

LEGISLATIVE UPDATE

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TCTANJ Legislative Committee Chairperson

P.L. 2017, c. 134-Extends eligibility for veterans' property tax deduction and disabled veterans' property tax exemption to members of the United States Armed Forces assigned to the rescue and recovery mission at the World Trade Center between September 11, 2001 and May 30, 2002. - S2883 was signed into law July 21, 2017. It allows any member of the Armed Forces that served in the rescue and recovery mission for 14 days at the World Trade Center site between September 11, 2001 and May 30, 2002, to be eligible for a \$250 veteran's property tax deduction. If a disabling injury occurred during this service, the veteran would be entitled to a property tax exemption.

P.L. 2017, c. 128-Requires Director of Division of Taxation to promulgate Property Taxpayer Bill of Rights. - S2452 was approved by the Governor on July 21, 2017. The Bill of Rights, to be promulgated by the Director of the Division of Taxation, is to express the right of each taxpayer to 1.) understand the assessment process, 2.) how to appeal their assessment, and 3.) view other assessments. The Bill of Rights is required to be posted on all County and Municipal websites.

P.L. 2017, c. 183-Requires local government to certify compliance with certain federal hiring requirements when filing annual budgets. - S678 was approved on August 7, 2017. This new law addresses enforcement guidance offered by the EEOC concerning discrimination practices based on race, color, religion, sex or national origin. Local governments will need to pay greater attention to their employment practices in order to certify compliance, particularly in regard to applicants with criminal records.

Newly Introduced Bills:

A5049/S3387 - "Voluntary Employment for Taxpayers Act"; permits certain local governments to recruit residents to perform services in return for property tax credits. - introduced 06/26/17 in the Assembly and 06/29/17 in the Senate. Local governments would be permitted to enlist resident volunteers to perform services in return for property tax credits against current or delinquent taxes. The governing body will determine what tasks need to be performed. The value of the credit can be up to the amount of taxes owed by the resident. The credit for services would be exempt from gross income tax liability. The volunteer may fill the seat of a licensed professional if they have the proper certification themselves. Volunteers would be precluded from bringing any civil action against the local government entity.

A5058 - Allows extension for filing Property Tax Reimbursement Application until 60 days after extended tax deadline. - introduced in the Assembly on 06/26/17. In the case where an applicant has received an income tax filing extension, the PTR application deadline would be extended as well.

S3274/A5067 - Allows municipalities to adjust deadline to apply for short-term exemption or abatement for dwellings; requires provision of notice to purchasers of dwellings in areas in need of rehabilitation under certain circumstances. - Introduced on 06/01/17 in the Senate, it is currently on 2nd reading. The Assembly version was introduced on 06/26/17. - If an owner of a property in an area where short-term exemptions are allowed does not apply for the exemption himself, the new owner would be permitted to apply within one year of the purchase or completion of the improvements, whichever is later.

A4824 - Permits municipality to pay property tax appeal refund in equal installments over period of three years. - Introduced 05/18/17 - This bill would change the current interest rate payable on refunds to the lessor of 5% per annum or one point over prime. It would also change the requirement to pay the refund within 60 days of judgement to equal installments over three years.

A4831 - Concerns taxation of certain business personal property. - Introduced 05/18/17 - This bill clarifies the taxation of business personal property on the local exchange telephone companies and adds the taxation of small cell network nodes which are now becoming prominent on utility poles and street lights.

A4936 - Requires State, county and municipal employees and certain State contractors to complete cybersecurity awareness training. - Introduced 06/05/17 -2nd reading - Requires State, County, and Municipal employees to complete annual cybersecurity training as certified by the Chief Technology Officer, or a designee, of the New Jersey Office of Information.

A5013/S3413 - Allows certain municipalities to establish lower property tax rate on improvements than land and eliminates urban enterprise zone program. - Introduced in the Assembly on 06/15/17 and the Senate on 07/04/17 - This bill allows for a "land-based property tax system". Instead of a single value based tax rate on land and improvements, improvements would be taxed lower than land. A constitutional amendment would be required to implement this system. ■

CHAPTER 128

AN ACT requiring the Director of the Division of Taxation in the Department of the Treasury to promulgate a Property Taxpayer Bill of Rights and supplementing Title 54 of the Revised Statutes.

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

C.54:1-2.1 Property Taxpayer Bill of Rights.

1. The Director of the Division of Taxation shall promulgate a Property Taxpayer Bill of Rights and each county board of taxation and each municipality in the State shall post it on their respective websites, if any.

The Property Taxpayer Bill of Rights shall set forth in simple and nontechnical terms that every property taxpayer has the right to understand their real property assessment and to appeal an assessment that a taxpayer believes is too high. The Property Taxpayer Bill of Rights shall specify that a property taxpayer has the following rights under State law:

The right to understand the real property assessment process and the requirements of the New Jersey Constitution concerning the assessment of real property;

The right to understand the calculation of the assessment on their real property;

The right to detailed information about how to appeal an assessment of real property; and

The right to view the real property assessment of any other parcel of real property in the municipality in which the taxpayer's property is located.

The director shall require that the Property Taxpayer Bill of Rights be posted on the webpage of each county board of taxation and each municipality in the State with an Internet webpage.

2. This act shall take effect immediately.

Approved July 21, 2017.