

**ASSEMBLY CONCURRENT  
RESOLUTION No. 73**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblyman ERIK PETERSON**

**District 23 (Hunterdon, Somerset and Warren)**

**Assemblyman EDWARD H. THOMSON**

**District 30 (Monmouth and Ocean)**

**Co-Sponsored by:**

**Assemblywoman B.DeCroce**

**SYNOPSIS**

Proposes constitutional amendment to dedicate tax revenue from sale of recreational marijuana for property tax relief.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1   **A CONCURRENT RESOLUTION** proposing to amend Article VIII,  
2       Section II of the New Jersey Constitution by adding a new  
3       paragraph.

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

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

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11                               **PROPOSED AMENDMENT**

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13       Amend Article VIII, Section II by adding a new paragraph 8 to  
14       read as follows:

15       8. There shall be created in the perpetual Property Tax Relief  
16       Fund established pursuant to this paragraph a special account  
17       designated the Recreational Marijuana Sales Tax Account.

18       There shall be annually credited from the General Fund and  
19       placed in that account an amount equal to the annual revenue  
20       derived from a tax imposed on the sale of recreational marijuana  
21       under the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-  
22       1 et seq.), or any other subsequent law of similar effect.

23       That amount shall be appropriated annually by the Legislature  
24       exclusively for the purpose of property tax relief, in the form of a  
25       property tax credit, to any person who owns and occupies a home in  
26       this State as their principal residence, and who pays property taxes  
27       annually. The amount of the credit shall be the same for all  
28       homeowners who meet these requirements.

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

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

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

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

46       If you favor the proposition printed below make a cross (X), plus  
47       (+), or check (✓) in the square opposite the word "Yes." If you are

1   opposed thereto make a cross (X), plus (+) or check (✓) in the  
2   square opposite the word "No."  
3       b.   In every municipality the following question:  
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|  |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | YES | <p>CONSTITUTIONAL AMENDMENT<br/>REQUIRING SALES TAX IMPOSED ON<br/>PURCHASE OF RECREATIONAL<br/>MARIJUANA TO BE USED FOR<br/>PROPERTY TAX RELIEF FOR HOMES<br/>USED AS A PRIMARY RESIDENCE</p> <p>Do you approve amending the<br/>Constitution to use sales tax raised from the<br/>sale of recreational marijuana to lower<br/>property taxes on certain homes? The sales<br/>tax collected would fund property tax credits<br/>for homes used as a primary residence</p>                                                                                                                                                                                                                                                                |
|  | NO  | <p>INTERPRETIVE STATEMENT</p> <p>This proposed constitutional amendment<br/>would create a special account in the<br/>Property Tax Relief Fund, called the<br/>Recreational Marijuana Sales Tax Account.</p> <p>All sales tax money paid by people buying<br/>recreational marijuana would be placed in<br/>that fund.</p> <p>The money could only be used for<br/>property tax relief. The property tax relief<br/>would be in the form of a property tax<br/>credit. The credit would be given to people<br/>who own and live in a home as their primary<br/>residence. The homeowners must pay<br/>property taxes on their home. The amount<br/>of the credit would be the same for all<br/>homeowners who meet these requirements</p> |

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STATEMENT

9       If approved by the voters of the State, this proposed amendment  
10   to the New Jersey Constitution would require that sales tax revenue  
11   collected on the sale of recreational marijuana must be annually  
12   credited from the General Fund and placed in a special, newly  
13   created account, designated the Recreational Marijuana Sales Tax  
14   Account, in the Property Tax Relief Fund, and appropriated  
15   annually by the Legislature exclusively for the purpose of providing  
16   property tax relief, in the form of property tax credits, to New

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- 1 Jersey residents who own and occupy a home in this State as their
- 2 principal residence, and who pay property taxes annually. The
- 3 amount of the credit would be the same for all homeowners who
- 4 meet these requirements.