

SENATE, No. 285

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator JOSEPH PENNACCHIO

District 26 (Essex, Morris and Passaic)

SYNOPSIS

Increases income eligibility limit for reduction or abatement of municipal or county utility authority fees.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning municipal or county utility authority fees;
2 amending P.L.1992, c.215 and P.L.1994, c.78.

3

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

6

7 1. Section 1 of P.L.1992, c.215 (C.40:14B-22.2) is amended to
8 read as follows:

9 1. Any municipal or county authority, including any municipal
10 authority which provides electricity to a single municipality, may
11 establish within its district rates or schedules which provide for a
12 reduction, deferment, without accruing interest during the period of
13 the deferment, or total abatement of the rents, rates, fees, or other
14 charges pertaining to a primary residence owned, in full or in part,
15 by a person who is enlisted in any branch of the United States
16 Armed Forces. The reduction, deferment, without interest, or total
17 abatement shall be effective during the period of time in which that
18 person is deployed for active service in time of war. Any municipal
19 or county authority may establish within its district rates or
20 schedules which provide for a reduction or total abatement of the
21 rents, rates, fees, or other charges which are charged to or collected
22 from any person residing in the district of the age of 65 or more
23 years, or less than 65 years of age and permanently and totally
24 disabled according to the provisions of the federal Social Security
25 Act, 42 U.S.C. s.301 et seq., or disabled under any federal law
26 administered by the United States Department of Veterans Affairs if
27 the disability is rated as 60 percent or higher, and the person either
28 is annually eligible to receive assistance under the "Pharmaceutical
29 Assistance to the Aged and Disabled" (PAAD) program, P.L.1975,
30 c.194 (C.30:4D-20 et seq.) or has a total income not in excess of
31 **[\$10,000]** \$15,000 per year, as adjusted annually by the
32 Commissioner of Community Affairs, in consultation with the
33 Department of the Treasury, to reflect any increase in the consumer
34 price index for all urban consumers in the New York City and
35 Philadelphia areas as reported by the United States Department of
36 Labor, exclusive of benefits under any one of the following:

37 a. The federal Social Security Act, 42 U.S.C. s.301 et seq. and
38 all amendments and supplements thereto;

39 b. Any other program of the federal government or pursuant to
40 any other federal law which provides benefits in whole or in part in
41 lieu of benefits referred to in, or for persons excluded from
42 coverage under subsection a. of this section including, but not
43 limited to, the federal "Railroad Retirement Act of 1974,"
44 45 U.S.C. s.231 et seq., and federal pension, disability and
45 retirement programs; or

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 c. Pension, disability or retirement programs of any state or its
2 political subdivisions, or agencies thereof, for persons not covered
3 under subsection a. of this section except that, the total amount of
4 benefits to be allowed exclusion by any owner under subsection b.
5 or c. of this section shall not be in excess of the maximum amount
6 of benefits payable to, and allowable for exclusion by, an owner in
7 similar circumstances under subsection a. of this section.
8 (cf: P.L.2016, c.102, s.1)

9
10 2. Section 1 of P.L.1994, c.78 (C.40:14A-8.2) is amended to
11 read as follows:

12 1. Any county or municipal sewerage authority may establish
13 within its district rates or schedules which provide for a reduction,
14 deferment, without accruing interest during the period of the
15 deferment, or total abatement of the rents, rates, fees, or other
16 charges pertaining to a primary residence owned, in full or in part,
17 by a person who is enlisted in any branch of the United States
18 Armed Forces. The reduction, deferment, without interest, or total
19 abatement shall be effective during the period of time in which that
20 person is deployed for active service in time of war. Any county or
21 municipal sewerage authority may establish within its district rates
22 or schedules which provide for a reduction or total abatement of the
23 periodic rents, rates, fees, or other charges for the use or services of
24 the sewerage system which are charged to or collected from any
25 person residing in the district of the age of 65 or more years, or less
26 than 65 years of age and permanently and totally disabled according
27 to the provisions of the federal Social Security Act, 42 U.S.C. s.301
28 et seq., or disabled under any federal law administered by the
29 United States Department of Veterans Affairs if the disability is
30 rated as 60 percent or higher, and the person either is annually
31 eligible to receive assistance under the "Pharmaceutical Assistance
32 to the Aged and Disabled" (PAAD) program, P.L.1975, c.194
33 (C.30:4D-20 et seq.) or has a total income not in excess of
34 **[\$10,000]** \$15,000 per year, as adjusted annually by the
35 Commissioner of Community Affairs, in consultation with the
36 Department of the Treasury, to reflect any increase in the consumer
37 price index for all urban consumers in the New York City and
38 Philadelphia areas as reported by the United States Department of
39 Labor, exclusive of benefits under any one of the following:

40 a. The federal Social Security Act, 42 U.S.C. s.301 et seq. and
41 all amendments and supplements thereto;

42 b. Any other program of the federal government or pursuant to
43 any other federal law which provides benefits in whole or in part in
44 lieu of benefits referred to in, or for persons excluded from
45 coverage under subsection a. of this section including, but not
46 limited to, the federal "Railroad Retirement Act of 1974,"

1 45 U.S.C. s.231 et seq., and federal pension, disability and
2 retirement programs; or

3 c. Pension, disability or retirement programs of any state or its
4 political subdivisions, or agencies thereof, for persons not covered
5 under subsection a. of this section except that, the total amount of
6 benefits to be allowed exclusion by any owner under subsection b.
7 or c. of this section shall not be in excess of the maximum amount
8 of benefits payable to, and allowable for exclusion by, an owner in
9 similar circumstances under subsection a. of this section.
10 (cf; P.L.2016, c.102, s.2)

11

12 3. Section 5 of P.L.1994, c.78 (C.40A:26A-10.1) is amended to
13 read as follows:

14 5. Any local unit operating a county or municipal sewerage
15 facility may establish within its district rates or schedules which
16 provide for a reduction, deferment, without accruing interest during
17 the period of the deferment, or total abatement of the rents, rates,
18 fees, or other charges pertaining to a primary residence owned, in
19 full or in part, by a person who is enlisted in any branch of the
20 United States Armed Forces. The reduction, deferment, without
21 interest, or total abatement shall be effective during the period of
22 time in which that person is deployed for active service in time of
23 war. Any local unit operating a county or municipal sewerage
24 facility may establish within its district rates or schedules which
25 provide for a reduction or total abatement of the periodic rates,
26 rentals, or other charges for the use or services of the sewerage
27 system which are charged to or collected from any person residing
28 in the district of the age of 65 or more years, or less than 65 years of
29 age and permanently and totally disabled according to the
30 provisions of the federal Social Security Act, 42 U.S.C. s.301 et
31 seq., or disabled under any federal law administered by the United
32 States Department of Veterans Affairs if the disability is rated as 60
33 percent or higher, and the person either is annually eligible to
34 receive assistance under the "Pharmaceutical Assistance to the
35 Aged and Disabled" (PAAD) program, P.L.1975, c.194 (C.30:4D-
36 20 et seq.) or has a total income not in excess of **[\$10,000]** \$15,000
37 per year, as adjusted annually by the Commissioner of Community
38 Affairs, in consultation with the Department of the Treasury, to
39 reflect any increase in the consumer price index for all urban
40 consumers in the New York City and Philadelphia areas as reported
41 by the United States Department of Labor, exclusive of benefits
42 under any one of the following:

43 a. The federal Social Security Act, 42 U.S.C. s.301 et seq. and
44 all amendments and supplements thereto;

45 b. Any other program of the federal government or pursuant to
46 any other federal law which provides benefits in whole or in part in
47 lieu of benefits referred to in, or for persons excluded from

1 coverage under subsection a. of this section including, but not
2 limited to, the federal "Railroad Retirement Act of 1974," 45 U.S.C.
3 s.231 et seq., and federal pension, disability and retirement
4 programs; or

5 c. Pension, disability or retirement programs of any state or its
6 political subdivisions, or agencies thereof, for persons not covered
7 under subsection a. of this section except that, the total amount of
8 benefits to be allowed exclusion by any owner under subsection b.
9 or c. of this section shall not be in excess of the maximum amount
10 of benefits payable to, and allowable for exclusion by, an owner in
11 similar circumstances under subsection a. of this section.
12 (cf: P.L.2016, c.102, s.3)

13

14 4. Section 7 of P.L.1994, c.78 (C.40A:31-10.1) is amended to
15 read as follows:

16 7. Any local unit operating a county or municipal water supply
17 facility may establish within its district rates or schedules which
18 provide for a reduction, deferment, without accruing interest during
19 the period of the deferment, or total abatement of the rents, rates,
20 fees, or other charges pertaining to a primary residence owned, in
21 full or in part, by a person who is enlisted in any branch of the
22 United States Armed Forces. The reduction, deferment, without
23 interest, or total abatement shall be effective during the period of
24 time in which that person is deployed for active service in time of
25 war. Any local unit operating a county or municipal water supply
26 facility may establish within its district rates or schedules which
27 provide for a reduction or total abatement of the periodic rates,
28 rentals, or other charges for water supply service which are charged
29 to or collected from any person residing in the district of the age of
30 65 or more years, or less than 65 years of age and permanently and
31 totally disabled according to the provisions of the federal Social
32 Security Act, 42 U.S.C. s.301 et seq., or disabled under any federal
33 law administered by the United States Department of Veterans
34 Affairs if the disability is rated as 60 percent or higher, and the
35 person either is annually eligible to receive assistance under the
36 "Pharmaceutical Assistance to the Aged and Disabled" (PAAD)
37 program, P.L.1975, c.194 (C.30:4D-20 et seq.) or has a total income
38 not in excess of ~~【\$10,000】~~ \$15,000 per year, as adjusted annually
39 by the Commissioner of Community Affairs, in consultation with
40 the Department of the Treasury, to reflect any increase in the
41 consumer price index for all urban consumers in the New York City
42 and Philadelphia areas as reported by the United States Department
43 of Labor, exclusive of benefits under any one of the following:

44 a. The federal Social Security Act, 42 U.S.C. s.301 et seq. and
45 all amendments and supplements thereto;

46 b. Any other program of the federal government or pursuant to
47 any other federal law which provides benefits in whole or in part in

1 lieu of benefits referred to in, or for persons excluded from
2 coverage under subsection a. of this section including, but not
3 limited to, the federal "Railroad Retirement Act of
4 1974," 45 U.S.C. s.231 et seq., and federal pension, disability and
5 retirement programs; or

6 c. Pension, disability or retirement programs of any state or its
7 political subdivisions, or agencies thereof, for persons not covered
8 under subsection a. of this section except that, the total amount of
9 benefits to be allowed exclusion by any owner under subsection b.
10 or c. of this section shall not be in excess of the maximum amount
11 of benefits payable to, and allowable for exclusion by, an owner in
12 similar circumstances under subsection a. of this section.

13 (cf: P.L.2016, c.102, s.4)

14
15 5. This act shall take effect immediately.

16
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18 STATEMENT

19
20 This bill would increase from \$10,000 to \$15,000 per year the
21 annual income eligibility limit for certain senior and disabled
22 individuals to receive a reduction or total abatement of the rents,
23 rates, fees, or other charges collected by a local unit or units
24 operating a sewerage facility or a water supply facility, a municipal
25 or county utilities authority, or a municipal or county sewerage
26 authority. The bill would also require the Commissioner of
27 Community Affairs to consult with the Department of the Treasury
28 in order to adjust the income eligibility limit annually to reflect
29 increases in the consumer price index for all urban consumers in the
30 New York City and Philadelphia areas as reported by the United
31 States Department of Labor.