

ASSEMBLY, No. 1223

STATE OF NEW JERSEY

220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

Assemblywoman ELIANA PINTOR MARIN

District 29 (Essex)

SYNOPSIS

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.

CURRENT VERSION OF TEXT

As reported by the Assembly State and Local Government Committee with technical review.



1 AN ACT concerning short-term tax exemption or abatement for
2 dwellings and amending P.L.1991, c.441.

3

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

6

7 1. Section 16 of P.L.1991, c.441 (C.40A:21-16) is amended to
8 read as follows:

9 16. a. No exemption or abatement shall be granted pursuant to
10 **【this act】** P.L.1991, c.441 (C.40A:21-1 et seq.) except upon written
11 application therefor filed with and approved by the assessor of the
12 taxing district wherein the improvement, conversion alteration or
13 construction is made. Every application shall be on a form
14 prescribed by the Director of the Division of Taxation in the
15 Department of the Treasury, and provided for the use of claimants
16 by the governing body of the municipality constituting the taxing
17 district, and shall be filed with the assessor within the timeframes
18 specified herein and authorized by ordinance.

19 b. (1) Except as provided in paragraph (2) of this subsection, an
20 ordinance adopted pursuant to section 4 of P.L.1991, c.441
21 (C.40A:21-4) shall require a claimant to file an application with the
22 assessor within 30 days, including Saturdays and Sundays,
23 following the completion of the improvement, conversion alteration
24 or construction.

25 (2) If an ordinance adopted pursuant to section 4 of P.L.1991,
26 c.441 (C.40A:21-4) provides for exemptions, abatements, or both
27 exemptions and abatements, for improvements to dwellings
28 pursuant to section 5 of P.L.1991, c.441 (C.40A:21-5), the
29 ordinance may provide that, in the event a claimant has not filed an
30 application with the assessor within 30 days following the
31 completion of improvements to a dwelling pursuant to paragraph
32 (1) of this subsection, a purchaser of the dwelling may file an
33 application with the assessor within the later of one year of the date
34 of completion of the improvements, or within one year of the date
35 of the purchase of the dwelling.

36 c. Every application for exemption, or exemption and
37 abatement, within a municipality adopting the provisions of **【this**
38 **act】** P.L.1991, c.441 (C.40A:21-1 et seq.) which is filed within the
39 time specified, shall be approved and allowed by the assessor to the
40 degree that the application is consistent with the provisions of the
41 adopting ordinance or the tax agreement, provided that the
42 improvement, conversion alteration or construction for which the
43 application is made qualifies as an improvement, a conversion
44 alteration or construction pursuant to the provisions of **【this act】**
45 P.L.1991, c.441 (C.40A:21-1 et seq.) and the tax agreement, if any.

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 d. The granting of an exemption, or exemption and abatement,
2 shall relate back to, and take effect as of **1**:

3 (1) the date of completion of the project, or portion or stage of
4 the project for which the exemption, or exemption and abatement, is
5 granted, and shall continue for five annual periods from that date, or

6 (2) the date of purchase of the property for which the
7 exemption, or exemption and abatement, is granted, and shall
8 continue for five annual periods from that date.

9 e. The grant of the exemption, or exemption and abatement, or
10 tax agreement shall be recorded and made a permanent part of the
11 official tax records of the taxing district, which record shall contain
12 a notice of the termination date thereof.

13 (cf: P.L.2007, c.268, s.6)

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15 2. Section 20 of P.L.1991, c.441 (C.40A:21-20) is amended to
16 read as follows:

17 20. a. A municipality which has adopted an ordinance providing
18 for exemptions, or exemptions and abatements, pursuant to **1**
19 **act** P.L.1991, c.441 (C.40A:21-1 et seq.) shall include the
20 appropriate notice in the mailing of annual property tax bills to each
21 owner of a dwelling located in an area in which exemptions, or
22 exemptions and abatements, may be allowed pursuant to the
23 ordinance during the first year following adoption of the ordinance.

24 b. The owner of a dwelling located in an area in which
25 exemptions, abatements, or both exemptions and abatements, may
26 be allowed pursuant to an ordinance adopted pursuant to P.L.1991,
27 c.441 (C.40A:21-1 et seq.), which owner has completed
28 improvements to the dwelling, but has not submitted an application
29 to the assessor for exemption, abatement, or both pursuant to
30 section 16 of P.L.1991, c.441 (C.40A:21-16), shall provide notice to
31 that effect to the subsequent purchaser of the dwelling at the time of
32 entering into a contract of sale for the dwelling.

33 (cf: P.L.1991, c.441, s.20)

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35 3. This act shall take effect immediately.