



**SENATE:** No

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

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** Yes 12/16/2019

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

Rwh/cl

P.L. 2019, CHAPTER 323, *approved January 13, 2020*

Senate, No. 3528

1 **AN ACT** concerning parentage of the partner in civil union or  
2 spouse of a natural or legal parent of a child and birth  
3 certificates, supplementing Title 9 of the Revised Statutes and  
4 amending P.L.1983, c.17.

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

8  
9 1. (New section) The Legislature finds and declares that:

10 a. Modern medical advances have made parenthood possible  
11 for many couples that would not otherwise be able to have their  
12 own child, thanks to the availability of assisted reproduction  
13 procedures.

14 b. These procedures have enabled same-sex couples, opposite-  
15 sex couples dealing with infertility, and transgender and non-binary  
16 individuals, to become parents.

17 c. Societal recognition of the rights of lesbian, gay, bisexual,  
18 transgender, and non-binary individuals, in combination with  
19 advances in assisted reproduction, has outpaced changes in the law  
20 concerning processes for establishing legal parentage.

21 d. A spouse or partner in civil union who may not be  
22 genetically related to the child or who may not have gestated the  
23 child born to the couple through assisted reproduction is required to  
24 go through the lengthy and expensive process of adopting the child  
25 in order to confirm legal parentage.

26 e. By streamlining the process by which couples in this  
27 situation can legally confirm that both spouses in a marriage or both  
28 partners in civil union are parents of the child, this act reflects the  
29 current reality of many families in New Jersey, while ensuring that  
30 the rights of any other individuals who may have parental rights to  
31 the child are addressed.

32 f. In order to ensure that couples who have used assisted  
33 reproduction may have a non-genetic parent's rights afforded full  
34 faith and credit in all states, as guaranteed by the United States  
35 Constitution, this bill establishes a process to obtain a judgement of  
36 adoption from the court that optimizes judicial efficiency and use of  
37 court personnel.

**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       2. (New section) As used in this act:

2       “Assisted reproduction” means medical procedures to facilitate  
3 human reproduction that involve human gametes or pre-embryos,  
4 including, but not limited to artificial insemination, in vitro  
5 fertilization, embryo transfers and similar procedures. The term  
6 shall not include the use of assisted reproduction in connection with  
7 a gestational carrier agreement pursuant to the “New Jersey  
8 Gestational Carrier Agreement Act,” P.L.2018, c.18 (C.9:17-60 et  
9 al.).

10       “Co-parent” means an individual who is the current or former  
11 partner in civil union or the current or former spouse of a natural  
12 parent or person treated in State law as a legal parent of a child  
13 conceived through the use of assisted reproduction and born during  
14 the civil union or marriage, and who may not be a biological parent  
15 of that child. The term “co-parent” shall refer to either a natural  
16 parent or a person treated in State law as a legal parent of the child,  
17 the current or former partner in civil union or the current or former  
18 spouse of the natural parent or person treated in State law as a legal  
19 parent, or both, provided that both individuals are named on the  
20 child’s birth certificate as parents and a court has issued an order of  
21 parentage pursuant to the provisions of section 3 of P.L.       ,  
22 c. (C.       ) (pending before the Legislature as this bill).       “Co-  
23 parent” shall not include an intended parent pursuant to the “New  
24 Jersey Gestational Carrier Agreement Act,” P.L.2018, c.18 (C.9:17-  
25 60 et al.).

26

27       3. (New section) a. A natural parent or person treated in State  
28 law as a legal parent of the child, and the current or former partner  
29 in civil union or the current or former spouse of the natural parent  
30 or person treated in State law as a legal parent may jointly file a  
31 complaint for a judgement of adoption with the Superior Court,  
32 Chancery Division, Family Part of the county of residence of the  
33 spouse, civil union partners, or one of the parties to the action.

34       b. Attached to the complaint shall be:

35       (1) proof of a valid civil union or marriage between the natural  
36 or legal parent and that person’s partner in civil union or spouse,  
37 issued prior to the birth of the child;

38       (2) an original birth certificate issued by the State Registrar of  
39 Vital Statistics on which both partners in civil union or spouses are  
40 listed as parents of the child; and

41       (3) a written declaration signed by both parties to the action that  
42 describes in sufficient detail how the child was conceived and  
43 identifies any other involved parties so that the court may determine  
44 whether those individuals have parental rights to the child.

45       c. The court shall, if it determines that the parental rights of  
46 any other interested individual have been relinquished or  
47 terminated, issue a judgement of adoption confirming both parties

1 to the action as the legal parents of the child, without the need for  
2 an appearance by the parties.

3 d. The court shall, if it determines that another individual may  
4 have existing parental rights to the child, order and conduct a  
5 hearing on the matter, providing notice to all parties, before issuing  
6 a judgement of adoption.

7 e. No home study or background check shall be required by the  
8 court in order to issue a judgement of adoption pursuant to this act.

9 f. The process provided by this section shall not be available to  
10 the intended parents of a child born to a gestational carrier pursuant  
11 to the provisions of the "New Jersey Gestational Carrier Act,"  
12 P.L.2018, c.18 (C.9:17-60 et al.).

13 g. Nothing in this act shall be deemed to summarily extinguish  
14 or terminate the parental rights of any individual.

15 h. Nothing in this act shall be deemed to confer parental rights  
16 through a birth certificate.

17 i. The Supreme Court may establish court rules as necessary to  
18 effectuate the provisions of this act.

19

20 4. Section 2 of P.L.1983, c.17 (C.9:17-39) is amended to read  
21 as follows:

22 2. As used in **[this act]** P.L.1983, c.17 (C.9:17-38 et seq.),  
23 "parent and child relationship" means the legal relationship existing  
24 between a child and the child's natural or adoptive parents, between  
25 a child and the child's co-parents pursuant to the provisions of P.L.,  
26 c. (C. ) (pending before the Legislature as this bill), or between  
27 the child and the child's intended parents pursuant to a gestational  
28 carrier agreement executed in accordance with the provisions of  
29 P.L.2018, c.18 (C.9:17-60 et al.), incident to which the law confers  
30 or imposes rights, privileges, duties, and obligations. It includes the  
31 mother and child relationship and the father and child relationship.  
32 (cf: P.L.2018, c.18, s.10)

33

34 5. Section 4 of P.L.1983, c.17 (C.9:17-41) is amended to read  
35 as follows:

36 4. The parent and child relationship between a child and:

37 a. The natural mother, may be established by:

38 (1) proof of her having given birth to the child unless the child is  
39 born in connection with a gestational carrier agreement executed in  
40 accordance with the provisions of P.L.2018, c.18 (C.9:17-60 et al.),  
41 or

42 (2) under P.L.1983, c.17 (C.9:17-38 et seq.);

43 b. The natural father, may be established by proof that his  
44 paternity has been adjudicated under prior law; under the laws  
45 governing probate; by giving full faith and credit to a determination  
46 of paternity made by any other state or jurisdiction, whether  
47 established through voluntary acknowledgment or through judicial  
48 or administrative processes; by a Certificate of Parentage as

1 provided in section 7 of P.L.1994, c.164 (C.26:8-28.1) that is  
2 executed by the father, including an unemancipated minor, prior to  
3 or after the birth of a child, and filed with the appropriate State  
4 agency; by a default **【judgment】 judgement** or order of the court; or  
5 by an order of the court based on a blood test or genetic test that  
6 meets or exceeds the specific threshold probability as set by  
7 subsection i. of section 11 of P.L.1983, c.17 (C.9:17-48) creating a  
8 rebuttable presumption of paternity.

9 In accordance with 42 U.S.C. s.666(a)(5), a signed voluntary  
10 acknowledgment of paternity shall be considered a legal finding of  
11 paternity subject to the right of the signatory to rescind the  
12 acknowledgment within 60 days of the date of signing, or by the  
13 date of establishment of a support order to which the signatory is a  
14 party, whichever is earlier.

15 The adjudication of paternity shall only be voided upon a finding  
16 that there exists clear and convincing evidence of: fraud, duress or a  
17 material mistake of fact, with the burden of proof upon the  
18 challenger;

19 c. (1) An adoptive parent, may be established by proof of  
20 adoption;

21 (2) An intended parent, may be established by proof of an order  
22 of parentage related to a gestational carrier agreement executed in  
23 accordance with the provisions of P.L.2018, c.18 (C.9:17-60 et al.);

24 (3) A co-parent, may be established by proof of a judgement of  
25 adoption issued by the court pursuant to section 3 of P.L. \_\_\_\_\_,  
26 c. (pending before the Legislature as this bill).

27 d. The natural **【mother or the natural father】 mother's or**  
28 natural father's parental rights, may be terminated by an order of a  
29 court of competent jurisdiction in granting a **【judgment】 judgement**  
30 of adoption or as the result of an action to terminate parental rights;

31 e. The establishment of the parent and child relationship  
32 pursuant to subsections a., b., and c. of this section shall be the  
33 basis upon which an action for child support may be brought by a  
34 party and acted upon by the court without further evidentiary  
35 proceedings;

36 f. In any case in which the parties execute a Certificate of  
37 Parentage or a rebuttable presumption of paternity is created  
38 through genetic testing, the presumption of paternity under section  
39 6 of P.L.1983, c.17 (C.9:17-43) shall not apply;

40 g. Pursuant to the provisions of 42 U.S.C. s.666(a)(5), the child  
41 and other parties in a contested paternity case shall submit to a  
42 genetic test upon the request of one of the parties, unless that person  
43 has good cause for refusal, if the request is supported by a sworn  
44 statement by the requesting party:

45 (1) alleging paternity and setting forth the facts establishing a  
46 reasonable possibility of the requisite sexual contact between the  
47 parties; or

1 (2) denying paternity and setting forth the facts establishing a  
2 reasonable possibility of the nonexistence of sexual contact between  
3 the parties;

4 h. In a contested paternity case in which the State IV-D agency  
5 requires or the court orders genetic testing, the State IV-D agency  
6 shall:

7 (1) pay the costs of the genetic test and may recoup payment  
8 from the alleged father whose paternity is established; and

9 (2) obtain additional testing if the initial test results are  
10 contested, and upon the request and advance payment for the  
11 additional test by the contestant.

12 (cf: P.L.2018, c.18, s.11)

13

14 6. This act shall take effect on the first day of the third month  
15 next following the date of enactment.

16

17

18

#### STATEMENT

19

20 This bill provides a process by which couples, in which one  
21 spouse or partner in civil union is either a natural parent or a person  
22 treated in State law as a legal parent of a child conceived through  
23 the use of assisted reproduction and born during the civil union or  
24 marriage, can seek a judgement of adoption from the court, in lieu  
25 of pursuing a confirmatory adoption. The judgement of adoption  
26 would confirm the parental rights of the other spouse or civil union  
27 partner who may not be genetically related to the child, and the bill  
28 refers to the parental rights confirmed through this process as those  
29 of “co-parent.” The bill defines “assisted reproduction” as medical  
30 procedures to facilitate human reproduction that involve human  
31 gametes or pre-embryos, including, but not limited to artificial  
32 insemination, in vitro fertilization, embryo transfers and similar  
33 procedures. The term shall not include the use of assisted  
34 reproduction in connection with a gestational carrier agreement  
35 pursuant to the “New Jersey Gestational Carrier Agreement Act,”  
36 P.L.2018, c.18 (C.9:17-60 et al.).

37 The bill provides that a couple may jointly file a complaint for a  
38 judgment of adoption with the Superior Court of the county where  
39 they reside or where one of the parties to the action resides. The  
40 complaint is to include: proof of a valid civil union or marriage  
41 between the individuals issued prior to the birth of the child; an  
42 original birth certificate issued by the State Registrar of Vital  
43 Statistics on which both individuals are listed as parents of the  
44 child; and a written declaration signed by both individuals that  
45 describes in sufficient detail how the child was conceived and  
46 identifies any other involved parties so that the court may determine  
47 whether those individuals may have parental rights to the child. The  
48 term “co-parent” would refer to either or both spouses or partners.

1       The bill provides that the court, if it determines that the parental  
2 rights of any other individuals have been relinquished, is to issue a  
3 judgement of adoption confirming both current or former partners  
4 in civil union or current or former spouses as the legal parents of  
5 the child, without the need for an appearance by the parties. The bill  
6 further provides, if the court determines that another individual may  
7 have parental rights to the child, the court is to order and conduct a  
8 hearing on the matter, providing notice to all parties, before issuing  
9 a judgement of adoption.

10       Per the bill's provisions, no home study or background check  
11 may be required by the court in order to issue a judgement of  
12 adoption pursuant to this process, and this process would not be  
13 available to the intended parents of a child born to a gestational  
14 carrier pursuant to the provisions of the "New Jersey Gestational  
15 Carrier Act," P.L.2018, c.18 (C.9:17-60 et al).

16       Birth certificates are administrative records and do not confer  
17 parentage rights. The U.S. Supreme Court's 2017 decision in Pavan  
18 v. Smith, 137 S. Ct. 2075 (2017), held that states cannot treat  
19 married same-sex couples differently from opposite-sex couples  
20 where the issuance of birth certificates is concerned. Currently, the  
21 spouse or partner in civil union who may not be biologically related  
22 to a child conceived through assisted reproduction may be named as  
23 a parent on the child's birth certificate issued in the State, but is still  
24 required to complete an adoption to confirm legal parentage. This  
25 bill provides a process through which spouses and partners in civil  
26 union can obtain a judgement of adoption that reflects that both  
27 spouses or partners in civil union are legal parents of the child.

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32       Establishes process to obtain judgement of adoption for civil  
33 union partner or spouse of natural or legal parent of child when that  
34 person is named as parent on child's birth certificate.



# SENATE, No. 3528

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MARCH 4, 2019

**Sponsored by:**

**Senator NICHOLAS P. SCUTARI**

**District 22 (Middlesex, Somerset and Union)**

**Senator RICHARD J. CODEY**

**District 27 (Essex and Morris)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**Assemblyman JAMES J. KENNEDY**

**District 22 (Middlesex, Somerset and Union)**

**Co-Sponsored by:**

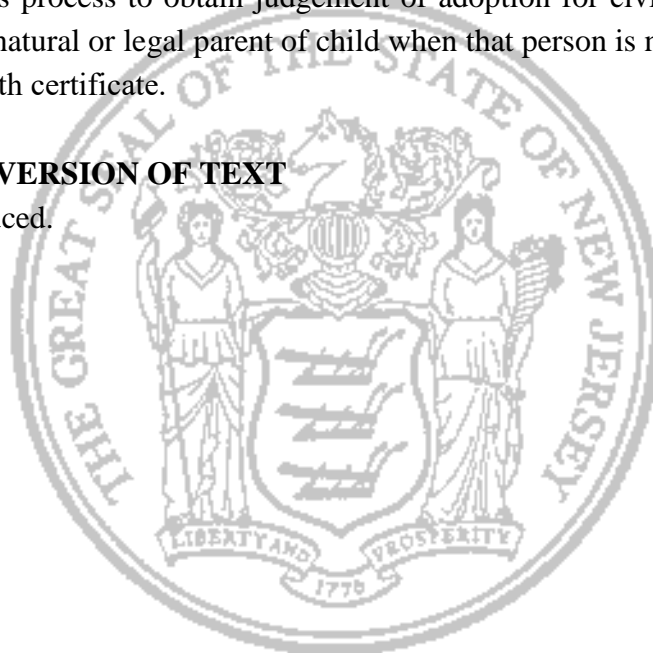
**Senators Greenstein, Gopal and Ruiz**

**SYNOPSIS**

Establishes process to obtain judgement of adoption for civil union partner or spouse of natural or legal parent of child when that person is named as parent on child's birth certificate.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/17/2019)**

S3528 SCUTARI, CODEY

2

1 AN ACT concerning parentage of the partner in civil union or  
2 spouse of a natural or legal parent of a child and birth  
3 certificates, supplementing Title 9 of the Revised Statutes and  
4 amending P.L.1983, c.17.

5

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

8

9 1. (New section) The Legislature finds and declares that:

10 a. Modern medical advances have made parenthood possible  
11 for many couples that would not otherwise be able to have their  
12 own child, thanks to the availability of assisted reproduction  
13 procedures.

14 b. These procedures have enabled same-sex couples, opposite-  
15 sex couples dealing with infertility, and transgender and non-binary  
16 individuals, to become parents.

17 c. Societal recognition of the rights of lesbian, gay, bisexual,  
18 transgender, and non-binary individuals, in combination with  
19 advances in assisted reproduction, has outpaced changes in the law  
20 concerning processes for establishing legal parentage.

21 d. A spouse or partner in civil union who may not be  
22 genetically related to the child or who may not have gestated the  
23 child born to the couple through assisted reproduction is required to  
24 go through the lengthy and expensive process of adopting the child  
25 in order to confirm legal parentage.

26 e. By streamlining the process by which couples in this  
27 situation can legally confirm that both spouses in a marriage or both  
28 partners in civil union are parents of the child, this act reflects the  
29 current reality of many families in New Jersey, while ensuring that  
30 the rights of any other individuals who may have parental rights to  
31 the child are addressed.

32 f. In order to ensure that couples who have used assisted  
33 reproduction may have a non-genetic parent's rights afforded full  
34 faith and credit in all states, as guaranteed by the United States  
35 Constitution, this bill establishes a process to obtain a judgement of  
36 adoption from the court that optimizes judicial efficiency and use of  
37 court personnel.

38

39 2. (New section) As used in this act:

40 "Assisted reproduction" means medical procedures to facilitate  
41 human reproduction that involve human gametes or pre-embryos,  
42 including, but not limited to artificial insemination, in vitro  
43 fertilization, embryo transfers and similar procedures. The term  
44 shall not include the use of assisted reproduction in connection with  
45 a gestational carrier agreement pursuant to the "New Jersey

**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 Gestational Carrier Agreement Act,” P.L.2018, c.18 (C.9:17-60 et  
2 al.).

3 “Co-parent” means an individual who is the current or former  
4 partner in civil union or the current or former spouse of a natural  
5 parent or person treated in State law as a legal parent of a child  
6 conceived through the use of assisted reproduction and born during  
7 the civil union or marriage, and who may not be a biological parent  
8 of that child. The term “co-parent” shall refer to either a natural  
9 parent or a person treated in State law as a legal parent of the child,  
10 the current or former partner in civil union or the current or former  
11 spouse of the natural parent or person treated in State law as a legal  
12 parent, or both, provided that both individuals are named on the  
13 child’s birth certificate as parents and a court has issued an order of  
14 parentage pursuant to the provisions of section 3 of P.L. , c.  
15 (C. ) (pending before the Legislature as this bill). “Co-parent”  
16 shall not include an intended parent pursuant to the “New Jersey  
17 Gestational Carrier Agreement Act,” P.L.2018, c.18 (C.9:17-60 et  
18 al.).

19  
20 3. (New section) a. A natural parent or person treated in State  
21 law as a legal parent of the child, and the current or former partner  
22 in civil union or the current or former spouse of the natural parent  
23 or person treated in State law as a legal parent may jointly file a  
24 complaint for a judgement of adoption with the Superior Court,  
25 Chancery Division, Family Part of the county of residence of the  
26 spouse, civil union partners, or one of the parties to the action.

27 b. Attached to the complaint shall be:

28 (1) proof of a valid civil union or marriage between the natural  
29 or legal parent and that person’s partner in civil union or spouse,  
30 issued prior to the birth of the child;

31 (2) an original birth certificate issued by the State Registrar of  
32 Vital Statistics on which both partners in civil union or spouses are  
33 listed as parents of the child; and

34 (3) a written declaration signed by both parties to the action that  
35 describes in sufficient detail how the child was conceived and  
36 identifies any other involved parties so that the court may determine  
37 whether those individuals have parental rights to the child.

38 c. The court shall, if it determines that the parental rights of  
39 any other interested individual have been relinquished or  
40 terminated, issue a judgement of adoption confirming both parties  
41 to the action as the legal parents of the child, without the need for  
42 an appearance by the parties.

43 d. The court shall, if it determines that another individual may  
44 have existing parental rights to the child, order and conduct a  
45 hearing on the matter, providing notice to all parties, before issuing  
46 a judgement of adoption.

47 e. No home study or background check shall be required by the  
48 court in order to issue a judgement of adoption pursuant to this act.

1 f. The process provided by this section shall not be available to  
2 the intended parents of a child born to a gestational carrier pursuant  
3 to the provisions of the "New Jersey Gestational Carrier Act,"  
4 P.L.2018, c.18 (C.9:17-60 et al.).

5 g. Nothing in this act shall be deemed to summarily extinguish  
6 or terminate the parental rights of any individual.

7 h. Nothing in this act shall be deemed to confer parental rights  
8 through a birth certificate.

9 i. The Supreme Court may establish court rules as necessary to  
10 effectuate the provisions of this act.

11

12 4. Section 2 of P.L.1983, c.17 (C.9:17-39) is amended to read  
13 as follows:

14 2. As used in **[this act]** P.L.1983, c.17 (C.9:17-38 et seq.),  
15 "parent and child relationship" means the legal relationship existing  
16 between a child and the child's natural or adoptive parents, between  
17 a child and the child's co-parents pursuant to the provisions of P.L.,  
18 c. (C. ) (pending before the Legislature as this bill), or between  
19 the child and the child's intended parents pursuant to a gestational  
20 carrier agreement executed in accordance with the provisions of  
21 P.L.2018, c.18 (C.9:17-60 et al.), incident to which the law confers  
22 or imposes rights, privileges, duties, and obligations. It includes the  
23 mother and child relationship and the father and child relationship.  
24 (cf: P.L.2018, c.18, s.10)

25

26 5. Section 4 of P.L.1983, c.17 (C.9:17-41) is amended to read  
27 as follows:

28 4. The parent and child relationship between a child and:

29 a. The natural mother, may be established by:

30 (1) proof of her having given birth to the child unless the child is  
31 born in connection with a gestational carrier agreement executed in  
32 accordance with the provisions of P.L.2018, c.18 (C.9:17-60 et al.),  
33 or

34 (2) under P.L.1983, c.17 (C.9:17-38 et seq.);

35 b. The natural father, may be established by proof that his  
36 paternity has been adjudicated under prior law; under the laws  
37 governing probate; by giving full faith and credit to a determination  
38 of paternity made by any other state or jurisdiction, whether  
39 established through voluntary acknowledgment or through judicial  
40 or administrative processes; by a Certificate of Parentage as  
41 provided in section 7 of P.L.1994, c.164 (C.26:8-28.1) that is  
42 executed by the father, including an unemancipated minor, prior to  
43 or after the birth of a child, and filed with the appropriate State  
44 agency; by a default **[judgment]** judgement or order of the court; or  
45 by an order of the court based on a blood test or genetic test that  
46 meets or exceeds the specific threshold probability as set by  
47 subsection i. of section 11 of P.L.1983, c.17 (C.9:17-48) creating a  
48 rebuttable presumption of paternity.

1 In accordance with 42 U.S.C. s.666(a)(5), a signed voluntary  
2 acknowledgment of paternity shall be considered a legal finding of  
3 paternity subject to the right of the signatory to rescind the  
4 acknowledgment within 60 days of the date of signing, or by the  
5 date of establishment of a support order to which the signatory is a  
6 party, whichever is earlier.

7 The adjudication of paternity shall only be voided upon a finding  
8 that there exists clear and convincing evidence of: fraud, duress or a  
9 material mistake of fact, with the burden of proof upon the  
10 challenger;

11 c. (1) An adoptive parent, may be established by proof of  
12 adoption;

13 (2) An intended parent, may be established by proof of an order  
14 of parentage related to a gestational carrier agreement executed in  
15 accordance with the provisions of P.L.2018, c.18 (C.9:17-60 et al.);

16 (3) A co-parent, may be established by proof of a judgement of  
17 adoption issued by the court pursuant to section 3 of P.L. , c.  
18 (pending before the Legislature as this bill).

19 d. The natural **【mother or the natural father】** mother's or  
20 natural father's parental rights, may be terminated by an order of a  
21 court of competent jurisdiction in granting a **【judgment】** judgement  
22 of adoption or as the result of an action to terminate parental rights;

23 e. The establishment of the parent and child relationship  
24 pursuant to subsections a., b., and c. of this section shall be the  
25 basis upon which an action for child support may be brought by a  
26 party and acted upon by the court without further evidentiary  
27 proceedings;

28 f. In any case in which the parties execute a Certificate of  
29 Parentage or a rebuttable presumption of paternity is created  
30 through genetic testing, the presumption of paternity under section  
31 6 of P.L.1983, c.17 (C.9:17-43) shall not apply;

32 g. Pursuant to the provisions of 42 U.S.C. s.666(a)(5), the child  
33 and other parties in a contested paternity case shall submit to a  
34 genetic test upon the request of one of the parties, unless that person  
35 has good cause for refusal, if the request is supported by a sworn  
36 statement by the requesting party:

37 (1) alleging paternity and setting forth the facts establishing a  
38 reasonable possibility of the requisite sexual contact between the  
39 parties; or

40 (2) denying paternity and setting forth the facts establishing a  
41 reasonable possibility of the nonexistence of sexual contact between  
42 the parties;

43 h. In a contested paternity case in which the State IV-D agency  
44 requires or the court orders genetic testing, the State IV-D agency  
45 shall:

46 (1) pay the costs of the genetic test and may recoup payment  
47 from the alleged father whose paternity is established; and

1 (2) obtain additional testing if the initial test results are  
2 contested, and upon the request and advance payment for the  
3 additional test by the contestant.  
4 (cf: P.L.2018, c.18, s.11)

5  
6 6. This act shall take effect on the first day of the third month  
7 next following the date of enactment.

8  
9  
10 STATEMENT

11  
12 This bill provides a process by which couples, in which one  
13 spouse or partner in civil union is either a natural parent or a person  
14 treated in State law as a legal parent of a child conceived through  
15 the use of assisted reproduction and born during the civil union or  
16 marriage, can seek a judgement of adoption from the court, in lieu  
17 of pursuing a confirmatory adoption. The judgement of adoption  
18 would confirm the parental rights of the other spouse or civil union  
19 partner who may not be genetically related to the child, and the bill  
20 refers to the parental rights confirmed through this process as those  
21 of “co-parent.” The bill defines “assisted reproduction” as medical  
22 procedures to facilitate human reproduction that involve human  
23 gametes or pre-embryos, including, but not limited to artificial  
24 insemination, in vitro fertilization, embryo transfers and similar  
25 procedures. The term shall not include the use of assisted  
26 reproduction in connection with a gestational carrier agreement  
27 pursuant to the “New Jersey Gestational Carrier Agreement Act,”  
28 P.L.2018, c.18 (C.9:17-60 et al.).

29 The bill provides that a couple may jointly file a complaint for a  
30 judgment of adoption with the Superior Court of the county where  
31 they reside or where one of the parties to the action resides. The  
32 complaint is to include: proof of a valid civil union or marriage  
33 between the individuals issued prior to the birth of the child; an  
34 original birth certificate issued by the State Registrar of Vital  
35 Statistics on which both individuals are listed as parents of the  
36 child; and a written declaration signed by both individuals that  
37 describes in sufficient detail how the child was conceived and  
38 identifies any other involved parties so that the court may determine  
39 whether those individuals may have parental rights to the child. The  
40 term “co-parent” would refer to either or both spouses or partners.

41 The bill provides that the court, if it determines that the parental  
42 rights of any other individuals have been relinquished, is to issue a  
43 judgement of adoption confirming both current or former partners  
44 in civil union or current or former spouses as the legal parents of  
45 the child, without the need for an appearance by the parties. The bill  
46 further provides, if the court determines that another individual may  
47 have parental rights to the child, the court is to order and conduct a

1 hearing on the matter, providing notice to all parties, before issuing  
2 a judgement of adoption.

3 Per the bill's provisions, no home study or background check  
4 may be required by the court in order to issue a judgement of  
5 adoption pursuant to this process, and this process would not be  
6 available to the intended parents of a child born to a gestational  
7 carrier pursuant to the provisions of the "New Jersey Gestational  
8 Carrier Act," P.L.2018, c.18 (C.9:17-60 et al).

9 Birth certificates are administrative records and do not confer  
10 parentage rights. The U.S. Supreme Court's 2017 decision in Pavan  
11 v. Smith, 137 S. Ct. 2075 (2017), held that states cannot treat  
12 married same-sex couples differently from opposite-sex couples  
13 where the issuance of birth certificates is concerned. Currently, the  
14 spouse or partner in civil union who may not be biologically related  
15 to a child conceived through assisted reproduction may be named as  
16 a parent on the child's birth certificate issued in the State, but is still  
17 required to complete an adoption to confirm legal parentage. This  
18 bill provides a process through which spouses and partners in civil  
19 union can obtain a judgement of adoption that reflects that both  
20 spouses or partners in civil union are legal parents of the child.

ASSEMBLY HUMAN SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 3528

**STATE OF NEW JERSEY**

DATED: DECEMBER 9, 2019

The Assembly Human Services Committee reports favorably Senate Bill No. 3528.

This bill provides a process by which couples, in which one spouse or partner in civil union is either a natural parent or a person treated in State law as a legal parent of a child conceived through the use of assisted reproduction and born during the civil union or marriage, can seek a judgement of adoption from the court, in lieu of pursuing a confirmatory adoption. The judgement of adoption would confirm the parental rights of the other spouse or civil union partner who may not be genetically related to the child, and the bill refers to the parental rights confirmed through this process as those of “co-parent.” The bill defines “assisted reproduction” as medical procedures to facilitate human reproduction that involve human gametes or pre-embryos, including, but not limited to artificial insemination, in vitro fertilization, embryo transfers and similar procedures. The term does not include the use of assisted reproduction in connection with a gestational carrier agreement pursuant to the “New Jersey Gestational Carrier Agreement Act,” P.L.2018, c.18 (C.9:17-60 et al.).

The bill provides that a couple may jointly file a complaint for a judgment of adoption with the Superior Court of the county where they reside or where one of the parties to the action resides. The complaint is to include: proof of a valid civil union or marriage between the individuals issued prior to the birth of the child; an original birth certificate issued by the State Registrar of Vital Statistics on which both individuals are listed as parents of the child; and a written declaration signed by both individuals that describes in sufficient detail how the child was conceived and identifies any other involved parties so that the court may determine whether those individuals may have parental rights to the child. The term “co-parent” would refer to either or both spouses or partners.

The bill provides that the court, if it determines that the parental rights of any other individuals have been relinquished, is to issue a judgement of adoption confirming both current or former partners in civil union or current or former spouses as the legal parents of the child, without the need for an appearance by the parties. The bill further provides, if the court determines that another individual



may have parental rights to the child, the court is to order and conduct a hearing on the matter, providing notice to all parties, before issuing a judgement of adoption.

Per the bill's provisions, no home study or background check may be required by the court in order to issue a judgement of adoption pursuant to this process, and this process would not be available to the intended parents of a child born to a gestational carrier pursuant to the provisions of the "New Jersey Gestational Carrier Act," P.L.2018, c.18 (C.9:17-60 et al).

Birth certificates are administrative records and do not confer parentage rights. The U.S. Supreme Court's 2017 decision in Pavan v. Smith, 137 S. Ct. 2075 (2017), held that states cannot treat married same-sex couples differently from opposite-sex couples where the issuance of birth certificates is concerned. Currently, the spouse or partner in civil union who may not be biologically related to a child conceived through assisted reproduction may be named as a parent on the child's birth certificate issued in the State, but is still required to complete an adoption to confirm legal parentage. This bill provides a process through which spouses and partners in civil union can obtain a judgement of adoption that reflects that both spouses or partners in civil union are legal parents of the child.

As reported by the committee, this bill is identical to Assembly Bill No. 5396 (Vainieri Huttle/Quijano/Kennedy), which the committee also reported on this date.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

### SENATE, No. 3528

# STATE OF NEW JERSEY

DATED: DECEMBER 12, 2019

The Assembly Appropriations Committee reports favorably Senate Bill No. 3528.

This bill provides a process by which couples, in which only one marital spouse or partner in civil union is the natural parent or treated under State law as the legal parent of a child (1) who was conceived through the use of assisted reproduction, and (2) born during the civil union or marriage, can seek an expedited judgement of adoption from the court for the other spouse or partner, in lieu of pursuing a standard adoption to establish that spouse's or partner's parentage. This judgement of adoption would specifically confirm the parental rights of the other spouse or partner who may not be genetically related to the child.

Concerning the bill's requirement that the child be conceived by assisted reproduction, the bill defines the term as any medical procedure to facilitate human reproduction that involves human gametes or pre-embryos, including, but not limited to artificial insemination, in vitro fertilization, embryo transfers and similar procedures. Notably, the term would not include the use of assisted reproduction in connection with a gestational carrier agreement pursuant to the "New Jersey Gestational Carrier Agreement Act," P.L.2018, c.18 (C.9:17-60 et al.), as that act provides a separate means by which a party to such an agreement becomes the parent of a child born to a gestational carrier.

The bill provides that a couple may jointly file a complaint for a judgment of adoption with the Superior Court of the county where they reside or where one of the parties to the action resides. The complaint would include: proof of a valid civil union or marriage between the individuals issued prior to the birth of the child; an original birth certificate issued by the State Registrar of Vital Statistics on which both individuals are listed as parents of the child; and a written declaration signed by both individuals that describes in sufficient detail how the child was conceived, and identifies any other involved parties, so that the court may determine whether those individuals may have parental rights to the child.

If the court determines that the parental rights of any other individuals have been relinquished, it would issue, without the need for an appearance by the parties, a judgement of adoption, resulting in both current or former partners in civil union or current or former

marital spouses now being recognized as the legal parents of the child. However, if the court determines that another individual may have parental rights to the child, the court would order a hearing on the matter, providing notice to all parties, before taking any action with respect to a judgement of adoption for the non-biologically-related spouse or partner.

Unlike as required under the standard adoption process, a home study or background check would not be needed before the court could proceed, pursuant to the process set forth in the bill, with issuing an order for a judgement of adoption.

The bill's more abbreviated adoption process would give greater recognition to the intended parenthood of a non-biological same-sex marital spouse or civil union partner listed on a birth certificate, which is permitted as determined in the 2017 U.S. Supreme Court decision in Pavan v. Smith, 137 S. Ct. 2075 (2017) (holding that states cannot treat married same-sex couples differently from opposite-sex couples where the issuance of birth certificates is concerned); however, this document alone cannot confer parental rights to the non-biological intended parent because it is only considered an administrative birth record. So while the non-biological spouse or partner may be named as a parent on a child's birth certificate, such person is still, under current law, required to complete a lengthy, standard adoption to confirm legal parentage. This bill would provide a process through which these non-biological spouses and partners can more efficiently obtain a judgement of adoption that reflects that both spouses or partners are legal parents of a child.

As reported, Senate Bill No. 3528 is identical to Assembly Bill No. 5396, as also reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) concludes that the bill would result in an indeterminate decrease in administrative expenditures for the Family Division of the Superior Court due to the efficiencies implemented under the bill regarding the establishment of a process for an expedited judgment of adoption under certain circumstances. Without more information from the Judiciary, the OLS cannot quantify this impact.

# SENATE JUDICIARY COMMITTEE

## STATEMENT TO

### SENATE, No. 3528

# STATE OF NEW JERSEY

DATED: MAY 30, 2019

The Senate Judiciary Committee reports favorably Senate Bill No. 3528.

This bill provides a process by which couples, in which only one marital spouse or partner in civil union is the natural parent or treated under State law as the legal parent of a child (1) who was conceived through the use of assisted reproduction, and (2) born during the civil union or marriage, can seek an expedited judgement of adoption from the court for the other spouse or partner, in lieu of pursuing a standard adoption to establish that spouse's or partner's parentage. This judgement of adoption would specifically confirm the parental rights of the other spouse or partner who may not be genetically related to the child.

Concerning the bill's requirement that the child be conceived by assisted reproduction, the bill defines the term as any medical procedure to facilitate human reproduction that involves human gametes or pre-embryos, including, but not limited to artificial insemination, in vitro fertilization, embryo transfers and similar procedures. Notably, the term would not include the use of assisted reproduction in connection with a gestational carrier agreement pursuant to the "New Jersey Gestational Carrier Agreement Act," P.L.2018, c.18 (C.9:17-60 et al.), as that act provides a separate means by which a party to such an agreement becomes the parent of a child born to a gestational carrier.

The bill provides that a couple may jointly file a complaint for a judgment of adoption with the Superior Court of the county where they reside or where one of the parties to the action resides. The complaint would include: proof of a valid civil union or marriage between the individuals issued prior to the birth of the child; an original birth certificate issued by the State Registrar of Vital Statistics on which both individuals are listed as parents of the child; and a written declaration signed by both individuals that describes in sufficient detail how the child was conceived, and identifies any other involved parties, so that the court may determine whether those individuals may have parental rights to the child.

If the court determines that the parental rights of any other individuals have been relinquished, it would issue, without the need for an appearance by the parties, a judgement of adoption, resulting

in both current or former partners in civil union or current or former marital spouses now being recognized as the legal parents of the child. However, if the court determines that another individual may have parental rights to the child, the court would order a hearing on the matter, providing notice to all parties, before taking any action with respect to a judgement of adoption for the non-biologically-related spouse or partner.

Unlike as required under the standard adoption process, a home study or background check would not be needed before the court could proceed, pursuant to the process set forth in the bill, with issuing an order for a judgement of adoption.

The bill's more abbreviated adoption process would give greater recognition to the intended parenthood of a non-biological same-sex marital spouse or civil union partner listed on a birth certificate, which is permitted as determined in the 2017 U.S. Supreme Court decision in Pavan v. Smith, 137 S. Ct. 2075 (2017) (holding that states cannot treat married same-sex couples differently from opposite-sex couples where the issuance of birth certificates is concerned); however, this document alone cannot confer parental rights to the non-biological intended parent because it is only considered an administrative birth record. So while the non-biological spouse or partner may be named as a parent on a child's birth certificate, such person is still, under current law, required to complete a lengthy, standard adoption to confirm legal parentage. This bill would provide a process through which these non-biological spouses and partners can more efficiently obtain a judgement of adoption that reflects that both spouses or partners are legal parents of a child.

**LEGISLATIVE FISCAL ESTIMATE**  
**SENATE, No. 3528**  
**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

DATED: JUNE 13, 2019

**SUMMARY**

**Synopsis:** Establishes process to obtain judgement of adoption for civil union partner or spouse of natural or legal parent of child when that person is named as parent on child's birth certificate.

**Type of Impact:** Indeterminate cost saving; General Fund.

**Agencies Affected:** The Judiciary, Superior Court, Family Division.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Annual</u></b>
<b>State Expenditures</b>	Indeterminate decrease

- The Office of Legislative Services (OLS) concludes that the bill would result in an indeterminate decrease in administrative expenditures for the Family Division of the Superior Court due to the efficiencies implemented under the bill regarding the establishment of a process for an expedited judgement of adoption under certain circumstances. Without more information from the Judiciary, however, the OLS cannot quantify this impact.

**BILL DESCRIPTION**

This bill provides a process by which couples, in which only one marital spouse or partner in civil union is the natural parent or treated under State law as the legal parent of a child (1) who was conceived through the use of assisted reproduction, and (2) born during the civil union or marriage, can seek an expedited judgement of adoption from the court for the other spouse or partner, in lieu of pursuing a standard adoption to establish that spouse's or partner's parentage. This judgement of adoption would specifically confirm the parental rights of the other spouse or partner who may not be genetically related to the child.

Concerning the bill's requirement that the child be conceived by assisted reproduction, the bill defines the term as any medical procedure to facilitate human reproduction that involves human gametes or pre-embryos, including, but not limited to artificial insemination, in vitro fertilization, embryo transfers and similar procedures. Notably, the term would not include the use of assisted reproduction in connection with a gestational carrier agreement pursuant to the

“New Jersey Gestational Carrier Agreement Act,” P.L.2018, c.18 (C.9:17-60 et al.), as that act provides a separate means by which a party to such an agreement becomes the parent of a child born to a gestational carrier.

The bill provides that a couple may jointly file a complaint for a judgment of adoption with the Superior Court of the county where they reside or where one of the parties to the action resides. The complaint would include: proof of a valid civil union or marriage between the individuals issued prior to the birth of the child; an original birth certificate issued by the State Registrar of Vital Statistics on which both individuals are listed as parents of the child; and a written declaration signed by both individuals that describes in sufficient detail how the child was conceived, and identifies any other involved parties, so that the court may determine whether those individuals may have parental rights to the child.

If the court determines that the parental rights of any other individuals have been relinquished, it would issue, without the need for an appearance by the parties, a judgement of adoption, resulting in both current or former partners in civil union or current or former marital spouses now being recognized as the legal parents of the child. However, if the court determines that another individual may have parental rights to the child, the court would order a hearing on the matter, providing notice to all parties, before taking any action with respect to a judgement of adoption for the non-biologically-related spouse or partner.

Unlike as required under the standard adoption process, a home study or background check would not be needed before the court could proceed, pursuant to the process set forth in the bill, with issuing an order for a judgement of adoption.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS concludes that the bill would result in an indeterminate decrease in administrative expenditures for the Family Division of the Superior Court due to the efficiencies implemented under the bill regarding the establishment of a process for an expedited judgement of adoption under certain circumstances. However, without more information from the Judiciary, the OLS cannot quantify this impact.

Under the bill, certain spouses and partners in a civil union can obtain a judgement of adoption that reflects that both spouses or partners in the civil union are legal parents of a child without appearing before the court. Furthermore, such couples would also not need a home study or background check before the court could proceed with the judgement. While these requirements of a standard adoption are the financial responsibility of the couple, eliminating these steps under the bill decreases the resources and staff needed to process any applicable complaints. As such, the Family Division may realize certain administrative cost savings due to these simplified procedures. The OLS does not have access to the actual cost incurred by the division under the standard adoption process, or the number of couples in any given year that may be effected by this bill and, therefore, cannot quantify the fiscal impact of the bill.

*Section: Human Services*

*Analyst: Sarah Schmidt  
Senior Research Analyst*

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

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 (C.52:13B-6 et seq.).



# ASSEMBLY, No. 5396

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MAY 20, 2019

**Sponsored by:**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**Assemblyman JAMES J. KENNEDY**

**District 22 (Middlesex, Somerset and Union)**

**SYNOPSIS**

Establishes process to obtain judgement of adoption for civil union partner or spouse of natural or legal parent of child when that person is named as parent on child's birth certificate.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/7/2019)**

1 AN ACT concerning parentage of the partner in civil union or  
2 spouse of a natural or legal parent of a child and birth  
3 certificates, supplementing Title 9 of the Revised Statutes and  
4 amending P.L.1983, c.17.

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

8  
9 1. (New section) The Legislature finds and declares that:

10 a. Modern medical advances have made parenthood possible  
11 for many couples that would not otherwise be able to have their  
12 own child, thanks to the availability of assisted reproduction  
13 procedures.

14 b. These procedures have enabled same-sex couples, opposite-  
15 sex couples dealing with infertility, and transgender and non-binary  
16 individuals, to become parents.

17 c. Societal recognition of the rights of lesbian, gay, bisexual,  
18 transgender, and non-binary individuals, in combination with  
19 advances in assisted reproduction, has outpaced changes in the law  
20 concerning processes for establishing legal parentage.

21 d. A spouse or partner in civil union who may not be  
22 genetically related to the child or who may not have gestated the  
23 child born to the couple through assisted reproduction is required to  
24 go through the lengthy and expensive process of adopting the child  
25 in order to confirm legal parentage.

26 e. By streamlining the process by which couples in this  
27 situation can legally confirm that both spouses in a marriage or both  
28 partners in civil union are parents of the child, this act reflects the  
29 current reality of many families in New Jersey, while ensuring that  
30 the rights of any other individuals who may have parental rights to  
31 the child are addressed.

32 f. In order to ensure that couples who have used assisted  
33 reproduction may have a non-genetic parent's rights afforded full  
34 faith and credit in all states, as guaranteed by the United States  
35 Constitution, this bill establishes a process to obtain a judgement of  
36 adoption from the court that optimizes judicial efficiency and use of  
37 court personnel.

38  
39 2. (New section) As used in this act:

40 "Assisted reproduction" means medical procedures to facilitate  
41 human reproduction that involve human gametes or pre-embryos,  
42 including, but not limited to artificial insemination, in vitro  
43 fertilization, embryo transfers and similar procedures. The term  
44 shall not include the use of assisted reproduction in connection with  
45 a gestational carrier agreement pursuant to the "New Jersey

**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 Gestational Carrier Agreement Act,” P.L.2018, c.18 (C.9:17-60 et  
2 al.).

3 “Co-parent” means an individual who is the current or former  
4 partner in civil union or the current or former spouse of a natural  
5 parent or person treated in State law as a legal parent of a child  
6 conceived through the use of assisted reproduction and born during  
7 the civil union or marriage, and who may not be a biological parent  
8 of that child. The term “co-parent” shall refer to either a natural  
9 parent or a person treated in State law as a legal parent of the child,  
10 the current or former partner in civil union or the current or former  
11 spouse of the natural parent or person treated in State law as a legal  
12 parent, or both, provided that both individuals are named on the  
13 child’s birth certificate as parents and a court has issued an order of  
14 parentage pursuant to the provisions of section 3 of P.L. ,  
15 c. (C. ) (pending before the Legislature as this bill). “Co-  
16 parent” shall not include an intended parent pursuant to the “New  
17 Jersey Gestational Carrier Agreement Act,” P.L.2018, c.18 (C.9:17-  
18 60 et al.).

19

20 3. (New section) a. A natural parent or person treated in State  
21 law as a legal parent of the child, and the current or former partner  
22 in civil union or the current or former spouse of the natural parent  
23 or person treated in State law as a legal parent may jointly file a  
24 complaint for a judgement of adoption with the Superior Court,  
25 Chancery Division, Family Part of the county of residence of the  
26 spouse, civil union partners, or one of the parties to the action.

27 b. Attached to the complaint shall be:

28 (1) proof of a valid civil union or marriage between the natural  
29 or legal parent and that person’s partner in civil union or spouse,  
30 issued prior to the birth of the child;

31 (2) an original birth certificate issued by the State Registrar of  
32 Vital Statistics on which both partners in civil union or spouses are  
33 listed as parents of the child; and

34 (3) a written declaration signed by both parties to the action that  
35 describes in sufficient detail how the child was conceived and  
36 identifies any other involved parties so that the court may determine  
37 whether those individuals have parental rights to the child.

38 c. The court shall, if it determines that the parental rights of  
39 any other interested individual have been relinquished or  
40 terminated, issue a judgement of adoption confirming both parties  
41 to the action as the legal parents of the child, without the need for  
42 an appearance by the parties.

43 d. The court shall, if it determines that another individual may  
44 have existing parental rights to the child, order and conduct a  
45 hearing on the matter, providing notice to all parties, before issuing  
46 a judgement of adoption.

47 e. No home study or background check shall be required by the  
48 court in order to issue a judgement of adoption pursuant to this act.

1 f. The process provided by this section shall not be available to  
2 the intended parents of a child born to a gestational carrier pursuant  
3 to the provisions of the "New Jersey Gestational Carrier Act,"  
4 P.L.2018, c.18 (C.9:17-60 et al.).

5 g. Nothing in this act shall be deemed to summarily extinguish  
6 or terminate the parental rights of any individual.

7 h. Nothing in this act shall be deemed to confer parental rights  
8 through a birth certificate.

9 i. The Supreme Court may establish court rules as necessary to  
10 effectuate the provisions of this act.

11

12 4. Section 2 of P.L.1983, c.17 (C.9:17-39) is amended to read  
13 as follows:

14 2. As used in **[this act]** P.L.1983, c.17 (C.9:17-38 et seq.),  
15 "parent and child relationship" means the legal relationship existing  
16 between a child and the child's natural or adoptive parents, between  
17 a child and the child's co-parents pursuant to the provisions of P.L.,  
18 c. (C. ) (pending before the Legislature as this bill), or between  
19 the child and the child's intended parents pursuant to a gestational  
20 carrier agreement executed in accordance with the provisions of  
21 P.L.2018, c.18 (C.9:17-60 et al.), incident to which the law confers  
22 or imposes rights, privileges, duties, and obligations. It includes the  
23 mother and child relationship and the father and child relationship.  
24 (cf: P.L.2018, c.18, s.10)

25

26 5. Section 4 of P.L.1983, c.17 (C.9:17-41) is amended to read  
27 as follows:

28 4. The parent and child relationship between a child and:

29 a. The natural mother, may be established by:

30 (1) proof of her having given birth to the child unless the child  
31 is born in connection with a gestational carrier agreement executed  
32 in accordance with the provisions of P.L.2018, c.18 (C.9:17-60 et  
33 al.), or

34 (2) under P.L.1983, c.17 (C.9:17-38 et seq.);

35 b. The natural father, may be established by proof that his  
36 paternity has been adjudicated under prior law; under the laws  
37 governing probate; by giving full faith and credit to a determination  
38 of paternity made by any other state or jurisdiction, whether  
39 established through voluntary acknowledgment or through judicial  
40 or administrative processes; by a Certificate of Parentage as  
41 provided in section 7 of P.L.1994, c.164 (C.26:8-28.1) that is  
42 executed by the father, including an unemancipated minor, prior to  
43 or after the birth of a child, and filed with the appropriate State  
44 agency; by a default **[judgment]** judgement or order of the court; or  
45 by an order of the court based on a blood test or genetic test that  
46 meets or exceeds the specific threshold probability as set by  
47 subsection i. of section 11 of P.L.1983, c.17 (C.9:17-48) creating a  
48 rebuttable presumption of paternity.

1 In accordance with 42 U.S.C. s.666(a)(5), a signed voluntary  
2 acknowledgment of paternity shall be considered a legal finding of  
3 paternity subject to the right of the signatory to rescind the  
4 acknowledgment within 60 days of the date of signing, or by the  
5 date of establishment of a support order to which the signatory is a  
6 party, whichever is earlier.

7 The adjudication of paternity shall only be voided upon a finding  
8 that there exists clear and convincing evidence of: fraud, duress or a  
9 material mistake of fact, with the burden of proof upon the  
10 challenger;

11 c. (1) An adoptive parent, may be established by proof of  
12 adoption;

13 (2) An intended parent, may be established by proof of an order  
14 of parentage related to a gestational carrier agreement executed in  
15 accordance with the provisions of P.L.2018, c.18 (C.9:17-60 et al.);

16 (3) A co-parent, may be established by proof of a judgement of  
17 adoption issued by the court pursuant to section 3 of P.L. \_\_\_\_\_,  
18 c. (pending before the Legislature as this bill).

19 d. The natural **【mother or the natural father】** mother's or  
20 natural father's parental rights, may be terminated by an order of a  
21 court of competent jurisdiction in granting a **【judgment】** judgement  
22 of adoption or as the result of an action to terminate parental rights;

23 e. The establishment of the parent and child relationship  
24 pursuant to subsections a., b., and c. of this section shall be the  
25 basis upon which an action for child support may be brought by a  
26 party and acted upon by the court without further evidentiary  
27 proceedings;

28 f. In any case in which the parties execute a Certificate of  
29 Parentage or a rebuttable presumption of paternity is created  
30 through genetic testing, the presumption of paternity under section  
31 6 of P.L.1983, c.17 (C.9:17-43) shall not apply;

32 g. Pursuant to the provisions of 42 U.S.C. s.666(a)(5), the child  
33 and other parties in a contested paternity case shall submit to a  
34 genetic test upon the request of one of the parties, unless that person  
35 has good cause for refusal, if the request is supported by a sworn  
36 statement by the requesting party:

37 (1) alleging paternity and setting forth the facts establishing a  
38 reasonable possibility of the requisite sexual contact between the  
39 parties; or

40 (2) denying paternity and setting forth the facts establishing a  
41 reasonable possibility of the nonexistence of sexual contact between  
42 the parties;

43 h. In a contested paternity case in which the State IV-D agency  
44 requires or the court orders genetic testing, the State IV-D agency  
45 shall:

46 (1) pay the costs of the genetic test and may recoup payment  
47 from the alleged father whose paternity is established; and

1 (2) obtain additional testing if the initial test results are  
2 contested, and upon the request and advance payment for the  
3 additional test by the contestant.  
4 (cf: P.L.2018, c.18, s.11)

5  
6 6. This act shall take effect on the first day of the third month  
7 next following the date of enactment.

8  
9

10 STATEMENT

11

12 This bill provides a process by which couples, in which one  
13 spouse or partner in civil union is either a natural parent or a person  
14 treated in State law as a legal parent of a child conceived through  
15 the use of assisted reproduction and born during the civil union or  
16 marriage, can seek a judgement of adoption from the court, in lieu  
17 of pursuing a confirmatory adoption. The judgement of adoption  
18 would confirm the parental rights of the other spouse or civil union  
19 partner who may not be genetically related to the child, and the bill  
20 refers to the parental rights confirmed through this process as those  
21 of “co-parent.” The bill defines “assisted reproduction” as medical  
22 procedures to facilitate human reproduction that involve human  
23 gametes or pre-embryos, including, but not limited to artificial  
24 insemination, in vitro fertilization, embryo transfers and similar  
25 procedures. The term shall not include the use of assisted  
26 reproduction in connection with a gestational carrier agreement  
27 pursuant to the “New Jersey Gestational Carrier Agreement Act,”  
28 P.L.2018, c.18 (C.9:17-60 et al.).

29 The bill provides that a couple may jointly file a complaint for a  
30 judgment of adoption with the Superior Court of the county where  
31 they reside or where one of the parties to the action resides. The  
32 complaint is to include: proof of a valid civil union or marriage  
33 between the individuals issued prior to the birth of the child; an  
34 original birth certificate issued by the State Registrar of Vital  
35 Statistics on which both individuals are listed as parents of the  
36 child; and a written declaration signed by both individuals that  
37 describes in sufficient detail how the child was conceived and  
38 identifies any other involved parties so that the court may determine  
39 whether those individuals may have parental rights to the child. The  
40 term “co-parent” would refer to either or both spouses or partners.

41 The bill provides that the court, if it determines that the parental  
42 rights of any other individuals have been relinquished, is to issue a  
43 judgement of adoption confirming both current or former partners  
44 in civil union or current or former spouses as the legal parents of  
45 the child, without the need for an appearance by the parties. The bill  
46 further provides, if the court determines that another individual may  
47 have parental rights to the child, the court is to order and conduct a

1 hearing on the matter, providing notice to all parties, before issuing  
2 a judgement of adoption.

3 Per the bill's provisions, no home study or background check  
4 may be required by the court in order to issue a judgement of  
5 adoption pursuant to this process, and this process would not be  
6 available to the intended parents of a child born to a gestational  
7 carrier pursuant to the provisions of the "New Jersey Gestational  
8 Carrier Act," P.L.2018, c.18 (C.9:17-60 et al).

9 Birth certificates are administrative records and do not confer  
10 parentage rights. The U.S. Supreme Court's 2017 decision in Pavan  
11 v. Smith, 137 S. Ct. 2075 (2017), held that states cannot treat  
12 married same-sex couples differently from opposite-sex couples  
13 where the issuance of birth certificates is concerned. Currently, the  
14 spouse or partner in civil union who may not be biologically related  
15 to a child conceived through assisted reproduction may be named as  
16 a parent on the child's birth certificate issued in the State, but is still  
17 required to complete an adoption to confirm legal parentage. This  
18 bill provides a process through which spouses and partners in civil  
19 union can obtain a judgement of adoption that reflects that both  
20 spouses or partners in civil union are legal parents of the child.

ASSEMBLY HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5396

**STATE OF NEW JERSEY**

DATED: DECEMBER 9, 2019

The Assembly Human Services Committee reports favorably Assembly Bill No. 5396.

This bill provides a process by which couples, in which one spouse or partner in civil union is either a natural parent or a person treated in State law as a legal parent of a child conceived through the use of assisted reproduction and born during the civil union or marriage, can seek a judgement of adoption from the court, in lieu of pursuing a confirmatory adoption. The judgement of adoption would confirm the parental rights of the other spouse or civil union partner who may not be genetically related to the child, and the bill refers to the parental rights confirmed through this process as those of “co-parent.” The bill defines “assisted reproduction” as medical procedures to facilitate human reproduction that involve human gametes or pre-embryos, including, but not limited to artificial insemination, in vitro fertilization, embryo transfers and similar procedures. The term does not include the use of assisted reproduction in connection with a gestational carrier agreement pursuant to the “New Jersey Gestational Carrier Agreement Act,” P.L.2018, c.18 (C.9:17-60 et al.).

The bill provides that a couple may jointly file a complaint for a judgment of adoption with the Superior Court of the county where they reside or where one of the parties to the action resides. The complaint is to include: proof of a valid civil union or marriage between the individuals issued prior to the birth of the child; an original birth certificate issued by the State Registrar of Vital Statistics on which both individuals are listed as parents of the child; and a written declaration signed by both individuals that describes in sufficient detail how the child was conceived and identifies any other involved parties so that the court may determine whether those individuals may have parental rights to the child. The term “co-parent” would refer to either or both spouses or partners.

The bill provides that the court, if it determines that the parental rights of any other individuals have been relinquished, is to issue a judgement of adoption confirming both current or former partners in civil union or current or former spouses as the legal parents of the child, without the need for an appearance by the parties. The bill further provides, if the court determines that another individual



may have parental rights to the child, the court is to order and conduct a hearing on the matter, providing notice to all parties, before issuing a judgement of adoption.

Per the bill's provisions, no home study or background check may be required by the court in order to issue a judgement of adoption pursuant to this process, and this process would not be available to the intended parents of a child born to a gestational carrier pursuant to the provisions of the "New Jersey Gestational Carrier Act," P.L.2018, c.18 (C.9:17-60 et al).

Birth certificates are administrative records and do not confer parentage rights. The U.S. Supreme Court's 2017 decision in Pavan v. Smith, 137 S. Ct. 2075 (2017), held that states cannot treat married same-sex couples differently from opposite-sex couples where the issuance of birth certificates is concerned. Currently, the spouse or partner in civil union who may not be biologically related to a child conceived through assisted reproduction may be named as a parent on the child's birth certificate issued in the State, but is still required to complete an adoption to confirm legal parentage. This bill provides a process through which spouses and partners in civil union can obtain a judgement of adoption that reflects that both spouses or partners in civil union are legal parents of the child.

As reported by the committee, this bill is identical to Senate Bill No. 3528 (Scutari/Codey), which the committee also reported on this date.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 5396

# STATE OF NEW JERSEY

DATED: DECEMBER 12, 2019

The Assembly Appropriations Committee reports favorably Assembly Bill No. 5396.

This bill provides a process by which couples, in which only one marital spouse or partner in civil union is the natural parent or treated under State law as the legal parent of a child (1) who was conceived through the use of assisted reproduction, and (2) born during the civil union or marriage, can seek an expedited judgement of adoption from the court for the other spouse or partner, in lieu of pursuing a standard adoption to establish that spouse's or partner's parentage. This judgement of adoption would specifically confirm the parental rights of the other spouse or partner who may not be genetically related to the child.

Concerning the bill's requirement that the child be conceived by assisted reproduction, the bill defines the term as any medical procedure to facilitate human reproduction that involves human gametes or pre-embryos, including, but not limited to artificial insemination, in vitro fertilization, embryo transfers and similar procedures. Notably, the term would not include the use of assisted reproduction in connection with a gestational carrier agreement pursuant to the "New Jersey Gestational Carrier Agreement Act," P.L.2018, c.18 (C.9:17-60 et al.), as that act provides a separate means by which a party to such an agreement becomes the parent of a child born to a gestational carrier.

The bill provides that a couple may jointly file a complaint for a judgment of adoption with the Superior Court of the county where they reside or where one of the parties to the action resides. The complaint would include: proof of a valid civil union or marriage between the individuals issued prior to the birth of the child; an original birth certificate issued by the State Registrar of Vital Statistics on which both individuals are listed as parents of the child; and a written declaration signed by both individuals that describes in sufficient detail how the child was conceived, and identifies any other involved parties, so that the court may determine whether those individuals may have parental rights to the child.

If the court determines that the parental rights of any other individuals have been relinquished, it would issue, without the need for an appearance by the parties, a judgement of adoption, resulting in both current or former partners in civil union or current or former

marital spouses now being recognized as the legal parents of the child. However, if the court determines that another individual may have parental rights to the child, the court would order a hearing on the matter, providing notice to all parties, before taking any action with respect to a judgement of adoption for the non-biologically-related spouse or partner.

Unlike as required under the standard adoption process, a home study or background check would not be needed before the court could proceed, pursuant to the process set forth in the bill, with issuing an order for a judgement of adoption.

The bill's more abbreviated adoption process would give greater recognition to the intended parenthood of a non-biological same-sex marital spouse or civil union partner listed on a birth certificate, which is permitted as determined in the 2017 U.S. Supreme Court decision in Pavan v. Smith, 137 S. Ct. 2075 (2017) (holding that states cannot treat married same-sex couples differently from opposite-sex couples where the issuance of birth certificates is concerned); however, this document alone cannot confer parental rights to the non-biological intended parent because it is only considered an administrative birth record. So while the non-biological spouse or partner may be named as a parent on a child's birth certificate, such person is still, under current law, required to complete a lengthy, standard adoption to confirm legal parentage. This bill would provide a process through which these non-biological spouses and partners can more efficiently obtain a judgement of adoption that reflects that both spouses or partners are legal parents of a child.

As reported, Assembly Bill No. 5396 is identical to Senate Bill No. 3528, as also reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) concludes that the bill would result in an indeterminate decrease in administrative expenditures for the Family Division of the Superior Court due to the efficiencies implemented under the bill regarding the establishment of a process for an expedited judgment of adoption under certain circumstances. Without more information from the Judiciary, the OLS cannot quantify this impact.

**LEGISLATIVE FISCAL ESTIMATE**  
**SENATE, No. 3528**  
**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

DATED: JUNE 13, 2019

**SUMMARY**

**Synopsis:** Establishes process to obtain judgement of adoption for civil union partner or spouse of natural or legal parent of child when that person is named as parent on child's birth certificate.

**Type of Impact:** Indeterminate cost saving; General Fund.

**Agencies Affected:** The Judiciary, Superior Court, Family Division.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Annual</u></b>
<b>State Expenditures</b>	Indeterminate decrease

- The Office of Legislative Services (OLS) concludes that the bill would result in an indeterminate decrease in administrative expenditures for the Family Division of the Superior Court due to the efficiencies implemented under the bill regarding the establishment of a process for an expedited judgement of adoption under certain circumstances. Without more information from the Judiciary, however, the OLS cannot quantify this impact.

**BILL DESCRIPTION**

This bill provides a process by which couples, in which only one marital spouse or partner in civil union is the natural parent or treated under State law as the legal parent of a child (1) who was conceived through the use of assisted reproduction, and (2) born during the civil union or marriage, can seek an expedited judgement of adoption from the court for the other spouse or partner, in lieu of pursuing a standard adoption to establish that spouse's or partner's parentage. This judgement of adoption would specifically confirm the parental rights of the other spouse or partner who may not be genetically related to the child.

Concerning the bill's requirement that the child be conceived by assisted reproduction, the bill defines the term as any medical procedure to facilitate human reproduction that involves human gametes or pre-embryos, including, but not limited to artificial insemination, in vitro fertilization, embryo transfers and similar procedures. Notably, the term would not include the use of assisted reproduction in connection with a gestational carrier agreement pursuant to the

“New Jersey Gestational Carrier Agreement Act,” P.L.2018, c.18 (C.9:17-60 et al.), as that act provides a separate means by which a party to such an agreement becomes the parent of a child born to a gestational carrier.

The bill provides that a couple may jointly file a complaint for a judgment of adoption with the Superior Court of the county where they reside or where one of the parties to the action resides. The complaint would include: proof of a valid civil union or marriage between the individuals issued prior to the birth of the child; an original birth certificate issued by the State Registrar of Vital Statistics on which both individuals are listed as parents of the child; and a written declaration signed by both individuals that describes in sufficient detail how the child was conceived, and identifies any other involved parties, so that the court may determine whether those individuals may have parental rights to the child.

If the court determines that the parental rights of any other individuals have been relinquished, it would issue, without the need for an appearance by the parties, a judgement of adoption, resulting in both current or former partners in civil union or current or former marital spouses now being recognized as the legal parents of the child. However, if the court determines that another individual may have parental rights to the child, the court would order a hearing on the matter, providing notice to all parties, before taking any action with respect to a judgement of adoption for the non-biologically-related spouse or partner.

Unlike as required under the standard adoption process, a home study or background check would not be needed before the court could proceed, pursuant to the process set forth in the bill, with issuing an order for a judgement of adoption.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS concludes that the bill would result in an indeterminate decrease in administrative expenditures for the Family Division of the Superior Court due to the efficiencies implemented under the bill regarding the establishment of a process for an expedited judgement of adoption under certain circumstances. However, without more information from the Judiciary, the OLS cannot quantify this impact.

Under the bill, certain spouses and partners in a civil union can obtain a judgement of adoption that reflects that both spouses or partners in the civil union are legal parents of a child without appearing before the court. Furthermore, such couples would also not need a home study or background check before the court could proceed with the judgement. While these requirements of a standard adoption are the financial responsibility of the couple, eliminating these steps under the bill decreases the resources and staff needed to process any applicable complaints. As such, the Family Division may realize certain administrative cost savings due to these simplified procedures. The OLS does not have access to the actual cost incurred by the division under the standard adoption process, or the number of couples in any given year that may be effected by this bill and, therefore, cannot quantify the fiscal impact of the bill.

*Section: Human Services*

*Analyst: Sarah Schmidt  
Senior Research Analyst*

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

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 (C.52:13B-6 et seq.).

# Governor Murphy Takes Action on Legislation

01/13/2020

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

**A268 (Kean, Egan, Holley/Singer, Gopal)** - "P.I.C.K. Awareness Act"; authorizes issuance of special support recovery license plates.

**A790 (Andrzejczak, Land, Mosquera, Mukherji, Downey, Zwicker, Mazzeo/Connors, Singleton)** - "Combat to College Act"; grants priority course registration to military service members and veterans attending public institutions of higher education.

**A791 (Andrzejczak, Land, Mosquera, Danielsens, Mukherji, Downey, Zwicker/Van Drew, Brown)** - Requires institution of higher education to award appropriate credit for student's military service.

**A1212 (McKeon, Gusciora, Vainieri Huttles/Sweeney, Smith, Bateman, Greenstein)** - Clarifies intent of P.L.2007, c.340 regarding NJ's required participation in Regional Greenhouse Gas Initiative.

**A1305 (Greenwald/Rice)** - Renames Mountainview Youth Correctional Facility as "William H. Fauver Youth Correctional Facility."

**A1576 (Conaway, Giblin/Vitale)** - Requires certain health care facilities to provide, and employees to receive, annual influenza vaccination.

**A1582 (Conaway, Moriarty, Mosquera, Benson, Pinkin, Giblin, Quijano/Weinberg, Ruiz)** - Establishes "Dietetics and Nutrition Licensing Act".

**A1991 (Sumter, Munoz, Mukherji/Singer, Gordon)** - Requires students at institutions of higher education to receive immunization for meningitis in accordance with recommendations of Advisory Committee on Immunization Practices.

**A3101 (Egan Jones, Benson, Land/Singleton)** - Increases minimum annual amounts for appropriation for certain arts, historical heritage, and tourism purposes from hotel and motel occupancy fee revenues.

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**A3160 (Lampitt, Giblin, Murphy/Beach)** - Permits cosmetology and hairstyling school clinics to charge certain fees for services rendered to general public.

**A3832 (Mukherji, McKnight, Chiaravalloti/Cryan, Stack)** - Authorizes municipal tax levy through public question for certain purposes; clarifies ability of local government entities to issue non-recourse bonds; appropriates \$100,000.

**A4493 (Pinkin, Conaway, Vainieri Huttles/Vitale)** - Authorizes expedited partner therapy, under which sexual partners or patients diagnosed with sexually transmitted disease are treated without prior clinical examination.

**A4608 (Zwicker, Downey/Weinberg, Kean)** - " Applied Behavior Analyst Licensing Act."

**A4710 (Lampitt, Zwicker, Vainieri Huttles/Beach,Turner)** - "Strengthening Gifted and Talented Education Act"; establishes school district responsibilities in educating gifted and talented students.

**A5037 (Pintor Marin, Speight, Vainieri Huttles/Andrzejczak, Greenstein)** - Enhances penalties related to counterfeit drugs.

**A5091 (McKeon, Vainieri Huttles, Pinkin/Pou, Singleton)** - Establishes "Safeguarding Against Financial Exploitation Act."

**A5263 (Tully, Armato/Corrado)** - Requires four-year public institution of higher education to award college credits to firefighters for certain courses completed at county fire academies.

**A5277 (DeAngelo, Houghtaling/Greenstein)** - Eliminates term limits for members of State Board of Examiners of Master Plumbers and State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration Contractors.

**A5624 (Pintor Marin, Munoz, Lampitt/Weinberg, Corrado)** - Requires that State employee serve as Equal Employment Opportunity and Affirmative Action officer for gubernatorial transitions.

**A5625 (Pintor Marin, Munoz, Lampitt/Weinberg, Corrado)** - Requires payment of expenses related to background investigations for certain gubernatorial transition positions.

**A5628 (Pintor Marin, Munoz, McKnight/Weinberg, Corrado)** - Requires Civil Service Commission establish standardize recordkeeping and retention requirements with regard to unclassified State employees.

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**A5631 (Pintor Marin, Munoz, Pinkin/Weinberg, Corrado)** - Specifies certain requirements for State agency review of complaint of workplace discrimination.

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**A5632 (Pintor Marin, Munoz, Reynolds-Jackson/Weinberg)** - Requires certain public employees receive additional training to manage harassment or discrimination complaints.

**A5917 (Chiaravalloti, McKnight/Cunningham, Weinberg)** - Expands DOH oversight of hospital finances.

**A6007 (McKeon/Pou)** - Requires insurers and insurance groups to submit corporate governance annual disclosure to DOBI Commissioner.

**S463 (Singer, Greenstein/Dancer, Calabrese, DeAngelo)** - Provides for voluntary contributions by taxpayers on gross income tax returns for Meals on Wheels.

**S538 (Oroho, Stack/Wirths, Vaineri Huttie, Bucco)** - Allows long term tax exemption extension for certain low-income housing.

**S775 (Cunningham, Sacco/Sumter, Caride, Vainieri Huttie)** - Establishes Tuition Aid Grant Study Commission to examine New Jersey's Tuition Aid Grant Program and make recommendations regarding improvements to program.

**S778 (Cunningham, Kean/Quijano, Jasey, Pintor Marin)** - Establishes Campus Sexual Assault Commission.

**S1493 (Stack, Singleton/Quijano, Chaparro, Timberlake)** - Prohibits landlords from requiring residential tenants to pay rent and other related charges through electronic funds transfer; requires landlords to provide receipts for cash payments.

**S1508 (Turner, Singleton/Reynolds-Jackson, Sumter, Wimberly)** - Eliminates motor vehicle surcharges following retirement of bonds and debts tied to surcharges.

**S1834 (Ruiz, Cunningham/Quijano, Murphy)** - Requires each public institution of higher education to post its budget on the institution's website.

**S1953 (Oroho, Cruz-Perez/Space, Andrzejcack, Wirths)** - Directs Dept. of Agriculture to authorize and advise food hubs.

**S1966 (Sweeney, Singleton/Taliaferro)** - Increases death benefit of active member of PFRS and SPRS to 50 percent of final compensation for surviving child or children.

**S2527 (Ruiz, Turner/Lampitt, Quijano, Timberlake)** - Requires Department of Agriculture to promote school meal programs.

**S2533 (Greenstein, Cruz-Perez/Vainieri Huttie, Lopez, Timberlake)** - Requires Office of Victim-Witness Advocacy to provide services to certain inmates.

**S2898 (Madden, Sarlo/Murphy, Mosquera, Vainieri Huttie)** - Establishes "New Jersey Fire and EMS Crisis Intervention Services" telephone hotline; provides funding for hotline through fire inspection fees and penalties.

**S2980 (Ruiz/Lampitt, McKnight)** - Provides that school district may not condition student enrollment in district on fact that MVC does not have name or address of parent or guardian on file.

**S2982 (Ruiz/Lampitt, Mukherji, Lopez)** - Clarifies that child may not be excluded from public school based on membership in protected category under "Law Against Discrimination" or immigration status.



**S2998 (Ruiz/Freiman, Downey)** - Requires creditors to make certain disclosures regarding collateral protection insurance to consumer debtors.

**S3064 (Ruiz, Singleton/Armato, Conaway, Swain)** - Establishes task force to develop State-wide plan to diversify apprenticeships.

**S3066 (Ruiz, Singleton/Lampitt, Mukherji, Benson)** - Creates five year High-Growth Industry Regional Apprenticeship Development Grant Pilot Program.

**S3118 (Ruiz/Speight, Munoz, Tucker)** - Establishes public awareness campaign to promote early conversations about advance care planning and end-of-life care.

**S3124 (Stack/Mukherji)** - Requires landlords to allow tenants to pay rent up to three business days after eviction order or lockout is executed and accept rent payments by any means.

**S3206 (Pou, Cruz-Perez/Lopez, McKeon, Murphy)** - Establishes "Unbanked and Underbanked Consumers Study Commission."

**S3215 (Greenstein, Singleton/Zwicker, Mukherji, Swain)** - Requires State to use 20-year time horizon and most recent Intergovernmental Panel on Climate Change Assessment Report when calculating global warming potential to measure global warming impact of greenhouse gases.

**S3246 (Sarlo, Singleton, Oroho, Bucco/Benson, Bucco, Freiman)** - Establishes elective pass-through entity business alternative income tax and allows corresponding refundable gross income tax and corporation business tax credit.

**S3327 (Ruiz, Cruz-Perez/Lopez, Timberlake)** - Establishes Commission on Latino and Hispanic Heritage in DOE.

**S3348 (Weinberg/Vainieri Huttle, McKnight)** - Requires home health agencies and specialty pharmacies providing services related to bleeding episodes associated with hemophilia to comply with certain minimum practice standards.

**S3528 (Scutari, Codey/Vainieri Huttle, Quijano, Kennedy)** - Establishes process to obtain judgement of adoption for civil union partner or spouse of natural or legal parent of child when that person is named as parent on child's birth certificate.

**S3574 (Scutari, Kean, Cryan/Carter, Kennedy, Freiman)** - Requires NJT to conduct feasibility study on restoring one-seat ride to Manhattan on Raritan Valley Line.

Governor Murphy conditionally vetoed the following bills:

**A2431 (Benson, Jimenez, DeCroce, Eustace/Weinberg, Kean)** – Requires health insurers to provide plans that limit patient cost-sharing concerning certain prescription drug coverage.

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**A4978 (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.

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**S3920 (Pou/Wimberly, Sumter)** – Concerns provision of energy to certain manufacturing facilities by providing exemptions to certain energy related taxes.

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Governor Murphy absolute vetoed the following bill:

**S4139 (Greenstein/Benson)** - Makes Fiscal Year 2020 supplemental appropriation of \$250,000 to Rutgers University - New Brunswick for School of Dental Medicine - Special Care Treatment Center.

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