

CHAPTER 497

AN ACT imposing a surcharge on casino hotel occupancies to fund public safety services, supplementing Title 5 of the Revised Statutes.

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

C.5:12-152.1 Casino hotel facility surcharge, rate.

1. a. A surcharge at the rate of \$2 per day for each occupied room shall be imposed on a casino hotel facility.

b. A surcharge imposed under subsection a. of this section shall be collected and administered by the Director of the Division of Taxation in the Department of the Treasury. In carrying out the provisions of this subsection, the director shall have all the powers granted in P.L.1966, c.30 (C.54:32B-1 et seq.). The director shall determine and certify to the State Treasurer on a monthly basis the amount of revenues collected by the director pursuant to subsection a. of this section. The State Treasurer, upon the certification of the director and upon the warrant of the Director of the Division of Budget and Accounting in the Department of the Treasury, shall pay and distribute on a monthly basis to the municipality in which the casino hotel facility is located the amount so determined and certified.

c. All surcharges received by a municipality pursuant to subsection b. of this section shall be deposited into a dedicated public safety services trust fund. Amounts deposited in the trust fund shall be used by the municipality solely and exclusively to fund appropriations for public safety services. The amount deposited into the dedicated public safety services trust fund shall be anticipated in the budget of the municipality as a special item of revenue and as an appropriation item of an amount equal to any such special item of revenue pursuant to N.J.S.40A:4-87. The amount deposited into the public safety services trust fund shall be inserted into the annual budget as a special item of revenue or appropriation only when the total amount appropriated for public safety services in the adopted budget of the municipality for the current fiscal year is greater than the amount appropriated for public safety services, exclusive of any amount from the public safety services trust fund appropriated in the budget in the previous fiscal year. The amount appropriated and expended for the hiring and retention of employees of the fire and police departments shall not exceed 37 percent of all surcharge revenue received by the municipality and deposited into the dedicated public safety services trust fund in the period beginning January 1, 2022 and ending December 31, 2024. Beginning January 1, 2025, the Director of the Division of Local Government Services may set the maximum percentage of surcharge revenue received by the municipality that may be utilized for the hiring and retention of employees of the police and fire departments.

d. As used in this section:

“Occupied room” means a room or rooms of any kind in any part of a hotel, other than a place of assembly, that is used or possessed by a guest or guests overnight or for a portion of a day, whether or not for consideration.

“Public safety services” means the hiring, retention, and training of and equipment for employees of the police and fire departments, and capital improvements benefitting the police and fire departments, in the municipality authorized to receive surcharges pursuant to subsection a. of this section.

2. This act shall take effect on the first day of the second month next following the date of enactment.

Approved January 18, 2022.