

18A:71-15.5

LEGISLATIVE HISTORY CHECKLIST  
Compiled by the NJ State Law Library

NJSA: 18A:71-15.5

(Higher ed--  
continue financial  
aid)

LAWS OF: 1991

CHAPTER: 38

Bill No: A2843

Sponsor(s): Ford & Doyle

Date Introduced: January 16, 1990

Committee: Assembly: Higher Education

Senate: Education

Amended during passage: No

Date of Passage: Assembly: April 5, 1990

Senate: January 14, 1991

Date of Approval: February 25, 1991

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

10-4-90 & 5-14-90

Fiscal Note: Yes

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

KBG/SLJ

P.L.1991, CHAPTER 38, approved February 25, 1991  
1990 Assembly No. 2843

1 AN ACT concerning student financial assistance and  
2 supplementing Title 18A of the New Jersey Statutes.

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

6 1. ~~A student who is enrolled in an institution of higher~~  
7 education in New Jersey and who is eligible for and receives any  
8 form of student financial aid through a program administered by  
9 the State shall be considered to remain domiciled in New Jersey  
10 and eligible for continued financial assistance notwithstanding  
11 the fact that the student is financially dependent upon the  
12 student's parents or guardians and that the parents or guardians  
13 change their domicile to another state. The Student Assistance  
14 Board and the Board of Directors of the New Jersey Educational  
15 Opportunity Fund shall each promulgate, pursuant to the  
16 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1  
17 et seq.) such rules and regulations as may be necessary to  
18 effectuate the purposes of this act.

19 2. This act shall take effect immediately.

20  
21

22 STATEMENT

23  
24 This bill provides that a student will continue to be considered  
25 a New Jersey domiciliary and eligible for continued aid  
26 notwithstanding the fact that the student's parents or guardians  
27 have moved to another state.

28 Both the Garden State Scholarship Program (P.L.1977, c.345;  
29 C.18A:71-26.5) and the Tuition Aid Grant Program (P.L.1977,  
30 c.344; C.18A:71-46) require that a student be a New Jersey  
31 resident in order to be eligible for an award.

32 Under current Board of Higher Education regulations,  
33 N.J.A.C.9:11-1.2, students who are financially dependent upon  
34 their parents or guardians are presumed to be legal residents of  
35 the state in which their parents or guardians are residents. When  
36 a dependent student's parents or guardians move from New  
37 Jersey the student becomes ineligible for continued financial  
38 assistance.

39  
40

41 HIGHER EDUCATION

42  
43 Permits students whose parents move out of state to continue to  
44 receive State financial aid.

ASSEMBLY, No. 2843  
STATE OF NEW JERSEY

INTRODUCED JANUARY 16, 1990

By Assemblywoman FORD and Assemblyman DOYLE

1 AN ACT concerning student financial assistance and  
2 supplementing Title 18A of the New Jersey Statutes.

3

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

6 1. A student who is enrolled in an institution of higher  
7 education in New Jersey and who is eligible for and receives any  
8 form of student financial aid through a program administered by  
9 the State shall be considered to remain domiciled in New Jersey  
10 and eligible for continued financial assistance notwithstanding  
11 the fact that the student is financially dependent upon the  
12 student's parents or guardians and that the parents or guardians  
13 change their domicile to another state. The Student Assistance  
14 Board and the Board of Directors of the New Jersey Educational  
15 Opportunity Fund shall each promulgate, pursuant to the  
16 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1  
17 et seq.) such rules and regulations as may be necessary to  
18 effectuate the purposes of this act.

19 2. This act shall take effect immediately.

20

21

22 STATEMENT

23

24 This bill provides that a student will continue to be considered  
25 a New Jersey domiciliary and eligible for continued aid  
26 notwithstanding the fact that the student's parents or guardians  
27 have moved to another state.

28 Both the Garden State Scholarship Program (P.L.1977, c.345;  
29 C.18A:71-26.5) and the Tuition Aid Grant Program (P.L.1977,  
30 c.344; C.18A:71-46) require that a student be a New Jersey  
31 resident in order to be eligible for an award.

32 Under current Board of Higher Education regulations,  
33 N.J.A.C.9:11-1.2, students who are financially dependent upon  
34 their parents or guardians are presumed to be legal residents of  
35 the state in which their parents or guardians are residents. When  
36 a dependent student's parents or guardians move from New  
37 Jersey the student becomes ineligible for continued financial  
38 assistance.

39

40

41

HIGHER EDUCATION

42

43 Permits students whose parents move out of state to continue to  
44 receive State financial aid.

ASSEMBLY HIGHER EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2843

STATE OF NEW JERSEY

DATED: MARCH 15, 1990

The Assembly Higher Education Committee favorably reports Assembly Bill No. 2843.

This bill provides that a student in an institution of higher education will continue to be considered a New Jersey domiciliary and eligible for continued aid notwithstanding the fact that the student's parents or guardians have moved to another state.

Both the Garden State Scholarship Program (P.L.1977, c.345; C.18A:71-26.5) and the Tuition Aid Grant Program (P.L.1977, c.344; C.18A:71-46) require that a student be a New Jersey resident in order to be eligible for an award.

Under current Board of Higher Education regulations, N.J.A.C. 9:11-1.2, students who are financially dependent upon their parents or guardians are presumed to be legal residents of the state in which their parents or guardians are residents. Therefore, when a dependent student's parents or guardians move from New Jersey the student becomes ineligible for continued financial assistance.

The bill does not change the initial residency requirement for eligibility, but requires changes in the regulations to permit continued aid eligibility in the event a student's parents change their domicile to another state.

A representative from the New Jersey State College Governing Boards Association voiced that organization's support of the bill.

SENATE EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2843

STATE OF NEW JERSEY

LAW LIBRARY COPY  
DO NOT REMOVE

DATED: MAY 14, 1990

The Senate Education Committee favorably reports this bill without committee amendments.

This bill provides that a student in an institution of higher education will continue to be considered a New Jersey domiciliary and eligible for continued aid notwithstanding the fact that the student's parents or guardians have moved to another state.

Both the Garden State Scholarship Program (P.L.1977, c.345; C.18A:71-26.5) and the Tuition Aid Grant Program (P.L.1977, c.344; C.18A:71-46) require that a student be a New Jersey resident in order to be eligible for an award.

Under current Board of Higher Education regulations, N.J.A.C.9:11-1.2, students who are financially dependent upon their parents or guardians are presumed to be legal residents of the state in which their parents or guardians are residents. Therefore, when a dependent student's parents or guardians move from New Jersey the student becomes ineligible for continued financial assistance.

The bill does not change the initial residency requirement for eligibility, but requires changes in the regulations to permit continued aid eligibility in the event a student's parents change their domicile to another state.

SENATE REVENUE, FINANCE AND  
APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2843

STATE OF NEW JERSEY

LAW LIBRARY COPY  
DO NOT REMOVE

DATED: OCTOBER 4, 1990

The Senate Revenue, Finance and Appropriations Committee favorably reports Assembly Bill No. 2843.

Assembly Bill No. 2843 permits a student who is enrolled in an institution of higher education in New Jersey to continue to receive financial assistance notwithstanding the fact that the student is financially dependent upon the student's parents or guardians and that the parents or guardians change their state of residence.

Basically, the bill enacts into statutory law existing regulatory practice. In 1987, the Board of Higher Education and the Student Assistance Board amended their regulations on residency to allow those students whose parents or guardians moved out-of-state to continue to be considered residents for the purpose of receiving financial assistance at a New Jersey institution of higher education.

FISCAL IMPACT

This bill contains no appropriation. In a fiscal estimate, the Office of Legislative Services determined that there would be no fiscal impact as the provisions reflect current regulatory practice.

LEGISLATIVE FISCAL ESTIMATE TO  
ASSEMBLY, No. 2843

STATE OF NEW JERSEY

DATED: June 22, 1990

LEGISLATIVE COPY  
DO NOT REMOVE

Assembly Bill No. 2843 of 1990 would permit a student who is enrolled in an institution of higher education in New Jersey to continue to receive financial assistance notwithstanding the fact that the student is financially dependent upon the student's parents or guardians and that the parents or guardians change their state of residence.

The Office of Legislative Services (OLS) determines that there would be no fiscal impact as a result of the passage of this bill. Students who are enrolled in an institution of higher education and receiving financial assistance would continue to do so without interruption. These students would presumably be eligible for the same amount of assistance received in prior years based on financial need and their parent's income.

The OLS also notes that the Board of Higher Education and the Student Assistance Board amended their regulations on residency in 1987 to allow those students whose parents or guardians moved out-of-state to continue to be considered residents for the purpose of receiving financial assistance at a New Jersey institution of higher education (N.J.A.C.9:11-1.2(b) and (N.J.A.C.9:7-2.2 respectively). Therefore this bill reflects current practice.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.