

ASSEMBLY, No. 1303

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman BROWN

1 AN ACT concerning benefits provided under the program of aid to  
2 families with dependent children and repealing P.L.1991, c.526.

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

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7 1. P.L.1991, c.526 (C.44:10-3.5 et seq.) is repealed.

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9 2. This act shall take effect immediately.  
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12 STATEMENT

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14 This bill repeals P.L.1991, c.526 (Assembly Bill No. 4703 1R of  
15 1991). This law denies a recipient of aid to families with dependent  
16 children (AFDC) benefits the additional monthly cash grant for which  
17 that recipient would have qualified as a result of the birth of a child  
18 prior to the enactment of P.L.1991, c.526.

19 It should be noted that no other state in the country has enacted  
20 such a law to date, and that there is no empirical evidence to support  
21 the proposition that an AFDC recipient would have an additional child  
22 merely to receive an extra \$64 a month in AFDC cash benefits. (This  
23 is the increase in the monthly grant for an AFDC-eligible family with  
24 three or more persons which has an additional child.) In fact, it has  
25 been reported that 72% of AFDC-eligible families have no more than  
26 two children, and that families with six or more children comprise less  
27 than one percent of AFDC recipients.

28 In addition, the new law discriminates against women, because it is  
29 the mother of a new child who in almost all instances will be forced to  
30 support the child without the benefit of the additional AFDC monthly  
31 grant, while the father who is absent from the household is unaffected  
32 by the restriction on the amount of the AFDC grant. Moreover, this  
33 law punishes a child for the actions of the parent, for which the child  
34 is not responsible.

35 The practical effect of this new law will be to force an

1 AFDC-recipient mother who becomes pregnant while enrolled in the  
2 program to decide between two tragic and unjust alternatives, i.e., to  
3 have an abortion, or attempt to feed, clothe and house her new child  
4 without the benefit of a very modest increase in her AFDC monthly  
5 grant. As it is, families enrolled in the AFDC program are already  
6 receiving benefits which have been sharply eroded by inflation, because  
7 these grants have only been increased one time in the last decade (by  
8 five percent in 1987).

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13 Repeals P.L.1991, c.526 concerning denial of AFDC benefits for  
14 certain children.