

ASSEMBLY, No. 4027

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 4, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Authorizes municipalities, by resolution, to require tax collector to remove parcel of real property from accelerated tax sale list if fourth quarter property taxes not paid but property materially depreciated following severe weather event.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning accelerated tax sales and amending R.S.54:5-
2 19.

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

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7 1. R.S.54:5-19 is amended to read as follows:

8 54:5-19. The term "collector" as hereinafter used includes any
9 such officer, and the term "officer" includes the collector.

10 A municipality shall have the authority to conduct both standard
11 and accelerated tax sales.

12 When unpaid taxes or any municipal lien, or part thereof, on real
13 property remain in arrears at the close of the fiscal year, the
14 collector or other officer charged by law in the municipality with
15 that duty, shall enforce the lien by selling the property in the
16 manner set forth in this article by holding a standard tax sale in the
17 following fiscal year.

18 When unpaid taxes or any municipal lien, or part thereof, on real
19 property remains in arrears on the 11th day of the eleventh month in
20 the fiscal year when the taxes or lien became in arrears, the
21 collector or other officer charged by law in the municipality with
22 that duty, shall enforce the lien by selling the property in the
23 manner set forth in this article by conducting an accelerated tax sale
24 by selling the property in the manner set forth in this article,
25 provided that the sale is conducted and completed no earlier than in
26 the last month of the fiscal year. Whenever the due date for the
27 fourth quarter property tax installment payment has been extended
28 for real property pursuant to the provisions of subsection a. of
29 R.S.54:4-67, a municipality shall not conduct an accelerated tax
30 sale with respect to that installment pursuant to this section.

31 In either a standard or an accelerated tax sale, the municipality
32 may by resolution direct that when unpaid taxes or other municipal
33 liens or charges, or part thereof, are in arrears as of the 11th day of
34 the eleventh month of the fiscal year, such sale shall include only
35 such unpaid taxes or other municipal liens or charges as were in
36 arrears in the fiscal year designated in such resolution, and may by
37 resolution, either general or special, direct that there shall be
38 omitted from such sale any or all such unpaid taxes, and other
39 municipal liens, or parts thereof, on real property, upon which
40 regular, equal monthly installment payments are being made, in
41 pursuance to such agreement as may be authorized by said
42 resolution between the collector and the owner or person interested
43 in the property upon which such delinquent taxes may be due;
44 provided, that said agreement shall require payment of such

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 installment payments in amounts large enough to pay in full all
2 delinquent taxes, assessments and other municipal liens held by the
3 municipality, in not more than five years from the date of such
4 agreement; provided, that the extension of time for payment of such
5 arrearages herein authorized shall not apply to any parcel of
6 property which prior thereto has been included in any plan
7 theretofore adopted by any municipality of this State under and
8 pursuant to the provisions of any public statute of this State
9 whereunder prior extensions for the payment of delinquent taxes
10 were authorized; provided further, that the right of any person
11 interested in such property to pay such arrears in such installments
12 shall be conditioned on the prompt payment of the installments of
13 taxes for the current year in which such agreement is made, and all
14 subsequent taxes, assessments and other municipal liens imposed or
15 becoming a lien thereafter, including all installments thereafter
16 payable on assessments theretofore levied, and also the prompt
17 payment of all installments of arrears as hereinbefore authorized;
18 and provided further, that in case any such installment of arrears or
19 any new taxes, assessments or other liens are not promptly paid,
20 that is to say, within thirty days after the date when the same is due
21 and payable, then such agreement shall be void, and in any such
22 case the collector, or other officer charged by law with that duty,
23 shall proceed to enforce such lien by selling in the manner in this
24 article provided.

25 Notwithstanding the provisions of this section, the governing
26 body of a municipality, by resolution, may require the collector or
27 other officer charged by law in the municipality with that duty, to
28 remove from an accelerated tax sale list a parcel of real property for
29 which the owner did not pay the fourth quarter property taxes due
30 on that property, if, after receiving notice of the tax sale, the
31 property owner notifies the tax collector in writing that the listed
32 property was materially depreciated by a natural or non-natural
33 disaster declared to be an emergency by the President of the United
34 States or by the Governor.

35 (cf: P.L.2015, c.203, s.2)

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37 2. This act shall take effect immediately.

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40 STATEMENT

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42 This bill would permit a municipal governing body, by
43 resolution, to require the tax collector, or other officer charged by
44 law in the municipality with that duty, to remove from an
45 accelerated tax sale list a parcel of real property for which the
46 owner did not pay the fourth quarter property taxes due and payable
47 on that property, if, after receiving notice of the tax sale, the
48 property owner notifies the tax collector in writing that the listed

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- 1 property was materially damaged by a natural or non-natural
- 2 disaster declared to be an emergency by the President of the United
- 3 States or by the Governor.