

CHAPTER 117

AN ACT establishing a college scholarship fund and supplementing chapter 71B of Title 18A of the New Jersey Statutes.

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

C.18A:71B-98 Short title.

1. This act shall be known, and may be cited, as the “Military Dependents Scholarship Fund Act.”

C.18A:71B-99 Military Dependents Scholarship Fund.

2. a. There is established in the Higher Education Student Assistance Authority a nonlapsing fund which shall be known as the Military Dependents Scholarship Fund. The fund shall be administered by the board of trustees established pursuant to section 3 of this act.

b. The fund shall consist of: all moneys appropriated by the Legislature for inclusion in the fund; investment earnings of the fund; and moneys contributed to the fund by private sources, to be used for the purposes of this act.

c. The moneys in the fund shall be invested and reinvested by the Director of the Division of Investment in the Department of the Treasury.

C.18A:71B-100 Board of trustees.

3. a. The board of trustees of the Military Dependents Scholarship Fund shall consist of the State Adjutant General, or a designee, the State Treasurer, or a designee, the executive director of the Higher Education Student Assistance Authority, or a designee, the Secretary of Higher Education, or a designee, and nine public members appointed as follows: two by the President of the Senate, who shall not be of the same political party, two by the Speaker of the General Assembly, who shall not be of the same political party, and five by the Governor, with the advice and consent of the Senate, no more than three of whom shall be of the same political party. At least five of the public members shall be persons who were directly affected by Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn. Two of the public members shall be named by the Governor to serve as co-chairpersons of the board.

b. Each public member of the board shall serve for a term of three years and until a successor shall have been appointed and qualified; except that of the first members appointed, two shall serve for one year, three shall serve for two years and four shall serve for three years. Any vacancy in the membership of the board shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

c. Members of the board shall serve without compensation. Reasonable expenses of the board shall be paid out of the fund proceeds, subject to approval by the State Treasurer.

d. The board shall have the following duties and responsibilities:

(1) determine eligibility for a scholarship from the fund;

(2) determine the amount of each scholarship award;

(3) report annually to the Governor and the Legislature on the performance of its duties in accordance with the provisions of this act;

(4) solicit and raise private funds to finance the Military Dependents Scholarship program; and

(5) receive and disburse such contributions to the fund as may be forthcoming from private and public sources.

C.18A:71B-101 Awarding of scholarships.

4. a. The board of trustees is authorized to award scholarships from the fund for the costs of undergraduate study at a public or independent institution of higher education to the spouse, child, or other eligible dependent of a New Jersey resident who is killed, officially listed as "Missing in Action" by the United States Department of Defense, or totally and permanently disabled as certified by the United States Department of Veterans Affairs as a consequence of Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn.

b. Scholarships from the fund may be awarded annually upon proper application by any student who qualifies under the criteria established by the authority.

C.18A:71B-102 Qualifications for award of scholarship.

5. a. A Military Dependents Scholarship shall not be awarded to an applicant unless the applicant has demonstrated to the satisfaction of the board that the applicant:

(1) will be or is enrolled in a full-time undergraduate program of study leading to a degree at an institution of higher education; and

(2) has complied with all rules and regulations adopted pursuant to this act for the award, regulation and administration of scholarships from the fund.

b. Eligibility for a Military Survivors Scholarship, in the case of a spouse or other eligible dependent, shall be limited to a period of 15 years from the date of death of the person, the date the person is officially listed as "Missing in Action" or the date upon which the person is certified to have been totally and permanently disabled for initial receipt of the benefits under the program. In the case of a dependent child, eligibility shall be limited to a period of eight years following graduation from high school.

C.18A:71B-103 Rules, regulations.

6. The Higher Education Student Assistance Authority, in consultation with the Secretary of Higher Education, shall adopt rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), necessary to effectuate the purposes of this act, including establishing criteria for eligibility for a scholarship from the fund and procedures for determining the amount of each scholarship award.

7. This act shall take effect immediately.

Approved October 26, 2015.