ASSEMBLY, No. 494

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblyman JAY WEBBER
District 26 (Essex, Morris and Passaic)

Co-Sponsored by:
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SYNOPSIS

Requires explanatory statement on ballot question for school district capital projects to include certain information.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT concerning ballot questions for school district capital projects and amending N.J.S.18A:22-39.

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

1. N.J.S.18A:22-39 is amended to read as follows:

18A:22-39. a. Whenever the undertaking of any capital project or projects to be paid for from the proceeds of an issue or issue of bonds is submitted to the voters of a type II district at an annual or special school election for their approval or disapproval, the board shall frame and adopt by a recorded roll call majority vote of its full membership the question or questions to be submitted so that each project is submitted in a separate question, or all or any number of them are submitted in one question, which shall state the project or projects so submitted and the amounts to be raised for each of the projects so separately submitted or for each or for all of the projects so jointly submitted, as the case may be, but any proposal for the purchase of land shall be sufficient to authorize the taking and condemning of such land. If the project is to be constructed by the New Jersey Schools Development Authority or a redevelopment entity or by the district with a grant pursuant to section 15 of P.L.2000, c.72 (C.18A:7G-15), the referendum shall, when framed as a single question, request approval for the local share and shall disclose the final eligible costs of the project as approved by the commissioner pursuant to section 5 of P.L.2000, c.72 (C.18A:7G-5) and in the case of a demonstration project pursuant to sections 5 and 6 of P.L.2000, c.72 (C.18A:7G-5 and C.18A:7G-6), and, if applicable, the amount of any costs of the project which are in addition to the final eligible costs. If the school facilities project is not to be constructed by the New Jersey Schools Development Authority or a redevelopment entity or by the district with a grant pursuant to section 15 of P.L.2000, c.72 (C.18A:7G-15), the referendum shall, when framed as a single question, request approval for the total costs of the project, shall disclose State debt service aid for the project and, if applicable, the amount of any costs of the project which are in addition to the final eligible costs of the project. When a project is framed in more than one question, a summary shall be included in the explanatory statement which accompanies the questions that includes the total costs of the project, total State debt service aid, and, if applicable, the amount of the costs of the project which are in addition to the final eligible costs of the project, and any individual question containing costs in addition to the final eligible costs shall include the amount of those additional costs.

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.

The statement of additional costs in any ballot question and in any explanatory statement that accompanies a ballot question shall describe the additional costs as follows: "This project includes $(insert amount) for school facility construction elements in addition to the facilities efficiency standards developed by the Commissioner of Education."

b. In addition to the information required pursuant to subsection a. of this section, any explanatory statement that accompanies a ballot question for a capital project or projects to be paid for from the proceeds of an issue or issue of bonds submitted to the voters of a Type II school district at an annual or special school election shall include:

(1) the total outstanding principal of the bonded indebtedness of the municipality in which the school district is located, or, in the case of a regional school district, of the constituent municipality;

(2) the total outstanding principal of the bonded indebtedness of the school district;

(3) an estimate of the increase in property taxes that would occur for a residential property at the average residential assessment if the ballot question is approved. The estimate shall be based on the anticipated number of years over which the bonds will be repaid and an anticipated interest rate that considers current market conditions and the school district's credit rating;

(4) the square footage per pupil of the proposed capital project or projects, if applicable; and

(5) the cost per square foot of the proposed capital project or projects, if applicable.

(cf: P.L.2007, c.137, s.50)

2. This act shall take effect immediately.

STATEMENT

This bill requires that certain information be included in the explanatory statement of a ballot question for a school district capital project that will be funded by the issuance of bonds. Specifically, the bill requires the explanatory statement to include information regarding the total outstanding principal for any bonded indebtedness of the school district and the municipality in which the school district is located, an estimate of the increase in property taxes that would result on the average home if the capital project is approved, and, if applicable the square footage per student and cost per square foot of the proposed capital project.