

18A:71B-2.5
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2020 **CHAPTER:** 82

NJSA: 18A:71B-2.5 (Requires parent to provide completed financial aid application to Higher Education Student Assistance Authority if parent's dependent applies to State for student financial aid.)

BILL NO: S960 (Substituted for A3628)

SPONSOR(S) Ronald L. Rice and others

DATE INTRODUCED: 1/27/2020

COMMITTEE: **ASSEMBLY:** Higher Education

SENATE: Higher Education

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 7/30/2020

SENATE: 2/10/2020

DATE OF APPROVAL: 9/14/2020

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (First Reprint enacted) Yes

S960

INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

(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)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A3628

INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

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)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

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. 2020, CHAPTER 82, *approved September 14, 2020*
Senate, No. 960 (*First Reprint*)

1 AN ACT concerning eligibility for student financial aid and
2 supplementing chapter 71B of Title 18A of the New Jersey
3 Statutes.

4

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

7

8 1. a. In the event that a student who is enrolled in or planning
9 to enroll in an institution of higher education in the State is
10 considered by the Higher Education Student Assistance Authority to
11 be a dependent of his parent ¹, and the student seeks to apply for
12 any student financial aid programs offered by the federal or State
13 government¹, the student's parent shall provide the Higher
14 Education Student Assistance Authority with a completed financial
15 aid application.

16 b. Each institution of higher education shall notify the
17 executive director of the Higher Education Student Assistance
18 Authority of all students who report that their parent has refused to
19 provide information to complete a financial aid application in
20 accordance with subsection a. of this section. The executive
21 director shall send written notification to those parents that failure
22 to submit a completed financial aid application on behalf of a
23 dependent will result in the assessment of a civil penalty pursuant to
24 subsection c. of this section.

25 c. Any person who willfully fails to disclose information
26 required pursuant to subsection a. of this section shall be subject to
27 a civil penalty of not more than \$500 which shall be collected in
28 proceedings in accordance with the "Penalty Enforcement Law of
29 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

30 d. ¹(1)¹ Any civil penalty collected pursuant to subsection c. of
31 this section shall be conveyed to the authority to transfer to the
32 student's account at the institution of higher education at which the
33 student is enrolled or is planning to enroll.

34 ¹(2) In the event that a student does not enroll, or is no longer
35 enrolled, at an institution of higher education at the time a civil
36 penalty is collected pursuant to subsection c. of this section, the
37 civil penalty shall be made available to the authority for the
38 purposes of student assistance programs administered by the
39 authority.¹

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SHI committee amendments adopted January 30, 2020.

S960 [1R]

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1 2. This act shall take effect immediately.

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6 Requires parent to provide completed financial aid application to
7 Higher Education Student Assistance Authority if parent's
8 dependent applies to State for student financial aid.

SENATE, No. 960

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JANUARY 27, 2020

Sponsored by:
Senator RONALD L. RICE
District 28 (Essex)

SYNOPSIS

Requires parent to provide completed financial aid application to Higher Education Student Assistance Authority if parent's dependent applies to State for student financial aid.

CURRENT VERSION OF TEXT

As introduced.



S960 RICE

2

1 AN ACT concerning eligibility for student financial aid and
2 supplementing chapter 71B of Title 18A of the New Jersey
3 Statutes.

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

7
8 1. a. In the event that a student who is enrolled in or planning
9 to enroll in an institution of higher education in the State is
10 considered by the Higher Education Student Assistance Authority to
11 be a dependent of his parent, the student's parent shall provide the
12 Higher Education Student Assistance Authority with a completed
13 financial aid application.

14 b. Each institution of higher education shall notify the executive
15 director of the Higher Education Student Assistance Authority of all
16 students who report that their parent has refused to provide
17 information to complete a financial aid application in accordance with
18 subsection a. of this section. The executive director shall send written
19 notification to those parents that failure to submit a completed
20 financial aid application on behalf of a dependent will result in the
21 assessment of a civil penalty pursuant to subsection c. of this section.

22 c. Any person who willfully fails to disclose information
23 required pursuant to subsection a. of this section shall be subject to
24 a civil penalty of not more than \$500 which shall be collected in
25 proceedings in accordance with the "Penalty Enforcement Law of
26 1999," P.L.1999, c.274. (C.2A:58-10 et seq.).

27 d. Any civil penalty collected pursuant to subsection c. of this
28 section shall be conveyed to the authority to transfer to the student's
29 account at the institution of higher education at which the student is
30 enrolled or is planning to enroll.

31
32 2. This act shall take effect immediately.

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STATEMENT

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37 This bill provides that in the event that a student who is enrolled
38 in or planning to enroll in an institution of higher education in the
39 State is considered by the Higher Education Student Assistance
40 Authority to be a dependent of his parent, the student's parent must
41 provide the Higher Education Student Assistance Authority with a
42 completed financial aid application. The bill requires an institution of
43 higher education to notify the executive director of the Higher
44 Education Student Assistance Authority of all students who report that
45 their parent has refused to provide information to complete a financial
46 aid application. The executive director is also required to send written
47 notification to those parents that failure to submit a completed

S960 RICE

1 financial aid application on behalf of a dependent will result in the
2 assessment of a civil penalty.

3 Under the bill, any person who willfully fails to disclose
4 information required pursuant to the bill's provisions will be subject
5 to a civil penalty of not more than \$500, to be collected in
6 proceedings in accordance with the "Penalty Enforcement Law of
7 1999," P.L.1999, c.274. (C.2A:58-10 et seq.). The bill further
8 provides that any such civil penalty collected will be conveyed to
9 the authority to transfer to the student's account at the institution of
10 higher education at which the student is enrolled or is planning to
11 enroll.

ASSEMBLY HIGHER EDUCATION COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 960

STATE OF NEW JERSEY

DATED: MARCH 5, 2020

The Assembly Higher Education Committee reports favorably Senate Bill No. 960 (1R).

This bill provides that in the event that a student who is enrolled in or planning to enroll in an institution of higher education in the State is considered by the Higher Education Student Assistance Authority to be a dependent of his parent, and the student seeks to apply for any student financial aid programs offered by the federal or State government, the student's parent must provide the authority with a completed financial aid application. The bill requires an institution of higher education to notify the executive director of the authority of all students who report that their parent has refused to provide information to complete a financial aid application. The executive director is also required to send written notification to those parents that failure to submit a completed financial aid application on behalf of a dependent will result in the assessment of a civil penalty.

Under the bill, any person who willfully fails to disclose information required pursuant to the bill's provisions will be subject to a civil penalty of not more than \$500, to be collected in proceedings in accordance with the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The bill further provides that any such civil penalty collected will be conveyed to the authority to transfer to the student's account at the institution of higher education at which the student is enrolled or is planning to enroll. In the event that a student does not enroll, or is no longer enrolled, at an institution at the time a civil penalty is collected, the civil penalty will be made available to the authority for the purposes of student assistance programs administered by the authority.

As reported by the committee, this bill is identical to Assembly Bill No. 3628, which also was reported by the committee on this same date.

SENATE HIGHER EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 960

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 30, 2020

The Senate Higher Education Committee reports favorably Senate Bill No. 960 with committee amendments.

As amended, this bill provides that in the event that a student who is enrolled in or planning to enroll in an institution of higher education in the State is considered by the Higher Education Student Assistance Authority to be a dependent of his parent, and the student seeks to apply for any student financial aid programs offered by the federal or State government, the student's parent must provide the Higher Education Student Assistance Authority with a completed financial aid application. The bill requires an institution of higher education to notify the executive director of the Higher Education Student Assistance Authority of all students who report that their parent has refused to provide information to complete a financial aid application. The executive director is also required to send written notification to those parents that failure to submit a completed financial aid application on behalf of a dependent will result in the assessment of a civil penalty.

Under the bill, any person who willfully fails to disclose information required pursuant to the bill's provisions will be subject to a civil penalty of not more than \$500, to be collected in proceedings in accordance with the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The bill further provides that any such civil penalty collected will be conveyed to the authority to transfer to the student's account at the institution of higher education at which the student is enrolled or is planning to enroll. In the event that a student does not enroll, or is no longer enrolled, at an institution of higher education at the time a civil penalty is collected, the civil penalty will be made available to the authority for the purposes of student assistance programs administered by the authority.

The committee amended the bill to clarify that the bill's provision requiring a parent to complete a financial aid application only applies in the event that the student is seeking student financial aid. The committee also amended the bill to provide that, in the event that a student does not enroll, or is no longer enrolled, at an institution of higher education at the time a civil penalty is collected, the civil penalty will be made available to the authority for the purposes of student assistance programs administered by the authority.

ASSEMBLY, No. 3628

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 5, 2020

Sponsored by:

Assemblywoman YVONNE LOPEZ
District 19 (Middlesex)

Co-Sponsored by:

Assemblywoman Speight

SYNOPSIS

Requires parent to provide completed financial aid application to Higher Education Student Assistance Authority if parent's dependent applies to State for student financial aid.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 7/30/2020)

1 AN ACT concerning eligibility for student financial aid and
2 supplementing chapter 71B of Title 18A of the New Jersey
3 Statutes.

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

7
8 1. a. In the event that a student who is enrolled in or planning
9 to enroll in an institution of higher education in the State is
10 considered by the Higher Education Student Assistance Authority to
11 be a dependent of his parent, and the student seeks to apply for any
12 student financial aid programs offered by the federal or State
13 government, the student's parent shall provide the Higher Education
14 Student Assistance Authority with a completed financial aid
15 application.

16 b. Each institution of higher education shall notify the
17 executive director of the Higher Education Student Assistance
18 Authority of all students who report that their parent has refused to
19 provide information to complete a financial aid application in
20 accordance with subsection a. of this section. The executive
21 director shall send written notification to those parents that failure
22 to submit a completed financial aid application on behalf of a
23 dependent will result in the assessment of a civil penalty pursuant to
24 subsection c. of this section.

25 c. Any person who willfully fails to disclose information
26 required pursuant to subsection a. of this section shall be subject to
27 a civil penalty of not more than \$500 which shall be collected in
28 proceedings in accordance with the "Penalty Enforcement Law of
29 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

30 d. (1) Any civil penalty collected pursuant to subsection c. of
31 this section shall be conveyed to the authority to transfer to the
32 student's account at the institution of higher education at which the
33 student is enrolled or is planning to enroll.

34 (2) In the event that a student does not enroll, or is no longer
35 enrolled, at an institution of higher education at the time a civil
36 penalty is collected pursuant to subsection c. of this section, the
37 civil penalty shall be made available to the authority for the
38 purposes of student assistance programs administered by the
39 authority.

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41 2. This act shall take effect immediately.

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STATEMENT

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46 This bill provides that in the event that a student who is enrolled
47 in or planning to enroll in an institution of higher education in the
48 State is considered by the Higher Education Student Assistance

1 Authority to be a dependent of his parent, and the student seeks to
2 apply for any student financial aid programs offered by the federal or
3 State government, the student's parent must provide the Higher
4 Education Student Assistance Authority with a completed financial
5 aid application. The bill requires an institution of higher education to
6 notify the executive director of the Higher Education Student
7 Assistance Authority of all students who report that their parent has
8 refused to provide information to complete a financial aid application.
9 The executive director is also required to send written notification to
10 those parents that failure to submit a completed financial aid
11 application on behalf of a dependent will result in the assessment of a
12 civil penalty.

13 Under the bill, any person who willfully fails to disclose
14 information required pursuant to the bill's provisions will be subject
15 to a civil penalty of not more than \$500, to be collected in
16 proceedings in accordance with the "Penalty Enforcement Law of
17 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The bill further
18 provides that any such civil penalty collected will be conveyed to
19 the authority to transfer to the student's account at the institution of
20 higher education at which the student is enrolled or is planning to
21 enroll. In the event that a student does not enroll, or is no longer
22 enrolled, at an institution of higher education at the time a civil penalty
23 is collected, the civil penalty will be made available to the authority
24 for the purposes of student assistance programs administered by the
25 authority.

ASSEMBLY HIGHER EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3628

STATE OF NEW JERSEY

DATED: MARCH 5, 2020

The Assembly Higher Education Committee reports favorably Assembly Bill No. 3628.

This bill provides that in the event that a student who is enrolled in or planning to enroll in an institution of higher education in the State is considered by the Higher Education Student Assistance Authority to be a dependent of his parent, and the student seeks to apply for any student financial aid programs offered by the federal or State government, the student's parent must provide the authority with a completed financial aid application. The bill requires an institution of higher education to notify the executive director of the authority of all students who report that their parent has refused to provide information to complete a financial aid application. The executive director is also required to send written notification to those parents that failure to submit a completed financial aid application on behalf of a dependent will result in the assessment of a civil penalty.

Under the bill, any person who willfully fails to disclose information required pursuant to the bill's provisions will be subject to a civil penalty of not more than \$500, to be collected in proceedings in accordance with the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The bill further provides that any such civil penalty collected will be conveyed to the authority to transfer to the student's account at the institution of higher education at which the student is enrolled or is planning to enroll. In the event that a student does not enroll, or is no longer enrolled, at an institution at the time a civil penalty is collected, the civil penalty will be made available to the authority for the purposes of student assistance programs administered by the authority.

As reported by the committee, this bill is identical to Senate Bill No. 960 (1R), which also was reported by the committee on this same date.

Governor Murphy Takes Action on Legislation

09/14/2020

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

S-349/A-1993 (Smith, Greenstein/Pinkin, Benson, Kennedy) – Requires developers to offer electric vehicle charging stations as option in certain new home construction

S-806/A-895 (Cunningham, Pou/Giblin, Timberlake, Jasey) – Provides that New Jersey Better Educational Savings Trust (NJBEST) Program scholarship may be awarded in any semester of attendance or enrollment at institution of higher education in State

S-960/A-3628 (Rice/Lopez) – Requires parent to provide completed financial aid application to Higher Education Student Assistance Authority if parent's dependent applies to State for student financial aid

[Copy of Statement](#)

S-971/A-2106 (Lagana, Cunningham, Weinberg/Swain, Tully, Wimberly) – "New Jersey Fair Play Act"; allows collegiate student-athletes to earn compensation for use of name, image, or likeness

S-2380/A-3999 (Sweeney, Scutari, Singer, Greenstein/Giblin, Burzichelli, Murphy, Downey) – Concerns employment benefits and coronavirus disease 2019 infections contracted by essential employees

S-2573/A-4378 (Ruiz, Codey/Karabinchak, Jasey, Lampitt) – Establishes position of State School Nurse Consultant in DOE to facilitate best practices in school nursing by advancing comprehensive school health services

SJR-79/AJR-167 (Greenstein, Gill/Vainieri Huttel, Tucker, Murphy) – Creates commission to study sexual assault, misconduct, and harassment by staff against inmates in State correctional facilities

A-2669/S-1198 (Mukherji/Pou, Oroho) – Concerning motor vehicle ancillary production products and service contracts

Governor Murphy absolute vetoed the following bill:

A-3965/S-2463 (Moen, Murphy, Mukherji/Greenstein, Cruz-Perez) – ABSOLUTE – Expands existing EDA loan program to include certain small producers and retailers of alcoholic beverages

[Copy of Statement](#)

**GOVERNOR'S STATEMENT UPON SIGNING
SENATE BILL NO. 960
(First Reprint)**

Today I am pleased to sign Senate Bill No. 960 (First Reprint), which requires the parent of a dependent student who is enrolled in or is planning to enroll in a New Jersey institution of higher education and who seeks to apply for any student financial aid programs offered by the federal or State government, to provide the Higher Education Student Assistance Authority ("HESAA") with a completed financial aid application. Institutions of higher education must notify the Executive Director of HESAA of every student who reports that their parent has refused to provide the information necessary to complete a financial aid application. The Executive Director must then provide written notification to the identified parents that failure to submit a completed financial aid application on behalf of a dependent child will result in the assessment of a civil penalty of up to \$500.

I commend the bill's sponsors for their efforts to assist New Jersey's students in receiving the financial assistance they need to pursue higher education. According to HESAA, last year approximately 4,000 dependent students in New Jersey submitted Free Applications for Federal Student Aid without including the requisite financial information from their parents. Although this represents a relatively small percentage of the number of students who enroll at our colleges and universities, it is still an unacceptably high number. By authorizing HESAA to assess a financial penalty against parents who refuse to provide the information needed to assess their student's eligibility for student aid, this bill should increase parent cooperation, thereby ensuring that more students' financial aid applications are approved.

At the same time, however, the civil penalty must be assessed sparingly, and, as the bill directs, only in those cases where a parent is willfully noncompliant. Penalties should not be levied against parents who unknowingly withheld information, or who inadvertently missed a deadline. In order to protect against these and other unintended outcomes, I am directing HESAA, prior to assessing a penalty, to first provide written warning to parents notifying them of their failure to provide the necessary information and providing them with an opportunity to come into compliance. I am further

directing HESAA to assist these parents and students,
whenever necessary, with completing the financial aid
application.

Date: September 14, 2020

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor