SENATE, No. 1616

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:
Senator ANDREW ZWICKER
District 16 (Hunterdon, Mercer, Middlesex and Somerset)
Senator JAMES BEACH
District 6 (Burlington and Camden)

SYNOPSIS

Provides tuition benefits at public institutions of higher education to New Jersey residents who are members of reserve component of Armed Forces of United States.

CURRENT VERSION OF TEXT

As reported by the Senate Military and Veterans' Affairs Committee with technical review.

(Sponsorship Updated As Of: 6/3/2024)

AN ACT concerning tuition benefits for members of a reserve component of the Armed Forces of the United States and amending P.L.1999, c.46 and P.L.2005, c.317.

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

1. Section 20 of P.L.1999, c.46 (C.18A:62-23) is amended to read as follows:

20. As used in sections 20-25 of **[**this act,**]** P.L.1999, c.46 (C.18A:62-23 through 18A:62-28):

"Initial Active Duty Training" means Basic Military Training, for members of the New Jersey Air National Guard, and Basic Combat Training and Advanced Individual Training, for members of the New Jersey Army National Guard, or the equivalent training for members of a reserve component of the Armed Forces of the United States.

"Member of a reserve component of the Armed Forces of the United States" means a person who is a resident of New Jersey and is a member of the Army Reserve, Navy Reserve, Marine Reserve, Air Force Reserve, or Coast Guard Reserve.

(cf: P.L.1999, c.46, s.20)

2. Section 21 of P.L.1999, c.46 (C.18A:62-24) is amended to read as follows:

21. a. Any member of the New Jersey National Guard and any member of a reserve component of the Armed Forces of the United States shall be permitted to attend regularly-scheduled courses at any public institution of higher education in this State enumerated in N.J.S.18A:62-1 and receive up to 16 credits per semester tuition-free provided that:

(1) the member has completed Initial Active Duty Training and, except as otherwise provided pursuant to subsection c. of this section, is in good standing as an active member of the New Jersey National Guard, or is a member in good standing of a reserve component of the Armed Forces of the United States;

(2) the member has been accepted to pursue a course of undergraduate study and is enrolled as an undergraduate student in good standing at that institution or a course of graduate study and is enrolled as a graduate student in good standing at that institution;

(3) the member has applied for all available State student grants and scholarships and all available federal student grants and scholarships for which the member is eligible; and

(4) as applicable, the member has applied for tuition benefits available through the United States Department of Veterans Affairs

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.

for which the member is eligible under the "Post-9/11 Veterans Educational Assistance Act of 2008," Pub.L.110-252 (38 U.S.C. s.3301 et seq.), except that such application shall not be required in the case of a tuition benefit transfer by the member as permitted by federal law, or has applied for federal tuition benefits available to members of a reserve component of the Armed Forces of the United States.

b. The State shall reimburse a public institution of higher education for the tuition cost of each National Guard member and of each member of a reserve component of the Armed Forces of the United States who enrolls in the institution pursuant to the provisions of this section to the extent that the tuition cost is not paid through tuition benefits available to the member through the United States Department of Veterans Affairs under the "Post-9/11 Veterans Educational Assistance Act of 2008," Pub.L.110-252 (38 U.S.C. s.3301 et seq.), or available under a federal tuition assistance program for members of a reserve component of the Armed Forces of the United States.

c. Any member of the New Jersey National Guard or any member of a reserve component of the Armed Forces of the United States whose enrollment in a public institution of higher education on a tuition-free basis pursuant to subsection a. of this section is interrupted by a deployment to active duty shall be permitted to receive the free tuition benefit after discharge from service under conditions other than dishonorable. In the event of a non-medical discharge or a medical discharge that is not caused by an illness or injury related to the performance of duties for the National Guard or for a reserve component of the Armed Forces of the United States, eligibility for the free tuition benefit shall begin from the date of discharge and shall continue for one semester or a period of time equal to the length of the deployment, whichever is longer. In the event of medical discharge or medical retirement as a result of illness or injury incurred in the combat theater, as a result of terrorist action, or in the response to a natural disaster, eligibility for the free tuition benefit shall begin from the date of discharge or retirement and shall continue until completion of the degree program in which enrolled or for five years, whichever occurs first.
(cf: P.L.2009, c.208, s.1)

3. Section 22 of P.L.1999, c.46 (C.18A:62-25) is amended to read as follows:

22. Any child or surviving spouse of a member of the New Jersey National Guard and any resident of New Jersey who is a child or surviving spouse of a member of a reserve component of the Armed Forces of the United States who heretofore completed Initial Active Duty Training, and was killed in the performance of his duties while on active duty with the New Jersey National Guard or while on active duty with a reserve component of the Armed

Forces of the United States, or who hereafter completes Initial Active Duty Training and is killed in the performance of his duties while a member of the New Jersey National Guard, or is killed in the performance of his duties as a member of a reserve component of the Armed Forces of the United States, shall be permitted to attend regularly-scheduled courses at any public institution of higher education in this State enumerated in N.J.S.18A:62-1 and receive up to 16 credits per semester tuition-free provided that:

a. the child or spouse has been accepted to pursue a course of undergraduate study and is enrolled as an undergraduate student in good standing at that institution or a course of graduate study and is enrolled as a graduate student in good standing at that institution;

b. the child or spouse has applied for all available State student grants and scholarships and all available federal student grants and scholarships for which the child or spouse is eligible;

c. as applicable, the child or spouse has applied for tuition benefits available through the United States Department of Veterans Affairs for which the child or spouse is eligible under the "Post-9/11 Veterans Educational Assistance Act of 2008," Pub.L.110-252 (38 U.S.C. s.3301 et seq.) or has applied for federal tuition benefits available under a tuition assistance program of a reserve component of the Armed Forces of the United States; and

d. available classroom space permits and tuition-paying students constitute the minimum number required for the course.

(cf: P.L.2009, c.208, s.2)

4. Section 1 of P.L.2005, c.317 (C.18A:62-24.1) is amended to read as follows:

1. No public institution of higher education in this State shall impose a nonresident tuition rate or differential fee on a member of the New Jersey National Guard or a member of a reserve component of the Armed Forces of the United States, if the member meets the criteria set forth in section 21 of P.L.1999, c.46 (C.18A:62-24).

(cf: P.L.2005, c.317, s.1)

5. Section 2 of P.L.2005, c.317 (C.18A:62-25.1) is amended to read as follows:

2. No public institution of higher education in this State shall impose a nonresident tuition rate or differential fee on a child or surviving spouse of a member of the New Jersey National Guard or a member of a reserve component of the Armed Forces of the United States, if the child or surviving spouse meets the criteria set forth in section 22 of P.L.1999, c.46 (C.18A:62-25).

(cf: P.L.2005, c.317, s.2)

6. This act shall take effect immediately and shall first be applicable to the academic year following enactment.