

ASSEMBLY, No. 2513

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:

Assemblywoman NANCY F. MUNOZ

District 21 (Morris, Somerset and Union)

SYNOPSIS

Permits eligible claimant who is proportionate owner paying entire property tax bill to collect entire homestead property tax reimbursement amount.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning payment of homestead property tax
2 reimbursement amount to certain proportionate owners and
3 amending P.L.1997, c.348.

4

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

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8 1. Section 5 of P.L.1997, c.348 (C.54:4-8.72) is amended to
9 read as follows:

10 5. When title to a homestead as to which a homestead property
11 tax reimbursement is claimed is held by an eligible claimant and
12 another or others, either as tenants in common or as joint tenants,
13 the eligible claimant shall not be allowed a homestead property tax
14 reimbursement in an amount in excess of his or her proportionate
15 share of the taxes assessed against the homestead, which
16 proportionate share, for the purposes of this act, shall be deemed to
17 be equal to that of each of the other tenants, unless it is shown that
18 the interests in question are not equal, in which event the eligible
19 claimant's proportionate share shall be as shown. Regardless of the
20 proportionate share of ownership, the eligible claimant shall be
21 entitled to the entire homestead property tax reimbursement amount
22 for any year that the eligible claimant paid the entire amount of the
23 taxes due and payable on the homestead property and without
24 contribution from any other person owning a proportionate share of
25 that property, whether or not the other person is an eligible
26 claimant. Nothing herein shall preclude more than one tenant,
27 whether title be held in common or joint tenancy, from claiming a
28 homestead property tax reimbursement from the taxes assessed
29 against the property so held, but no more than the equivalent of one
30 full homestead property tax reimbursement in regard to such
31 homestead shall be allowed in any year. In any case in which the
32 eligible claimants cannot agree as to the apportionment thereof,
33 such homestead property tax reimbursement shall be apportioned
34 between or among them in proportion to their interest. Property
35 held by husband and wife, as tenants by the entirety, shall be
36 deemed wholly owned by each tenant, but no more than one full
37 homestead property tax reimbursement in regard to such homestead
38 shall be allowed in any year. Right to claim a homestead property
39 tax reimbursement hereunder shall extend to a homestead the title to
40 which is held by a partnership, to the extent of the eligible
41 claimant's interest as a partner therein, and by a guardian, trustee,
42 committee, conservator or other fiduciary for any person who would
43 otherwise be entitled to claim such homestead property tax
44 reimbursement hereunder, but not to a homestead the title to which
45 is held by a corporation; except that a residential shareholder in a

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 cooperative or mutual housing corporation shall be entitled to claim
2 a homestead property tax reimbursement if he or she is otherwise
3 eligible to receive it, to the extent of the proportionate share of the
4 taxes assessed against the homestead of the corporation, or any
5 other entity holding title, attributable to his or her unit therein. No
6 eligible claimant shall be entitled to payment under this act for a
7 homestead property tax reimbursement on more than one homestead
8 within the State in the same tax year.
9 (cf: P.L.1997, c.348, s.5)

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11 2. This act shall take effect immediately.

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14 STATEMENT

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16 This bill would permit a person who is an eligible claimant for a
17 homestead property tax reimbursement (that is, who owns and
18 occupies a residential property) to receive the entire homestead
19 property tax reimbursement amount when there are one or more
20 non-occupying proportional owners (who are not "eligible
21 claimants" for the reimbursement), provided that the eligible
22 claimant has paid the entire amount of property taxes due and
23 payable for the year, without contribution from the other
24 proportional owners. This amendment to the law would permit a
25 divorced person who is responsible for paying the entire tax bill to
26 collect the entire homestead property tax reimbursement amount for
27 a property, despite title being held with an ex-spouse who is not an
28 eligible claimant due to non-residence at that address.