

Article VIII, Section I, Paragraphs 5 New Jersey Constitution

LEGISLATIVE HISTORY CHECKLIST

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(Provides homestead rebates or credits for senior citizens, disabled persons or their surviving spouses)

New Jersey Constitution: Article VIII, Section I, Paragraphs 4-6

BILL NO: ACR109

SPONSOR: Hamilton, Van Wagner, Brown, Kean, Weldel, Barbour, Dorsay, D. Gallo, Barry

DATE INTRODUCED: 5/24/1976

COMMITTEE: **Assembly:** Taxation

Senate: --

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** 7/2/1976

SENATE: 7/8/1976

FILED WITH SECRETARY OF STATE: 7/14/1976

DATE OF ADOPTION: 11/2/1976

EFFECTIVE: 12/2/1976

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced bill enacted) Yes

SPONSOR'S STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 103 or <mailto:refdesk@njstatelib.org>.

REPORTS: No

HEARINGS: Yes

974.90 Public hearing on ACR 109 (Amending Constitution to provide homestead tax rebate or credit for senior citizens, disabled citizens and their surviving spouses) and ACR 130 (Amending ... Constitution to extend tax

1976b deduction to persons who occupy real property under a life estate or lease for 99 years or longer) held June 28, 1976.

NEWSPAPER ARTICLES:

Yes

Ford, Steven, 'Byrne aims to flex muscle in -state-of-the-state speech', *Trenton Times*, 10/6/1976, pg 17

'Public Notice to Voters', *Trenton Times*, 10/7/1976, pg 45

Ford, Steven, ' Nov. 2 ballot crowded with betting, bonds and taxes', *Trenton Times*, 10/17/1976, pg 29, pg 33

Piscione, Joe, ' If you go for \$100 teddy bears, Question VII's for you', *Trenton Times*, 10/27/1976 pg 28

'Public Notice to Voters', *Trenton Times*, 10/29/1976, pg 49

Scholl, Jaye, 'Senior citizens blast income tax', *Trenton Times*, 11/24/1976, pg 31

Donlan, Thomas, G., Associated Press, 'Jersey income tax no cure Another year of the budget blues', *Trenton Times*, 12/2/1976, pg 59

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ASSEMBLY CONCURRENT RESOLUTION No. 109

STATE OF NEW JERSEY

INTRODUCED MAY 24, 1976

By Assemblymen HAMILTON, VAN WAGNER, KEAN and BROWN

Referred to Committee on Taxation

A CONCURRENT RESOLUTION proposing to amend Article VIII, Section I, paragraph 5 to provide a homestead tax rebate or credit for senior citizens, disabled citizens and their surviving spouses under certain circumstances.

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

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

PROPOSED AMENDMENT

3 Amend Article VIII, Section I, paragraph 5 of the Constitution
4 as follows:

5 5. The Legislature may adopt a homestead statute which entitles
6 homeowners, residential tenants and net lease residential tenants
7 to a rebate or a credit of a sum of money related to property taxes
8 paid by or allocable to them at such rates and subject to such limits
9 as may be provided by law. *Such rebates or credits may include*
10 *a differential rebate or credit to citizens and residents who are of*
11 *the age of 65 or more years, or less than 65 years of age who are*
12 *permanently and totully disabled according to the provisions of*
13 *the Federal Social Security Act, or are 55 years of age or more*
14 *and the surviving spouse of a deceased citizen or resident of this*
15 *State who during his lifetime received, or who, upon the adoption*
16 *of this amendment and the enactment of implementing legislation,*
17 *would have been entitled to receive a rebate or credit related to*
18 *property taxes.*

1 2. When this proposed amendment to the Constitution is finally
2 agreed to, pursuant to Article IX, paragraph 1 of the Constitution,
3 it shall be submitted to the people at the next general election
4 occurring more than 3 months after such final agreement and shall
5 be published at least once in at least one newspaper of each

6 county designated by the President of the Senate and the Speaker
 7 of the General Assembly and the Secretary of State not less than
 8 3 months prior to said general election.

1 3. This proposed amendment to the Constitution shall be sub-
 2 mitted to the people at said general election in the following man-
 3 ner and form :

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

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

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

10 If you are opposed thereto make a cross (X), plus (+) or
 11 check (✓) in the square opposite the word "No."

12 2. In every municipality the following question :

	Yes.	CONSTITUTIONAL AMENDMENT RELATING TO HOMESTEAD REBATES OR CREDITS FOR SENIOR CITIZENS, DISABLED PERSONS OR THEIR SURVIVING SPOUSES.
	No.	Shall the amendment to Article VIII, Section I, paragraph 5 of the Constitu- tion, agreed to by the Legislature provid- ing a differential homestead rebate or credit to senior citizens, disabled citizens or their surviving spouses be adopted?

STATEMENT

The purpose of this amendment is to provide for a differential homestead rebate or credit on property taxes for senior citizens, disabled persons or their surviving spouses. The senior citizen and disabled homestead rebate or credit, under this amendment, follows the person who otherwise qualifies.

This Constitutional Amendment is designed to eliminate questions of interpretation of the language granting differential homestead tax rebates or credits for senior citizens, the disabled and surviving spouses which have arisen by virtue of a recent opinion of the Attorney General which seriously affects the application of differential homestead exemptions for senior citizens presently provided for in Assembly Committee Substitute, Official Copy Reprint, for Assembly Bill No. 1330 of 1976 now pending before the Legislature.