
32 licensee or registrant will only be responsible for normal fees and
33 activities relating to renewal of the license or registration and will
34 not be charged any additional costs, such as, but not limited to, late
35 fees or delinquency fees.

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37 member of an organized unit ordered into active service in the
38 Armed Forces of the United States by reason of membership in a
39 reserve component of the Armed Forces of the United States or any
40 branch of the Armed Forces of the United States. The reserve
41 component of the Armed Forces of the United States includes the
42 New Jersey National Guard and naval militia.

43 The bill also makes a technical amendment to section 18 of "The
44 State Plumbing Law of 1968," P.L.1968, c.362 (C.45:14C-18), to
45 remove a provision of that law that would conflict with the new
46 provisions of the bill, which have general application to all
47 professions and occupations regulated by Title 45 of the Revised
48 Statutes.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 1279

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 8, 2008

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 1279.

This bill, as amended, provides that any license issued by a professional or occupational board designated in section 2 of P.L.1978, c.73 (C.45:1-15) and any registration issued under the “New Jersey Controlled Dangerous Substances Act,” P.L.1970, c.226 (C.24:21-1 et seq.), which expires while the licensee or registrant is an active member of the Armed Forces of the United States shall be deemed to remain in force during the period during which the licensee or registrant is an active member, and for up to 120 days after the licensee’s or registrant’s return from active service. If the license or registration is renewed during the 120-day period after the licensee’s or registrant’s return from active service, and the licensee or registrant submits documentation verifying his or her active military service, the licensee or registrant will only be responsible for normal fees and activities relating to renewal of the license or registration and will not be charged any additional costs, such as, but not limited to, late fees or delinquency fees.

As defined in this bill, “active member” means an individual or member of an organized unit ordered into active service in the Armed Forces of the United States by reason of membership in a reserve component of the Armed Forces of the United States or any branch of the Armed Forces of the United States. The reserve component of the Armed Forces of the United States includes the New Jersey National Guard and naval militia.

The bill also makes a technical amendment to section 18 of “The State Plumbing License Law of 1968,” P.L.1968, c.362 (C.45:14C-18), to remove a provision of that law which would conflict with the new provisions of the bill, which have general application to all professions and occupations regulated by Title 45 of the Revised Statutes.

The committee amendments to the bill:

- Provide that a license or registration which expires while a person is an active member of the Armed Forces “shall be deemed to

remain in force” as a matter of law, as opposed to actually, through overt administrative efforts, extending the terms of the person’s license or registration as implicated by the underlying bill.

This bill, as amended, is identical to Assembly Bill No. 789(1R), as amended and reported by the committee today.