ASSEMBLY CONCURRENT RESOLUTION No. 186

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JULY 2, 2020

Sponsored by:
Assemblyman RONALD S. DANCER
District 12 (Burlington, Middlesex, Monmouth and Ocean)
Assemblywoman CAROL A. MURPHY
District 7 (Burlington)
Assemblyman DANIEL R. BENSON
District 14 (Mercer and Middlesex)

SYNOPSIS

Proposes constitutional amendment to provide that disabled veterans may have served at any time in order to receive benefits provided by Constitution or by law.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 7/2/2020)

A CONCURRENT RESOLUTION proposing to amend Articles VII and VIII of, and to add a new Article VIIIA to, the Constitution of the State of New Jersey.

BE IT RESOLVED *by the General Assembly of the State of New Jersey (the Senate concurring):*

1. The following proposed amendment to the Constitution of the State of New Jersey is hereby agreed to:

PROPOSED AMENDMENT

a. Amend Article VII, Section I, paragraph 2 to read as follows:

2. Appointments and promotions in the civil service of the State, and of such political subdivisions as may be provided by law, shall be made according to merit and fitness to be ascertained, as far as practicable, by examination, which, as far as practicable, shall be competitive; except that preference in appointments by reason of active service in any branch of the military or naval forces of the United States in time of war or active service in any branch of the military or naval forces of the United States at any time and having been declared by the United States Department of Veterans Affairs, or its successor, to have a service-connected disability, may be provided by law.

(cf: Art. VII, Sec. I, par.2)

b. Amend Article VIII, Section I, paragraph 3 to read as follows:

3. a. Any citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances from active service, in time of war or other emergency as, from time to time, defined by the Legislature, in any branch of the Armed Forces of the United States shall be entitled, annually to a deduction from the amount of any tax bill for taxes on real and personal property, or both, including taxes attributable to a residential unit held by a stockholder in a cooperative or mutual housing corporation in the sum of $50 or if the amount of any such tax bill shall be less than $50, to a cancellation thereof, except that the deduction or cancellation shall be $100 in tax year 2000, $150 in tax year 2001, $200 in tax year 2002 and $250 in each tax year thereafter. The deduction or cancellation shall not be altered or repealed. Any **[**person hereinabove described**]** citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances from active service, whether or not

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.

in time of war or emergency, in any branch of the Armed Forces of the United States, who has been or shall be declared by the [United States Veterans Administration] United States Department of Veterans Affairs, or its successor, to have a service-connected disability, shall be entitled to such further deduction from taxation as from time to time may be provided by law. The surviving spouse of any citizen and resident of this State who has met or shall meet his or her death on active duty in time of war or of other emergency as so defined in any such service shall be entitled, during her widowhood or his widowerhood, as the case may be, and while a resident of this State, to the deduction or cancellation in this subsection provided for honorably discharged veterans and to such further deduction as from time to time may be provided by law. The surviving spouse of any citizen and resident of this State who has had or shall hereafter have active service in time of war or of other emergency as so defined in any branch of the Armed Forces of the United States and who died or shall die while on active duty in any branch of the Armed Forces of the United States, or who has been or may hereafter be honorably discharged or released under honorable circumstances from active service in time of war or of other emergency as so defined in any branch of the Armed Forces of the United States shall be entitled, during her widowhood or his widowerhood, as the case may be, and while a resident of this State, to the deduction or cancellation in this subsection provided for honorably discharged veterans and to such further deductions as from time to time may be provided by law.

b. A continuing care retirement community shall receive a veterans' property tax deduction on behalf of eligible veterans. The amount of the property tax deduction shall be the dollar amount of the deduction multiplied by the number of eligible veterans receiving the property tax deduction immediately prior to moving into the continuing care retirement community. A person otherwise eligible for the veterans' deduction who is a resident of a continuing care retirement community shall receive the amount of the deduction to the extent of the share of the taxes assessed against the real property of the continuing care retirement community that is attributable to the unit that the resident occupies. The continuing care retirement community shall provide that amount as a payment or credit to the resident. That payment or credit shall be made to the resident no later than 30 days after the continuing care retirement community receives the property tax bill on which the credit appears. A veterans' property tax deduction shall not be paid on behalf of any eligible veteran who resides in a continuing care retirement community that is property tax-exempt. A resident receiving a payment or credit pursuant to this subsection shall not receive a veterans' property tax deduction on any other residence owned in whole or in part by the resident, or any residence in which the resident's spouse is living.

The surviving spouse of any citizen and resident of this State who has met or shall meet his or her death on active duty in time of war or of other emergency as so defined in any such service shall be entitled, during her widowhood or his widowerhood, as the case may be, and while a resident of this State, to the deduction in this subsection provided for honorably discharged veterans. The surviving spouse of any citizen and resident of this State who has had or shall hereafter have active service in time of war or of other emergency as so defined in any branch of the Armed Forces of the United States and who died or shall die while on active duty in any branch of the Armed Forces of the United States, or who has been or may hereafter be honorably discharged or released under honorable circumstances from active service in time of war or of other emergency as so defined in any branch of the Armed Forces of the United States shall be entitled, during her widowhood or his widowerhood, as the case may be, and while a resident of this State, to the deduction in this subsection provided for honorably discharged veterans.

(cf: Art. VIII, Sec. I, par. 3, amended effective December 5, 2019)

c. Amend the Constitution of the State of New Jersey by the addition of a new Article VIIIA, Section I, paragraph 1 to read as follows:

1. When any benefit is given by this Constitution or by the laws of this State to any citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances from active service from any branch of the Armed Forces of the United States who has been or shall be declared by the United States Department of Veterans Affairs, or its successor, to have a service-connected disability, that disabled veteran shall not be required to have served during time of war or emergency.

2. When this proposed amendment to the Constitution is finally agreed to pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted to the people at the next general election occurring more than three months after the final agreement and shall be published at least once in at least one newspaper of each county designated by the President of the Senate, the Speaker of the General Assembly and the Secretary of State, not less than three months prior to the general election.

3. This proposed amendment to the Constitution shall be submitted to the people at that election in the following manner and form:

There shall be printed on each official ballot to be used at the general election, the following:

a. In every municipality in which voting machines are not used, a legend which shall immediately precede the question as follows:

If you favor the proposition printed below make a cross (X), plus (+), or check (✔) in the square opposite the word "Yes." If you are opposed thereto make a cross (X), plus (+) or check (✔) in the square opposite the word "No."

b. In every municipality the following question:

	YES	CONSTITUTIONAL AMENDMENT ALLOWING DISABLED VETERANS WHO SERVED AT ANY TIME TO RECEIVE BENEFITS Do you approve amending the Constitution to allow disabled veterans who served in the armed forces at any time to receive benefits? At present, disabled veterans are required to have served in the armed forces in time of war or other emergency.
	NO	INTERPRETIVE STATEMENT This constitutional amendment would allow disabled veterans who served in the armed forces at any time to receive certain State benefits. Currently, a disabled veteran is required to have served in time of war or other emergency to receive these benefits. These benefits include, but are not limited to, hiring preferences for civil service jobs and some property tax deductions or exemptions.

STATEMENT

This proposed constitutional amendment provides that disabled veterans who served in the armed forces at any time to receive certain State benefits. Currently, a disabled veteran is required to have served in time of war or other emergency to receive these benefits. These benefits include, but are not limited to, hiring preferences for civil service jobs and some property tax deductions or exemptions.