

**LEGISLATIVE FISCAL ESTIMATE**  
**ASSEMBLY, No. 480**  
**STATE OF NEW JERSEY**  
**220th LEGISLATURE**

DATED: DECEMBER 5, 2022

**SUMMARY**

- Synopsis:** Extends validity of temporary instructional certificate issued to military spouse to one year; requires expedited processing of application by military spouse for NJ instructional certificate and reduced fees for military spouse to obtain certificate
- Type of Impact:** Annual State revenue impact and State cost increases.
- Agencies Affected:** Department of Education.

**Office of Legislative Services Estimate**

<b>Annual Fiscal Impact</b>	<b><u>Annual</u></b>
<b>State Revenue Impact</b>	Indeterminate
<b>State Cost Increase</b>	Marginal

- The Office of Legislative Services (OLS) finds that this bill will result in an indeterminate revenue impact to the Department of Education (DOE) resulting from the collection of fees from nonresident active-duty spouses seeking temporary instructional certificates. The magnitude of the fee revenue impact, if any, is indeterminate because the temporary instructional certificates for nonresident military spouses established under current law are currently not being issued.
- The OLS also finds that the bill's provisions requiring expedited processing of applications submitted by nonresident military spouses for instructional certificates will marginally increase annual administrative costs to the DOE.

**BILL DESCRIPTION**

This bill provides that a temporary instructional certificate issued to a nonresident military spouse will be valid for 365 days instead of 180 days and may be extended by the State Board of Examiners for another 365 days instead of another 180 days. Under current law, an individual,

who is licensed to teach in another state and is married to an active duty member of the military who has been transferred to New Jersey, may obtain a temporary instructional certificate to be employed as a teacher in New Jersey on a temporary basis while completing any additional requirements for a New Jersey instructional certificate. The temporary instructional certificate is valid for 180 days and may be extended by the State Board of Examiners for another 180 days.

The bill also provides that the fees charged to a nonresident military spouse for the issuance of a temporary instructional certificate cannot exceed \$100.

The bill requires the DOE to establish procedures to expedite the processing of an application submitted by a nonresident military spouse for a New Jersey instructional certificate. The bill also directs the DOE and the board to establish a reduced fee schedule for issuing an instructional certificate to a nonresident military spouse.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received. However, the DOE, upon request, informally provided the OLS with information, which is discussed in more detail below.

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

The OLS finds that this bill will result in an indeterminate revenue impact to the DOE resulting from the collection of fees from nonresident active-duty spouses seeking temporary instructional certificates. The magnitude of the fee revenue impact is indeterminate because the temporary instructional certificates for nonresident military spouses established under law are currently not being issued. However, the DOE is currently proposing through regulations to implement the temporary instructional certificates. In addition to implementing the provisions of current law establishing the eligibility criteria and period of validity of the temporary instructional certificates, the proposed regulations would waive fees for initial certification applications of military personnel and nonresident active-duty military spouses. This waiver would apply to initial application fees for all certification applications, including the temporary instructional certificate for nonresident military spouses.

If, following enactment of this bill, the DOE does not levy a fee on nonresident active-duty military spouses as is envisioned in the currently proposed regulations, the bill will not have a revenue impact on the State. However, if the DOE levies a fee not exceeding \$100 as is permitted under the bill, then the State will experience a fee revenue increase.

The OLS also finds that the bill's provisions requiring expedited processing of applications submitted by nonresident military spouses for instructional certificates will marginally increase administrative costs to the DOE. Currently, the DOE provides for an expedited review process for certification applications of military veterans and their spouses. The DOE may experience increased administrative costs to expand this expedited process to nonresident spouses of active duty military members.

*Section: Education*

*Analyst: Christopher Myles  
Senior Fiscal Analyst*

*Approved: Thomas Koenig  
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.).