

**SENATE CONCURRENT
RESOLUTION No. 81**

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator JOSEPH PENNACCHIO

District 26 (Essex, Morris and Passaic)

SYNOPSIS

Proposes amendment to Constitution to change minimum and maximum local tax levy requirements for funding public schools and minimum and maximum State support for special education.

CURRENT VERSION OF TEXT

As introduced.



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1 A CONCURRENT RESOLUTION proposing to amend Article VIII,
2 Section IV, paragraph 1 of the Constitution of the State of New
3 Jersey.

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5 BE IT RESOLVED by the Senate of the State of New Jersey (the
6 General Assembly 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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PROPOSED AMENDMENT

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13 Amend Article VIII, Section IV, paragraph 1 to read as follows:

14 1. The Legislature shall provide for the maintenance and
15 support of a thorough and efficient system of free public schools for
16 the instruction of all the children in the State between the ages of
17 five and eighteen years. Maintenance and support shall be provided
18 through the enactment, from time to time, of laws prescribing the
19 components of a thorough and efficient system of free public
20 schools. These laws shall also provide for the funding of a system
21 of free public schools, and shall provide that the general fund tax
22 levy of a school district shall account for no less than 20 percent
23 and no more than 80 percent, of a school district's total general
24 fund expenditures, and that the State shall provide funding to each
25 school district for no less than 80 percent and no more than 100
26 percent, of the excess costs of students who require special
27 education services.

28 (cf: Art. VIII, Sec. I, par. 1)

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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:

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.

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1 If you favor the proposition printed below make a cross (X), plus
2 (+), or check (✓) in the square opposite the word "Yes." If you are
3 opposed thereto make a cross (X), plus (+) or check (✓) in the
4 square opposite the word "No."
5 b. In every municipality the following question:
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	YES	<p>CONSTITUTIONAL AMENDMENT TO CHANGE PROPERTY TAX AND STATE SUPPORT REQUIREMENTS FOR FUNDING PUBLIC SCHOOLS</p> <p>Do you approve amending the Constitution to change the way public schools are funded?</p> <p>Do you approve amending the Constitution to require a school district fund at least 20 percent of its budget through property taxes?</p> <p>Do you approve amending the Constitution to provide that a school district will not fund more than 80 percent of its budget through property taxes?</p> <p>Do you approve amending the Constitution to require the State fund at least 80 percent, and no more than 100 percent, of special education costs?</p>
	NO	<p>INTERPRETIVE STATEMENT</p> <p>This amendment to the Constitution changes how public schools in the State are funded. Currently, school districts differ in the amount of their budgets that are funded with property taxes. This amendment requires that a school district fund at least 20 percent of its school budget through property taxes.</p> <p>This amendment also provides that a school district will not fund more than 80 percent of its school budget through property taxes.</p> <p>This amendment requires that the State fund at least 80 percent, and no more than 100 percent, of special education costs. Currently, the State is not required to fund any specific percentage.</p>

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1 STATEMENT

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3 This Senate Concurrent Resolution proposes a constitutional
4 amendment to modify the “thorough and efficient” clause of the
5 State Constitution. The amendment specifies that the Legislature
6 will enact laws prescribing the components of a thorough and
7 efficient system of free public schools. Additionally, the
8 amendment stipulates that the Legislature will enact laws providing
9 for the funding of public schools, including provisions requiring
10 that school districts fund no less than 20 percent, but no more than
11 80 percent, of their general fund budgets through local property
12 taxes. The amendment also specifies that the State would be
13 responsible for providing funding for at least 80 percent, and no
14 more than 100 percent, of the excess costs of educating special
15 education students.