

# RULE ADOPTIONS

## BANKING

### (a)

#### DEPARTMENT OF BANKING AND INSURANCE

#### DIVISION OF BANKING

#### Dedicated Funding Assessment

#### Readoption with Amendments: N.J.A.C. 3:5

Proposed: December 17, 2018, at 50 N.J.R. 2445(a).

Adopted: May 4, 2019, by Marlene Caride, Commissioner,  
Department of Banking and Insurance

Filed: May 6, 2019, as R.2019 d.055, **without change**.

Authority: N.J.S.A. 17:1-8, 17:1-8.1, 17:1-15.e, and 17:1C-33  
through 48.

Effective Dates: May 6, 2019, Readoption;  
June 3, 2019, Amendments.

Expiration Date: May 6, 2026.

#### Summary of Public Comment and Agency Response:

**No comments were received.**

#### Federal Standards Statement

The rules readopted with amendments do not contain any standards or requirements that exceed standards or requirements imposed by Federal law.

**Full text** of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 3:5.

**Full text** of the adopted amendments follows:

#### SUBCHAPTER 2. DEFINITIONS

##### 3:5-2.1 Definitions

The following words and terms, as used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

...  
“Call report” means the report of general financial condition submitted by all insured depository institutions to the Federal Deposit Insurance Corporation or the National Credit Union Administration, as the case may be, on a quarterly basis and shall include reports filed with the Department by limited purpose companies on a semiannual basis pursuant to N.J.S.A. 17:9A-256.  
...

#### SUBCHAPTER 4. ASSESSMENT COMPUTATION FORMULA

##### 3:5-4.2 Total assessments

All regulated entities shall be assessed a total assessment. The total assessment shall consist of the total of a base assessment and a volume assessment, if applicable.

## CHILDREN AND FAMILIES

### (b)

#### COMMISSIONER

#### Child Protection Investigations

#### Readoption with Amendments: N.J.A.C. 3A:10

#### Adopted Repeal: N.J.A.C. 3A:10-2.2

Proposed: January 22, 2019, at 51 N.J.R. 125(a).

Adopted: April 17, 2019, by Christine Norbut Beyer, M.S.W.,  
Commissioner, Department of Children and Families.

Filed: April 29, 2019, as R.2019 d.050, **with non-substantial changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 9:3A-7.f and g, 9:6-8.15, 9:6-8.36a, 9:6-8.106,  
and 30:4C-4(h).

Effective Dates: April 29, 2019, Readoption;  
June 3, 2019, Amendments.

Expiration Date: April 29, 2026.

#### Summary of Public Comment and Agency Response:

**No comments were received.**

#### Summary of Agency-Initiated Changes:

The Department is changing N.J.A.C. 3A:10-1.3 at the definition of institution, to reference a child care center instead of a day care center. The Department uses the term “child care center” throughout N.J.A.C. 3A:52, Manual of Requirements for Child Care Centers. This change standardizes the Department’s terminology throughout its rules.

The Department is also changing N.J.A.C. 3A:10-4.2(c) to use the term “safety protection plan” rather than “safety plan.” The Department amended this term at N.J.A.C. 3A:10-3.2(d), but inadvertently did not amend it at N.J.A.C. 3A:10-4.2(c). This change allows the chapter to contain standardized, current terminology.

#### Federal Standards Statement

The rules readopted with amendments and a repeal assist New Jersey to meet Federal requirements to obtain funds. The readopted rules do not require New Jersey to exceed Federal requirements.

Specifically, the rules assist the Department to comply with 42 U.S.C. §§ 5106a(b)(2)(A), and 5106c(a)(3), which provide a grant to states “... to improve ... the investigation and prosecution of cases of child abuse and neglect ...”

42 U.S.C. § 671(a)(9) requires that a state have a State Plan, which provides for reporting an injury, sexual abuse, or negligent treatment of a child receiving aid under either Title IV-B or Title IV-E of the Social Security Act to an appropriate agency. That statute requires the reporting of certain instances of alleged child abuse and neglect to the county prosecutor and is cited in the State Plan.

N.J.A.C. 3A:10 is consistent with the Federal Child Abuse Prevention and Treatment Act, 42 U.S.C. § 5106a(b)(2)(A)xii, regarding expunction of records.

**Full text** of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 3A:10.

**Full text** of the adopted amendments follows (additions to proposal indicated in boldface with asterisks **\*thus\***; deletion from proposal indicated in brackets with asterisks \*[thus]\*):

#### SUBCHAPTER 1. GENERAL PROVISIONS

##### 3A:10-1.1 Purpose and objectives

(a) (No change.)

(b) The objectives of this chapter are to:

1.-7. (No change.)