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§§1-12, 16-19
C.54:4-8.75a
to 54:4-8.75p
§15
C.54:4-8.61a
§21
C.54:4-8.68a
§22
Approp.
§23
Note to §§1-14,
16-20

P.L. 2023, CHAPTER 75, *approved June 30, 2023*
Assembly, No. 1 (*Second Reprint*)

1 AN ACT providing a property tax credit of up to one-half of
2 property taxes due for primary residences of senior citizens in
3 the State, ¹expanding eligibility for the homestead property tax
4 reimbursement program, ²establishing a senior property tax relief
5 task force, ² supplementing chapter 4 of Title 54 of the Revised
6 Statutes, amending P.L.1997, c.348, ²and P.L.1990, c.61, ² and
7 making ²**[an appropriation]** appropriations².

8
9 **BE IT ENACTED** by the Senate and General Assembly of the State
10 of New Jersey:

11
12 1. (New section) This act shall be known and may be cited as
13 the "Stay NJ Act."

14
15 2. (New section) As used in this act:

16 "Condominium" means the form of real property ownership
17 provided for under the "Condominium Act," P.L.1969, c.257
18 (C.46:8B-1 et seq.).

19 "Cooperative" means a housing corporation or association which
20 entitles the holder of a share or membership interest thereof to
21 possess and occupy for dwelling purposes a house, apartment or
22 other unit of housing owned or leased by the corporation or
23 association, or to lease or purchase a unit of housing constructed or
24 to be constructed by the corporation or association.

25 ²**[“Director”]** “Director”² means the Director of the Division of
26 Taxation in the Department of the Treasury.

27 "Dwelling house" means any residential property assessed as real
28 property which consists of not more than four units, of which 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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ASE committee amendments adopted June 8, 2023.

²Assembly ABU committee amendments adopted June 28, 2023.

1 more than one may be used for commercial purposes, but shall not
2 include a unit in a condominium, cooperative, horizontal property
3 regime or mutual housing corporation.

4 "Eligible claimant" means an individual who is 65 or more years
5 of age ²[and] is² the owner of a homestead in this State on or after
6 July 1, 2024, ²[without regard to] and has gross² income ²for the
7 prior year that is less than \$500,000².

8 ²"Gross income" means all New Jersey gross income required to
9 be reported pursuant to the "New Jersey Gross Income Tax Act,"
10 N.J.S.54A:1-1 et seq., other than income excludable from the gross
11 income tax return, but before reduction thereof by any applicable
12 exemptions, deductions and credits, received during the taxable
13 year by the owner or residential shareholder in, or lessee of, a
14 homestead.²

15 "Homestead" means:

16 a. a dwelling house and the land on which that dwelling house is
17 located which constitutes the place of the eligible claimant's
18 domicile and is owned and used by the eligible claimant as the
19 eligible claimant's principal residence;

20 b. a condominium unit or a unit in a horizontal property regime
21 or a continuing care retirement community which constitutes the
22 place of the eligible claimant's domicile and is owned and used by
23 the eligible claimant as the eligible claimant's principal residence.
24 In addition to the generally accepted meaning of "owned" or
25 "ownership," a homestead shall be deemed to be owned by a person
26 if that person is a tenant for life or a tenant under a lease for 99
27 years or more, is entitled to and actually takes possession of the
28 homestead under an executory contract for the sale thereof or under
29 an agreement with a lending institution which holds title as security
30 for a loan, or is a resident of a continuing care retirement
31 community pursuant to a contract for continuing care for the life of
32 that person which requires the resident to bear, separately from any
33 other charges, the proportionate share of property taxes attributable
34 to the unit that the resident occupies; or

35 c. a unit in a cooperative or mutual housing corporation which
36 constitutes the place of domicile of a residential shareholder or
37 lessee therein, or of a lessee or shareholder who is not a residential
38 shareholder therein, which is used by the eligible claimant as the
39 eligible claimant's principal residence; or a mutual housing
40 corporation.

41 "Homestead property tax reimbursement" means the property tax
42 benefit provided pursuant to P.L.1997, c.348 (C.54:4-8.67 et seq).

43 "Horizontal property regime" means the form of real property
44 ownership provided for under the "Horizontal Property Act,"
45 P.L.1963, c.168 (C.46:8A-1 et seq.).

46 "Mutual housing corporation" means a corporation not-for-profit,
47 incorporated under the laws of this State on a mutual or cooperative

1 basis within the scope of section 607 of the Lanham Act (National
2 Defense Housing), Pub.L.849, (42 U.S.C. s.1521 et seq.), as
3 amended, which acquired a National Defense Housing Project
4 pursuant to that act.

5 "Principal residence" means a homestead actually and
6 continually occupied by an eligible claimant as the eligible
7 claimant's permanent residence, including a homestead on which an
8 eligible claimant made one or more payments in lieu of taxes to the
9 municipality in which the homestead is located, as distinguished
10 from a vacation home, property owned and rented or offered for
11 rent by the eligible claimant, and other secondary real property
12 holdings.

13 "Property tax" means the general property tax due and payable
14 by the owner of a homestead, based on an assessment made by the
15 municipality upon real property on an ad valorem basis on land and
16 improvements, and shall include payments in lieu of taxes.

17 ²"State resident" or "resident" means an individual:

18 a. who is domiciled in this State, unless the individual maintains
19 no permanent place of abode in this State, maintains a permanent
20 place of abode elsewhere, and spends in the aggregate no more than
21 30 days of the tax year in this State; or

22 b. who is not domiciled in this State but maintains a permanent
23 place of abode in this State and spends in the aggregate more than
24 183 days of the tax year in this State, unless the individual is in the
25 Armed Forces of the United States.²

26 "Stay NJ property tax credit" means a property tax credit in the
27 amount of 50 percent of an eligible claimant's property tax bill.

28 ²"Task force" means the Stay NJ Task Force established
29 pursuant to section 18 of P.L...., c. (C.) (pending before the
30 Legislature as this bill).²

31 "Tax year" ²or "taxable year"² means the ²prior² calendar year,
32 January 1 through December 31, in which a homestead is assessed
33 for property taxation and the property tax is levied thereon ², and
34 paid².

35 "Tax year quarter" means a three month period of a tax year
36 consisting of January 1 through March 31, April 1 through June 30,
37 July 1 through September 30, and October 1 through December 31.

38

39 3. (New section) ²There is established the Stay NJ property tax
40 credit program.² The director shall administer the Stay NJ property
41 tax credit that shall provide to an eligible claimant a property tax
42 credit in the amount of 50 percent of the property tax ²[due and
43 owing] paid² for the eligible claimant's principal residence ²in the
44 prior tax year. A Stay NJ property tax credit for an eligible claimant
45 who is a tenant shareholder in a cooperative, mutual housing
46 organization, or continuing care retirement community shall be
47 based on the eligible claimant's proportionate share of the property

1 taxes assessed against that real property that are attributable to the
2 eligible claimant's unit². Property tax credits shall be allowed
3 pursuant to this section in relation to the property taxes paid or
4 allocable to an eligible claimant who has more than one homestead
5 in a tax year, but the aggregate amount of the property taxes or
6 property tax credits claimed shall not exceed the total proportionate
7 amounts of property taxes assessed and levied against or allocable
8 to each homestead for the proportion of the tax year quarter to
9 which the taxpayer occupies it as the taxpayer's principle residence.

10 The amount of the Stay NJ property tax credit shall be calculated
11 for each eligible claimant by the director, and paid to the tax
12 collector of the municipality in which the eligible claimant's
13 homestead is located pursuant to the provisions of subsection a. of
14 section 5 of P.L. , c. (C.) (pending before the Legislature as
15 this bill).

16 Notwithstanding the provisions of P.L. , c. (C.) (pending
17 before the Legislature as this bill) that require an annual property
18 tax credit in the amount of 50 percent of the property tax ²**[due and**
19 **owing]** paid² on an eligible claimant's homestead, the maximum
20 amount to be credited to an eligible claimant shall be ²**[\$10,000 per**
21 **tax year]** \$6,500 in 2026, if there is no delay in implementation as
22 may occur pursuant to section 19 of P.L. , c. (C.) (pending
23 before the Legislature as this bill)². ²For every tax year after the
24 year in which the Stay NJ property tax credit program is first
25 implemented, the maximum amount to be credited to an eligible
26 claimant shall be increased based on the annual percentage increase
27 in the average residential property tax bill as shall be computed by
28 the Director of the Division of Local Government Services in the
29 Department of Community Affairs.²

30 An eligible claimant shall be entitled to a Stay NJ property tax
31 credit annually, on proper claim being made therefor to the director.
32 Notwithstanding any provision of P.L. , c. (C.)
33 (pending before the Legislature as this bill) to the contrary, the
34 amount of property taxes used to determine the amount of the Stay
35 NJ property tax credit shall not be reduced by the amount of the
36 deductions taken by an eligible claimant pursuant to P.L.1963,
37 c.171 (C.54:4-8.10 to 54:4-8.23) and P.L.1964, c.255 (C.54:4-8.40
38 to 54:4-8.45 et al.). The surviving spouse of a deceased resident of
39 this State who during his or her life received a Stay NJ property tax
40 credit shall be entitled, so long as the surviving spouse does not
41 remarry, remains a resident in the same homestead with respect to
42 which the Stay NJ property tax credit was granted, and is an eligible
43 claimant, to the same Stay NJ property tax credit, upon the same
44 conditions, with respect to the same homestead.

45
46 4. (New section) a. Not later than July 1, ²**[2023]** 2025, if
47 there is no delay in implementation as may occur pursuant to

1 section 19 of P.L. , c. (C.) (pending before the Legislature as
2 this bill)², the director shall promulgate a combined single
3 application form consistent with the requirements of section 6 of
4 ²[this act] P.L. , c. (C.) (pending before the Legislature as
5 this bill) and the recommendations of the Stay NJ Task Force
6 established pursuant to section 18 of P.L. , c. (C.) (pending
7 before the Legislature as this bill)², that shall be available on and
8 after that date to be used by State residents to apply for the Stay NJ
9 property tax credit, the ANCHOR property tax rebate, and the
10 homestead property tax reimbursement program. State residents
11 seeking property tax benefits under those programs shall complete
12 the entire application and file it with the director. The director shall
13 determine which property tax benefit program or programs provide
14 the greatest benefit for the applicant pursuant to the requirements of
15 subsection b. of this section.

16 b. Notwithstanding any provision of law, rule, or regulation to
17 the contrary, an applicant shall only be entitled to the greater of:

- 18 (1) the amount of the Stay NJ property tax credit; or
19 (2) the combined amount of the ANCHOR property tax rebate and
20 the homestead property tax reimbursement.

21 c. With respect to the homestead property tax reimbursement
22 program, the base year of an eligible claimant who receives a Stay
23 NJ property tax credit instead of a homestead property tax
24 reimbursement shall remain unchanged, notwithstanding the
25 number of years that the eligible claimant receives a Stay NJ
26 property tax credit instead of a homestead property tax
27 reimbursement.

28 d. The director shall determine the amount of the Stay NJ
29 property tax credit that shall be provided for each eligible claimant
30 pursuant to P.L. , c. (C.) (pending before the Legislature as
31 this bill) based upon the information provided by the eligible
32 claimant in the application or from any other information as may be
33 available to the director and shall notify the applicant of the
34 determined amount in such manner as the director may deem
35 appropriate. Subject to the provisions of the State Uniform Tax
36 Procedure Law, R.S.54:48-1 et seq., such notification shall finally
37 and irrevocably fix the amount of the Stay NJ property tax credit
38 unless the applicant, within 90 days after having been given notice
39 of such determination, shall apply to the director for a hearing, or
40 unless the director shall redetermine the same. After such hearing
41 the director shall give notice of the final determination to the
42 applicant.

43 e. An eligible claimant for ²a² Stay NJ property tax credit
44 authorized under ²[this act] P.L. , c. (C.) (pending before
45 the Legislature as this bill)² who is aggrieved by any decision,
46 order, finding, or denial by the director of all or part of that eligible
47 claimant's ²[Keep Senior New Jersey] Stay NJ² property tax credit

1 may appeal therefrom to the New Jersey Tax Court in accordance
2 with the provisions of the State Uniform Tax Procedure Law,
3 R.S.54:48-1 et seq. The appeal provided by this section shall be the
4 exclusive remedy available to an applicant for review of a decision
5 of a director in respect to the determination of all or a part of a Stay
6 NJ property tax credit authorized under ²[this act] P.L. , c. (C.) (pending before the Legislature as this bill)².

8
9 5. (New section) a. The State Treasurer, upon certification of
10 the director and upon warrant of the Director of the Division of
11 Budget and Accounting, shall pay and distribute the amount of a
12 Stay NJ property tax credit payable under ²[this act] P.L. , c.
13 (C.) (pending before the Legislature as this bill)² that is
14 claimed for the tax year to ²the tax collector of the municipality in
15 which² each eligible claimant whose credit is approved by the
16 director ²is located; provided, however, a credit due to an eligible
17 claimant who claimed a Stay NJ property tax credit pursuant to
18 section 3 of P.L. , c. (C.) (pending before the Legislature as
19 this bill), and whose homestead is a unit in a cooperative, mutual
20 housing corporation, or continuing care retirement community, shall
21 be paid directly to the eligible claimant by the State Treasurer². A
22 Stay NJ property tax credit allowed by the director to an eligible
23 claimant who claimed a Stay NJ property tax credit pursuant to
24 section 3 of P.L. , c. (C.) (pending before the Legislature as
25 this bill), and whose homestead is not a unit in a cooperative,
26 mutual housing corporation, or continuing care retirement
27 community, shall be paid by the State Treasurer through electronic
28 funds transfer made by the director to the local property tax account
29 maintained by the local property tax collector for the homestead of
30 an eligible claimant as the eligible claimant shall identify, in four
31 equal installments after the application for the credit has been
32 approved. The State Treasurer shall pay and distribute Stay NJ
33 property tax credit payments to each municipal tax collector ²or
34 eligible claimant², as applicable, on a quarterly basis at least 10
35 days prior to the statutory due date for each property tax year
36 quarter payment. Notice of payments of Stay NJ credit installments
37 shall be provided to the eligible claimant and the appropriate local
38 tax collector.

39 b. Each municipal tax collector who applies a Stay NJ property
40 tax credit to the property tax account of the homestead of an eligible
41 claimant pursuant to this section shall provide timely notice thereof
42 to the eligible claimant and to any mortgagee or servicing
43 organization noted on the property tax account that requires a
44 mortgagor to make property tax payments to an escrow account, for
45 the purpose of encouraging the escrow account property tax
46 requirements to be promptly adjusted to the benefit of the property
47 tax taxpayer on account of Stay NJ property tax credit payments.

1 6. (New section) a. Notwithstanding the provisions of section 6
2 of P.L.1990, c.61 (C.54:4-8.62) and section 3 of P.L.1997, c.348
3 (C.54:4-8.70) concerning the form and deadline of applications for
4 the ANCHOR rebate program and the homestead property tax
5 reimbursement, the director shall promulgate a single combined
6 application form to be used by State residents to apply for the
7 ANCHOR rebate program, the homestead property tax
8 reimbursement program, and the Stay NJ property tax credit ²in
9 accordance with the recommendations of the Stay NJ Task Force
10 established pursuant to section 18 of P.L. _____, c. _____ (C. _____)
11 (pending before the Legislature as this bill)². The combined
12 application form shall ²at a minimum,² require the applicant to
13 submit information about his or her age, annual income, homestead
14 property address, as well as any other information determined
15 necessary by the director in order to approve or disapprove the
16 applicant's participation in those programs. The combined
17 application form shall also advise the applicant that the director
18 shall determine the eligibility of an applicant to receive an
19 ANCHOR rebate, homestead property tax reimbursement, or a Stay
20 NJ property tax credit. The director shall, for good cause shown,
21 extend the time of any applicant to file an application for a
22 reasonable period, and in such case, the application shall be
23 processed and payment of an ANCHOR rebate, homestead property
24 tax reimbursement, or a Stay NJ property tax credit made in
25 accordance with the procedures established in the case of
26 applications timely filed, except the date for the payment may be
27 delayed for a reasonable period. If an applicant or an applicant's
28 spouse has filed an application for an extension of time to file a
29 gross income tax return, the date by which the applicant shall file an
30 application may, in the discretion of the director, be extended for a
31 reasonable period, and the date for the payment of ²**[payment of]**²
32 an ANCHOR rebate, homestead property tax reimbursement, or a
33 Stay NJ property tax credit may be delayed for a reasonable period.
34 A State resident seeking property tax benefits under any of those
35 programs shall accurately complete the entire application and file it
36 with the director.

37 For purposes of this subsection, in order to establish good cause
38 to extend the time of an eligible claimant to file an application, the
39 eligible claimant shall provide to the director either medical
40 evidence, such as a doctor's certification, that the claimant was
41 unable to file the claim by the date prescribed by the director
42 because of illness or hospitalization, or evidence that the applicant
43 attempted to file a timely application. Except as may be established
44 by medical evidence or inability to file a claim, good cause shall not
45 be established due to a claimant not having received an application
46 from the director.

47 b. Upon the approval of applications by the director, the director
48 shall prepare lists of individuals entitled to receive a Stay NJ

1 ²property tax² credit, together with the respective amounts due each
2 ²eligible² claimant and shall forward such lists to the State
3 Treasurer, the Director of the Division of Budget and Accounting,
4 and any other officials as the director deems appropriate on or
5 before the earliest of such date or dates as may be convenient for
6 the director to compile such lists. The director may inspect all
7 records in the office of the tax collector and tax assessor of a
8 municipality with respect to applications, claims, and allowances
9 for Stay NJ property tax credits.

10 c. If an application contains a claim for a Stay NJ property tax
11 credit that ²[is incorrectly determined by the eligible] contains
12 incorrect information from the² claimant or is based upon incorrect
13 or insufficient information from which the director is to ²determine
14 and² approve the claim, the director may determine the eligibility of
15 the claimant for a Stay NJ property tax credit and the correct
16 amount of a Stay NJ property tax credit from such other information
17 as may be available to the director.

18 d. In the case of an eligible claimant whose homestead is a unit
19 in a cooperative, mutual housing corporation, or continuing care
20 retirement community, the director may provide that the application
21 shall include the name and address of the location of the property
22 and the amount of real property taxes attributed to the cooperative,
23 mutual housing residential unit^{2,2} or continuing care retirement
24 community residential unit, as shall be indicated in an official
25 notice which shall be furnished by the cooperative, mutual housing
26 corporation, or continuing care retirement community for the tax
27 year.

28
29 7. (New section) When title to a homestead for which a Stay NJ
30 property tax credit is claimed, is held by an eligible claimant and
31 another or others, either as tenants in common or as joint tenants,
32 the eligible claimant shall not be allowed a Stay NJ property tax
33 credit in an amount in excess of the eligible claimant's
34 proportionate share of the taxes assessed against the homestead,
35 which proportionate share, for the purposes of
36 P.L. , c. (C.) (pending before the Legislature as this
37 bill), shall be deemed to be equal to that of each of the other
38 tenants, unless it is shown that the interests in question are not
39 equal, in which event the eligible claimant's proportionate share
40 shall be as shown. Nothing herein shall preclude more than one
41 tenant, whether title be held in common or joint tenancy, from
42 claiming a Stay NJ property tax credit from the taxes assessed
43 against the property so held, but no more than the equivalent of one
44 full Stay NJ property tax credit in regard to such homestead shall be
45 allowed in any year. In any case in which the eligible claimants
46 cannot agree as to the apportionment thereof, such Stay NJ property
47 tax credit shall be apportioned between or among them in

1 proportion to their interest. Property held by husband and wife, as
2 tenants by the entirety, shall be deemed wholly owned by each
3 tenant, but no more than one full Stay NJ property tax credit in
4 regard to such homestead shall be allowed in any year. Right to
5 claim a Stay NJ property tax credit hereunder shall extend to a
6 homestead the title to which is held by a partnership, to the extent
7 of the eligible claimant's interest as a partner therein, and by a
8 guardian, trustee, committee, conservator or other fiduciary for any
9 person who would otherwise be entitled to claim such Stay NJ
10 property tax credit hereunder, but not to a homestead the title to
11 which is held by a corporation; except that a residential shareholder
12 in a cooperative or mutual housing corporation shall be entitled to
13 claim a Stay NJ property tax credit if the residential shareholder is
14 otherwise eligible to receive it, to the extent of the proportionate
15 share of the taxes assessed against the homestead of the
16 corporation, or any other entity holding title, attributable to the
17 residential shareholder's unit therein.

18

19 8. (New section) In the case of a delinquency in the payment of
20 property taxes by a cooperative, mutual housing corporation or
21 continuing care retirement community, a Stay NJ property tax
22 credit that may be due an individual shall be paid by the State
23 Treasurer to the tax collector of the municipality. The tax collector
24 shall credit the cooperative, mutual housing corporation or
25 continuing care retirement community with such payment and the
26 cooperative, mutual housing corporation or continuing care
27 retirement community shall, in turn, credit the individual unit owner
28 to the extent of the Stay NJ property tax credit and notify the
29 eligible claimant of the amount to be credited.

30

31 9. (New section) Any individual who receives a Stay NJ
32 property tax credit otherwise authorized under this act but as a
33 result of an intentional misrepresentation of a material fact shall be
34 required to repay to the director the amount of the credit and shall
35 be liable to a penalty equal to 150 percent of the amount of the Stay
36 NJ property tax credit paid as a result of that misrepresentation.

37

38 10. a. (New section) Except as provided in subsection b. of this
39 section, a person who receives a Stay NJ property tax credit
40 otherwise authorized under this act but which has been paid in error
41 and which is recoverable by the director, and fails to return the
42 payment within 45 days of receiving notice from the director that
43 such payment was erroneous, shall pay, in addition to the amount of
44 the erroneous credit, interest at the rate prescribed in R.S.54:49-3,
45 assessed for each month or fraction thereof, compounded annually
46 at the end of each year, from the date next following the 45th day
47 after receiving the notice from the director that such payment was
48 erroneous until the date of the return of the erroneous payment.

1 b. A person who is 65 years of age or older at the close of the
2 tax year, or who is allowed to claim a personal deduction as a blind
3 or disabled taxpayer pursuant to subsection b. of N.J.S.54A:3-1,
4 who receives notice from the director pursuant to this section, shall
5 within 45 days after receiving that notice, be permitted enter into an
6 installment payment agreement for a reasonable period of time that
7 will enable the person to completely satisfy the amount paid in
8 effort and without the assessment of interest thereon.

9 c. Except as an installment payment agreement permitted
10 pursuant to subsection b. of this section, a Stay NJ Property Tax
11 Credit paid as a result of misrepresentation or paid in error and any
12 penalties and interest imposed thereon by this act, shall be payable
13 to and recoverable by the director in the same manner as a
14 deficiency with respect to the payment of State tax in accordance
15 with the State Uniform Tax Procedure Law, R.S.54:48-1 et seq.
16

17 11. (New section) Notwithstanding the provisions of the
18 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
19 seq.) to the contrary, the Director of the Division of Taxation in the
20 Department of the Treasury may adopt immediately upon filing
21 with the Office of Administrative Law, such regulations as the
22 director deems necessary to implement the provisions of
23 P.L. , c. (C.) (pending before the Legislature as this bill) as
24 may be necessary to meet the requirements of P.L. , c. (C.)
25 (pending before the Legislature as this bill), which regulations shall
26 be effective for a period not to exceed 180 days from the date of the
27 filing. The regulations may thereafter be amended, adopted, or
28 readopted by the director as the director deems necessary in
29 accordance with P.L.1968, c.410. The director shall also
30 promulgate such forms as the director shall deem necessary to
31 implement the provisions of P.L. , c. (C.) (pending before
32 the Legislature as this bill).
33

34 12. (New section) There shall be annually appropriated to the
35 Department of the Treasury such amount as the Director of the
36 Division of Budget and Accounting in the Department of the
37 Treasury shall determine is necessary for the administrative costs,
38 including to reimburse additional costs incurred by local tax
39 collectors, of implementing the provisions of P.L. , c. (C.)
40 (pending before the Legislature as this bill).
41

42 13. Section 1 of P.L.1997, c.348 (C.54:4-8.67) is amended to
43 read as follows:

44 1. As used in this act:

45 "Base year" means, in the case of a person who is an eligible
46 claimant on or before December 31, 1997, the tax year 1997; and in
47 the case of a person who first becomes an eligible claimant after
48 December 31, 1997, the tax year in which the person first becomes

1 an eligible claimant. In the case of an eligible claimant who
2 subsequently moves from the homestead for which the initial
3 eligibility was established, the base year shall be the first full tax
4 year during which the person resides in the new homestead.
5 Provided however, a base year for an eligible claimant after such a
6 move shall not apply to tax years commencing prior to January 1,
7 2009. In the case of an eligible claimant who receives a Stay NJ
8 property tax credit in lieu of a homestead property tax
9 reimbursement pursuant to section 4 of P.L. , c. (C.) (pending
10 before the Legislature as this bill), the base year of that eligible
11 claimant shall remain unchanged.

12 "Commissioner" means the Commissioner of Community
13 Affairs.

14 "Director" means the Director of the Division of Taxation.

15 "Condominium" means the form of real property ownership
16 provided for under the "Condominium Act," P.L.1969, c.257
17 (C.46:8B-1 et seq.).

18 "Cooperative" means a housing corporation or association which
19 entitles the holder of a share or membership interest thereof to
20 possess and occupy for dwelling purposes a house, apartment or
21 other unit of housing owned or leased by the corporation or
22 association, or to lease or purchase a unit of housing constructed or
23 to be constructed by the corporation or association.

24 "Disabled person" means an individual receiving monetary
25 payments pursuant to Title II of the federal Social Security Act (42
26 U.S.C. s.401 et seq.) on December 31, 1998, or on December 31 in
27 all or any part of the year for which a homestead property tax
28 reimbursement under this act is claimed.

29 "Dwelling house" means any residential property assessed as real
30 property which consists of not more than four units, of which not
31 more than one may be used for commercial purposes, but shall not
32 include a unit in a condominium, cooperative, horizontal property
33 regime or mutual housing corporation.

34 "Eligible claimant" means a person who:

35 is 65 or more years of age, or who is a disabled person;

36 is an owner of a homestead, or the lessee of a site in a mobile
37 home park on which site the applicant owns a manufactured or
38 mobile home;

39 has an annual income of less than \$17,918 in tax year 1998, less
40 than \$18,151 in tax year 1999, or less than \$37,174 in tax year
41 2000, if single, or, if married, whose annual income combined with
42 that of the spouse is less than \$21,970 in tax year 1998, less than
43 \$22,256 in tax year 1999, or less than \$45,582 in tax year 2000,
44 which income eligibility limits for single and married persons shall
45 be subject to adjustments in tax years 2001 through 2006 pursuant
46 to section 9 of P.L.1997, c.348 (C.54:4-8.68);

47 has an annual income of \$60,000 or less in tax year 2007,
48 \$70,000 or less in tax year 2008, or \$80,000 or less in tax year

1 2009, if single or married, which income eligibility limits shall be
2 subject to adjustments in ¹【subsequent】¹ tax years ¹2010 through
3 2021¹ pursuant to section 9 of P.L.1997, c.348 (C.54:4-8.68);

4 ¹has an annual income of \$150,000 or less in tax year 2022, if
5 single or married, which income eligibility limits shall be subject to
6 adjustments in subsequent tax years pursuant to section 9 of
7 P.L.1997, c.348 (C.54:4-8.68);¹

8 ¹【as a renter or homeowner, has made a long-term contribution
9 to the fabric, social structure and finances of one or more
10 communities in this State, as demonstrated through the payment of
11 property taxes directly, or through rent, on any homestead or rental
12 unit used as a principal residence in this State for at least 10
13 consecutive years】 has, for¹ at least three ¹【of which as owner of】
14 years, owned and resided in¹ the homestead for which a homestead
15 property tax reimbursement is sought prior to the date that an initial
16 application for a homestead property tax reimbursement is filed. A
17 person who has been an eligible claimant for a previous tax year
18 shall qualify as an eligible claimant beginning the second full tax
19 year following a move to another homestead in New Jersey, despite
20 not meeting the three-year minimum residency and ownership
21 requirement required for initial claimants under this paragraph;
22 provided that the person satisfies the income eligibility limits for
23 the tax year. Provided however, eligibility beginning in a second
24 full tax year after such a move shall not apply to tax years
25 commencing prior to January 1, 2010.

26 "Homestead" means:

27 a dwelling house and the land on which that dwelling house is
28 located which constitutes the place of the eligible claimant's
29 domicile and is owned and used by the eligible claimant as the
30 eligible claimant's principal residence;

31 a site in a mobile home park equipped for the installation of
32 manufactured or mobile homes, where these sites are under
33 common ownership and control for the purpose of leasing each site
34 to the owner of a manufactured or mobile home for the installation
35 thereof and such site is used by the eligible claimant as the eligible
36 claimant's principal residence;

37 a dwelling house situated on land owned by a person other than
38 the eligible claimant which constitutes the place of the eligible
39 claimant's domicile and is owned and used by the eligible claimant
40 as the eligible claimant's principal residence;

41 a condominium unit or a unit in a horizontal property regime or a
42 continuing care retirement community which constitutes the place
43 of the eligible claimant's domicile and is owned and used by the
44 eligible claimant as the eligible claimant's principal residence.

45 In addition to the generally accepted meaning of "owned" or
46 "ownership," a homestead shall be deemed to be owned by a person
47 if that person is a tenant for life or a tenant under a lease for 99

1 years or more, is entitled to and actually takes possession of the
2 homestead under an executory contract for the sale thereof or under
3 an agreement with a lending institution which holds title as security
4 for a loan, or is a resident of a continuing care retirement
5 community pursuant to a contract for continuing care for the life of
6 that person which requires the resident to bear, separately from any
7 other charges, the proportionate share of property taxes attributable
8 to the unit that the resident occupies;

9 a unit in a cooperative or mutual housing corporation which
10 constitutes the place of domicile of a residential shareholder or
11 lessee therein, or of a lessee or shareholder who is not a residential
12 shareholder therein, which is used by the eligible claimant as the
13 eligible claimant's principal residence.

14 "Homestead property tax reimbursement" means payment of the
15 difference between the amount of property tax or site fee
16 constituting property tax due and paid in any year on any
17 homestead, exclusive of improvements not included in the
18 assessment on the real property for the base year, and the amount of
19 property tax or site fee constituting property tax due and paid in the
20 base year, when the amount paid in the base year is the lower
21 amount; but such calculations shall be reduced by any current year
22 property tax reductions or reductions in site fees constituting
23 property taxes resulting from judgments entered by county boards
24 of taxation or the State Tax Court.

25 "Horizontal property regime" means the form of real property
26 ownership provided for under the "Horizontal Property Act,"
27 P.L.1963, c.168 (C.46:8A-1 et seq.).

28 "Manufactured home" or "mobile home" means a unit of housing
29 which:

30 (1) Consists of one or more transportable sections which are
31 substantially constructed off site and, if more than one section, are
32 joined together on site;

33 (2) Is built on a permanent chassis;

34 (3) Is designed to be used, when connected to utilities, as a
35 dwelling on a permanent or nonpermanent foundation; and

36 (4) Is manufactured in accordance with the standards
37 promulgated for a manufactured home by the Secretary of the
38 United States Department of Housing and Urban Development
39 pursuant to the "National Manufactured Housing Construction and
40 Safety Standards Act of 1974," Pub.L.93-383 (42 U.S.C. s.5401 et
41 seq.) and the standards promulgated for a manufactured or mobile
42 home by the commissioner pursuant to the "State Uniform
43 Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.).

44 "Mobile home park" means a parcel of land, or two or more
45 parcels of land, containing no fewer than 10 sites equipped for the
46 installation of manufactured or mobile homes, where these sites are
47 under common ownership and control for the purpose of leasing
48 each site to the owner of a manufactured or mobile home for the

1 installation thereof, and where the owner or owners provide
2 services, which are provided by the municipality in which the park
3 is located for property owners outside the park, which services may
4 include but shall not be limited to:

- 5 (1) The construction and maintenance of streets;
- 6 (2) Lighting of streets and other common areas;
- 7 (3) Garbage removal;
- 8 (4) Snow removal; and
- 9 (5) Provisions for the drainage of surface water from home sites
10 and common areas.

11 "Mutual housing corporation" means a corporation not-for-profit,
12 incorporated under the laws of this State on a mutual or cooperative
13 basis within the scope of section 607 of the Lanham Act (National
14 Defense Housing), Pub.L.849, (42 U.S.C. s.1521 et seq.), as
15 amended, which acquired a National Defense Housing Project
16 pursuant to that act.

17 "Income" means income as determined pursuant to P.L.1975,
18 c.194 (C.30:4D-20 et seq.).

19 "Principal residence" means a homestead actually and
20 continually occupied by an eligible claimant as his or her permanent
21 residence, as distinguished from a vacation home, property owned
22 and rented or offered for rent by the claimant, and other secondary
23 real property holdings.

24 "Property tax" means the general property tax due and paid as set
25 forth in this section, and shall include the amount of property tax
26 credit as defined in section 1 of P.L.2018, c.11 (C.54:4-66.6), on a
27 homestead, but does not include special assessments and interest
28 and penalties for delinquent taxes. For the sole purpose of
29 qualifying for a benefit under P.L.1997, c.348 (C.54:4-8.67 et seq.),
30 property taxes paid by June 1 of the year following the year for
31 which the benefit is claimed will be deemed to be timely paid.

32 "Site fee constituting property tax" means 18 percent of the
33 annual site fee paid or payable to the owner of a mobile home park.

34 "Tax year" means the calendar year in which a homestead is
35 assessed and the property tax is levied thereon and it means the
36 calendar year in which income is received or accrued.

37 (cf: P.L.2018, c.11, s.11)

38

39 14. Section 7 of P.L.1997, c.348 (C.54:4-8.74) is amended to
40 read as follows:

41 7. In the event that a previously eligible claimant ceases to be an
42 eligible claimant for any tax year, the base year for that claimant
43 shall be the year prior to which the claimant again becomes an
44 eligible claimant.

45 In the case of an eligible claimant who receives a Stay NJ
46 property tax credit in lieu of a homestead property tax
47 reimbursement pursuant to section 4 of P.L. , c. (C.) (pending
48 before the Legislature as this bill), the eligible claimant shall remain

1 an eligible claimant for the purposes of P.L.1997, c.348 (C.54:4-
2 8.67 et seq.), and the base year of that eligible claimant shall remain
3 unchanged as long as the eligible claimant meets all of the other
4 eligibility requirements of P.L.1997, c.348 (C.54:4-8.67 et seq.).
5 (cf: P.L.1997, c.348, s.7)
6

7 ²[15. a. The Department of the Treasury shall establish a
8 dedicated nonlapsing account known as the Stay NJ account. All
9 moneys deposited into the fund shall be used for the payment of
10 Stay NJ property tax credits and for the administration of the Stay
11 NJ property tax credit program.

12 b. There is appropriated to the Stay NJ account an amount not in
13 excess of \$300,000,000 for the Stay NJ program, subject to the
14 approval of the Director of the Division of Budget and Accounting
15 in the Department of the Treasury.

16 c. In State Fiscal Year 2024, there shall be appropriated to the
17 Stay NJ account an amount not in excess of \$300,000,000 for the
18 Stay NJ program, subject to the approval of the Director of the
19 Division of Budget and Accounting in the Department of the
20 Treasury.

21 d. In State Fiscal Year 2025, there shall be appropriated to the
22 Stay NJ account an amount not in excess of \$600,000,000 for the
23 Stay NJ program, subject to the approval of the Director of the
24 Division of Budget and Accounting in the Department of the
25 Treasury.

26 e. In State Fiscal Year 2026, there shall be appropriated to the
27 Stay NJ account an amount not in excess of \$800,000,000 for the
28 Stay NJ program, subject to the approval of the Director of the
29 Division of Budget and Accounting in the Department of the
30 Treasury.

31 f. In State Fiscal Year 2027, there shall be appropriated to the
32 Stay NJ account an amount not in excess of \$1,000,000,000 for the
33 Stay NJ program, subject to the approval of the Director of the
34 Division of Budget and Accounting in the Department of the
35 Treasury.

36 g. In State Fiscal Year 2028, and each fiscal year thereafter,
37 there shall be appropriated to the Stay NJ account an amount not in
38 excess of \$1,200,000,000 for the Stay NJ program, subject to the
39 approval of the Director of the Division of Budget and Accounting
40 in the Department of the Treasury.]²
41

42 ²15. (New section) a. In addition to the property tax benefits
43 paid under the ANCHOR Property Tax Relief Program to eligible
44 homestead owners and tenants on their principal residences,
45 whether owned or rented, pursuant to the provisions of sections 3 or
46 4 of P.L.1990, c.61 (C.54:4-8.59 or C.54:4-8.60) as amended, the
47 State Fiscal Year 2024 appropriations act shall provide for the

1 following additional benefits under the ANCHOR Property Tax
2 Relief Program:

3 (1) a resident homestead owner 65 years of age or older with
4 gross income not in excess of \$250,000 for the tax year that is used
5 to determine such resident homestead owner's eligibility for the
6 ANCHOR Property Tax Relief Program is eligible for an additional
7 benefit in the amount of \$250; provided, however, the total benefits
8 received by such resident homestead owner under the ANCHOR
9 Property Tax Relief Program and this section shall not exceed the
10 amount of property taxes paid by such resident homestead owner;
11 and

12 (2) a resident 65 years of age or older whose homestead is a unit
13 of residential rental property with gross income not in excess of
14 \$150,000 for the tax year that is used to determine such resident's
15 eligibility for the ANCHOR Property Tax Relief Program is eligible
16 for an additional benefit in the amount of \$250.

17 b. The additional property tax benefits required pursuant to
18 subsection a. of this section shall be paid in State Fiscal Years
19 2024, 2025, and 2026 at the same time and in the same manner as,
20 and as part of the same application process for, property tax benefits
21 provided under the ANCHOR Property Tax Relief Program.²

22
23 ²16. The provisions of sections 1 through 15 of P.L. _____,
24 c. (C. _____) (pending before the Legislature as this bill) shall
25 not supersede, impact, or interfere with the full funding in each
26 State fiscal year necessary to satisfy the requirement in Article VIII,
27 Section 4, paragraph 1 of the New Jersey Constitution that the
28 Legislature provide for the maintenance and support of a thorough
29 and efficient system of free public schools for the instruction of
30 children in the State between the ages of five and 18 years; and the
31 full funding of the veterans' \$250 property tax deduction, required
32 to be provided to eligible veterans pursuant to Article VIII, Section
33 I, paragraph 3 of the New Jersey Constitution, and the senior
34 citizens' and disabled persons' \$250 property tax deduction
35 authorized by Article VIII, Section I, paragraph 4 of the New Jersey
36 Constitution.¹]²

37
38 ²16. a. The Department of the Treasury shall establish a
39 dedicated, nonlapsing account for the purpose of providing property
40 tax benefits to homestead owners and tenants 65 years of age or
41 older on their principal residences, whether owned or rented. All
42 moneys deposited into the account shall be used for the payment of
43 property tax benefits in accordance with subsection c. of this
44 section.

45 b. (1) There is appropriated to the account established by
46 subsection a. of this section in State Fiscal Year 2024,
47 \$100,000,000 for the purpose of providing property tax benefits in

1 accordance with subsection c. of this section, subject to the
2 approval of the Director of the Division of Budgeting and
3 Accounting in the Department of the Treasury.

4 (2) The annual appropriations act for State Fiscal Year 2025
5 shall include an appropriation to the account established by
6 subsection a. of this section, in an amount not to exceed
7 \$200,000,000 for the purpose of providing property tax benefits in
8 accordance with subsection c. of this section.

9 (3) The annual appropriations act for State Fiscal Year 2026
10 shall include an appropriation to the account established by
11 subsection a. of this section, in an amount not to exceed
12 \$300,000,000 for the purpose of providing property tax benefits in
13 accordance with subsection c. of this section.

14 c. Beginning in State Fiscal Year 2026, moneys in the account
15 established by subsection a. of this section shall be appropriated
16 solely for the Stay NJ property tax credit program established
17 pursuant to section 3 of P.L. , c. (C.) (pending before the
18 Legislature as this bill).²

19
20 ²17. (New section) The amendatory and supplementary
21 provisions of sections 1 through 16 of P.L. , c. (C.)
22 (pending before the Legislature as this bill) shall not supersede,
23 impact, or interfere with any of the following:

24 a. the full funding in each State fiscal year necessary to satisfy
25 the requirement in Article VIII, Section IV, paragraph 1 of the New
26 Jersey Constitution that the Legislature provide for the maintenance
27 and support of a thorough and efficient system of free public
28 schools for the instruction of children in the State between the ages
29 of five and 18 years;

30 b. the full funding of the veterans' \$250 property tax deduction,
31 required to be provided to eligible veterans pursuant to Article VIII,
32 Section I, paragraph 3 of the New Jersey Constitution;

33 c. the full funding of the senior citizens' and disabled persons'
34 \$250 property tax deduction authorized by Article VIII, Section I,
35 paragraph 4 of the New Jersey Constitution;

36 d. the full payment of the contributions required by law to be
37 made to the State-administered retirement systems; and

38 e. the maintenance of a budgetary surplus target of no less than
39 12 percent of total expenditures from the General Fund and the
40 Property Tax Relief Fund in a given State fiscal year.²

41
42 ²18. (New section) a. There is established in the Department of
43 the Treasury the Stay NJ Task Force. The purpose of the task force
44 shall be to develop recommendations for establishing and funding
45 uniform property tax relief to all senior citizen homeowners and
46 tenants making under \$500,000 per year. The task force shall
47 review all of the existing property tax relief programs and present,

1 to the Governor and the Legislature, no later than May 30, 2024, a
2 report containing recommendations about how to restructure, and
3 consolidate, the various property tax relief programs into one,
4 streamlined, property tax relief program that would deliver to senior
5 citizens having an annual gross income under \$500,000 an annual
6 property tax benefit, which for homeowners shall be in the amount
7 of 50 percent of the property tax bill on their principal residence,
8 beginning with the tax year 2026, which commences on January 1
9 of that year. The report shall include recommendations concerning
10 system improvements that both the State and local government units
11 would need to implement the Stay NJ property tax credit program
12 and the funding required to establish and maintain such system
13 improvements. The task force shall provide recommendations that
14 have a target implementation date of January 1, 2026.

15 b. The task force shall be comprised of six members. The
16 membership of the task force shall be appointed as follows:

17 The State Treasurer, or the State Treasurer's designee, who shall
18 serve ex officio;

19 The Commissioner of Community Affairs, or the commissioner's
20 designee, who shall serve ex officio;

21 One public member, who shall be appointed by the Governor,
22 who may be an employee of the Executive Branch of State
23 government;

24 One public member who shall be appointed by the Governor
25 upon the recommendation of the Senate President;

26 One public member who shall be appointed by the Governor
27 upon the recommendation of the Speaker of the General Assembly;
28 and

29 One public member who shall be appointed by the Governor
30 upon the joint recommendation of the Senate President and the
31 Speaker of the General Assembly.

32 The task force shall have a chairperson and a vice chairperson
33 designated by the Governor. The Governor shall designate as the
34 chairperson one of the cabinet members of the task force, or their
35 designee, or the public member appointed by the Governor. The
36 Governor shall designate as the vice chairperson a public member
37 upon the joint recommendation of the Senate President and the
38 Speaker of the General Assembly. The Governor shall also appoint
39 a secretary. There shall be required affirmative vote of four out of
40 the six members of the task force for an action to be taken or a
41 decision made.

42 The task force shall organize as expeditiously as practicable
43 following the appointment of all its public members. Appointments
44 to the task force shall be made in an expeditious manner to ensure
45 the task force has sufficient time to make the recommendations
46 required by this section in order to facilitate implementation of the
47 Stay NJ program on or before the dates set forth in
48 P.L. , c. (C.) (pending before the Legislature as this bill.

1 c. The Governor shall appoint an executive director, who shall
2 be employed by the task force and paid by the task force from funds
3 appropriated for its use pursuant to P.L. , c. (C.) (pending
4 before the Legislature as this bill).

5 The Department of the Treasury shall provide staff support to the
6 task force. The task force shall be entitled to call to its assistance
7 and avail itself of the services of the employees of any State,
8 county, or municipal department, board, bureau, commission, or
9 agency as the task force may require and as may be available to the
10 task force for its purposes. The task force may consult with experts
11 or other knowledgeable individuals in the public or private sector
12 on any aspect of its mission outlined in this section; provided,
13 however, any services, professional or otherwise, that the task force
14 requires shall be procured by the Department of the Treasury.

15 No later than May 30, 2024, the task force shall prepare and
16 submit to the Governor and, pursuant to section 2 of P.L.1991,
17 c.164 (C.52:14-19.1), to the Legislature, a report detailing the task
18 force's recommendations as required by this section, including any
19 recommendations for legislative or regulatory action that are
20 necessary to effectuate the recommendations.

21 d. Beginning September 1, 2023 and on the first day of each
22 calendar quarter thereafter, the executive director shall submit to
23 the presiding officer of each House of the Legislature, and to the
24 chairs of the Senate Budget and Appropriations Committee and the
25 Assembly Budget Committee, a status update on the work
26 undertaken by the task force during the previous calendar quarter.
27 The presiding officer of each House of the Legislature, and the
28 chairs of the Senate Budget and Appropriations Committee and the
29 Assembly Budget Committee, may request that specific information
30 be included in the quarterly status updates required by this
31 subsection concerning the work of the task force and the
32 formulation of any recommendations it may make for the
33 streamlining of the various property tax relief programs for senior
34 citizens provided by the State into one, uniform program.

35 e. The task force shall disband on the 30th day after the
36 enactment of legislation in response to the Stay NJ Task Force
37 pursuant to section 19 of P.L. , c. (C.) (pending before the
38 Legislature as this bill).²

39
40 ²19. (New section) After the Legislature and the Governor
41 review the Stay NJ Task Force's recommendations and determine
42 such recommendations are appropriate, the Legislature shall
43 consider and approve, and the Governor shall enact, the legislation
44 recommended by the Stay NJ Task Force, or legislation
45 substantially similar to the legislation recommended by the task
46 force, regarding the objectives set forth in section 18 of P.L. , c.
47 (C.) (pending before the Legislature as this bill) not later than 90
48 days prior to July 1, 2025, the date by which the State Treasurer

1 shall be required to produce the application for the Stay NJ program
 2 in 2026 pursuant to section 4 of P.L. , c. (C.) (pending
 3 before the Legislature as this bill). Notwithstanding the provisions
 4 of this act or any law to the contrary, if the Legislature and the
 5 Governor fail: (1) to enact legislation following the release of the
 6 task force’s report or (2) to enact legislation that the Governor and
 7 Legislature deem appropriate which otherwise addresses the issues
 8 the task force is required to consider pursuant to section 18 of
 9 P.L. , c. (C.) (pending before the Legislature as this bill),
 10 then promulgation of a combined single application form shall not
 11 be required on or before the date set forth in section 4 of P.L. , c.
 12 (C.) (pending before the Legislature as this bill) and the
 13 implementation of the Stay NJ property tax credit program shall be
 14 delayed until the enactment of such legislation. If legislation is
 15 enacted after the 90th day preceding July 1, 2025, then
 16 promulgation of a combined single application form shall be
 17 required no earlier than the 91st day next following the enactment
 18 of such legislation and the implementation of the Stay NJ property
 19 tax credit program shall begin no earlier than the first tax year
 20 quarter beginning no less than six months following the
 21 promulgation of the combined single application form.²

22

23 ^{20.} Section 1 of P.L.1990, c.61 (C.54:4-8.57) is amended to
 24 read as follows:

25 1. Sections 1 through 10 of P.L.1990, c.61 (C.54:4-8.57 through
 26 54:4-8.66) and sections 3, 14 through 16, 18 and 19 of P.L.1999,
 27 c.63 (C.54:4-8.58a and C.54:4-8.66a through C.54:4-8.66e) shall be
 28 known and may be cited as the "Homestead Property Tax Credit
 29 Act" **[.]** ; provided, however, that on and after the first day of the
 30 first tax year quarter in which the Stay NJ property tax credit
 31 program is implemented, those sections shall be known and may be
 32 cited as the “Stay NJ Act.”²

33 (cf: P.L.2007, c.62, s.20)

34

35 ²**[17.] 21.**² (New section) The amendatory provisions of
 36 section 13 of P.L. , c. (pending before the Legislature as this
 37 bill), modifying ownership requirements and income eligibility,
 38 shall be used to determine whether a person first becomes an
 39 eligible claimant on and after January 1, 2022, and the first
 40 payments to a claimant who establishes eligibility pursuant to the
 41 amendatory provisions of ²section 13 of² P.L. , c. (C.)
 42 (pending before the Legislature as this bill) shall be made beginning
 43 in calendar year 2024. The provisions of P.L.1997, c.348 (C.54:4-
 44 8.67 et al.) in effect immediately before the effective date of P.L. ,
 45 c. (pending before the Legislature as this bill) shall govern the
 46 determination of whether a person first becomes an eligible
 47 claimant on or before December 31, 2021. Benefit payments for

1 ²[these new households] a newly eligible claimant² will begin in
 2 State fiscal year 2025, after ²[they have] there has been²
 3 established ²[their] a² base year of eligibility.¹
 4

5 ²22. There is appropriated from the General Fund to the
 6 Department of the Treasury:

7 a. the sum of \$2,000,000 for support of the task force
 8 established pursuant to section 18 of P.L. , c. (C.) (pending
 9 before the Legislature as this bill), including but not limited to the
 10 hiring of staff and the procurement of professional services; and

11 b. the sum of \$15,000,000 for marketing and outreach to inform
 12 eligible residents 65 years of age or older of the additional benefits
 13 available to eligible homestead owners and tenants on their
 14 principal residences pursuant to section 15 of P.L. , c. (C.)
 15 (pending before the Legislature as this bill).²
 16

17 ¹[16.] ²[18.1] 23.² This act shall take effect ¹[July 1, 2023]
 18 immediately¹ and ¹, with respect to Stay NJ property tax credits,¹
 19 first apply to ¹[property tax credits for]¹ the tax year quarter
 20 beginning January 1, ²[2025] 2026, or, if the Governor and the
 21 Legislature fail to enact legislation as required by section 19 of
 22 P.L. , c. (C.) (pending before the Legislature as this bill),
 23 the first tax year quarter beginning no less than six months
 24 following promulgation of the combined single application form².
 25

26
 27
 28
 29 Establishes Stay NJ property tax credit program; establishes Stay
 30 NJ Task Force; expands income limit and modifies ownership
 31 requirement for eligibility to receive homestead property tax
 32 reimbursement; enhances ANCHOR benefits for seniors; and makes
 33 appropriations.

ASSEMBLY, No. 1

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED MAY 18, 2023

Sponsored by:

Assemblyman CRAIG J. COUGHLIN

District 19 (Middlesex)

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblyman PAUL D. MORIARTY

District 4 (Camden and Gloucester)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Assemblyman P. CHRISTOPHER TULLY

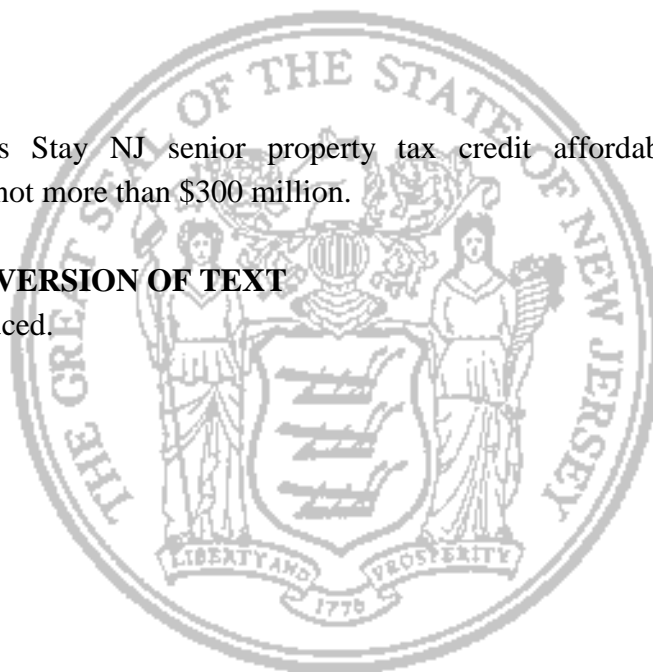
District 38 (Bergen and Passaic)

SYNOPSIS

Establishes Stay NJ senior property tax credit affordability program; appropriates not more than \$300 million.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/8/2023)

1 AN ACT providing a property tax credit of up to one-half of
2 property taxes due for primary residences of senior citizens in
3 the State, supplementing chapter 4 of Title 54 of the Revised
4 Statutes, amending P.L.1997, c.348, and making an
5 appropriation.

6
7 **BE IT ENACTED** by the Senate and General Assembly of the State
8 of New Jersey:

9
10 1. (New section) This act shall be known and may be cited as
11 the "Stay NJ Act."

12
13 2. (New section) As used in this act:

14 "Condominium" means the form of real property ownership
15 provided for under the "Condominium Act," P.L.1969, c.257
16 (C.46:8B-1 et seq.).

17 "Cooperative" means a housing corporation or association which
18 entitles the holder of a share or membership interest thereof to
19 possess and occupy for dwelling purposes a house, apartment or
20 other unit of housing owned or leased by the corporation or
21 association, or to lease or purchase a unit of housing constructed or
22 to be constructed by the corporation or association.

23 "Director" means the Director of the Division of Taxation in the
24 Department of the Treasury.

25 "Dwelling house" means any residential property assessed as real
26 property which consists of not more than four units, of which not
27 more than one may be used for commercial purposes, but shall not
28 include a unit in a condominium, cooperative, horizontal property
29 regime or mutual housing corporation.

30 "Eligible claimant" means an individual who is 65 or more years
31 of age and the owner of a homestead in this State on or after July 1,
32 2024, without regard to income.

33 "Homestead" means:

34 a. a dwelling house and the land on which that dwelling house is
35 located which constitutes the place of the eligible claimant's
36 domicile and is owned and used by the eligible claimant as the
37 eligible claimant's principal residence;

38 b. a condominium unit or a unit in a horizontal property regime
39 or a continuing care retirement community which constitutes the
40 place of the eligible claimant's domicile and is owned and used by
41 the eligible claimant as the eligible claimant's principal residence.

42 In addition to the generally accepted meaning of "owned" or
43 "ownership," a homestead shall be deemed to be owned by a person
44 if that person is a tenant for life or a tenant under a lease for 99
45 years or more, is entitled to and actually takes possession of the

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 homestead under an executory contract for the sale thereof or under
2 an agreement with a lending institution which holds title as security
3 for a loan, or is a resident of a continuing care retirement
4 community pursuant to a contract for continuing care for the life of
5 that person which requires the resident to bear, separately from any
6 other charges, the proportionate share of property taxes attributable
7 to the unit that the resident occupies; or

8 c. a unit in a cooperative or mutual housing corporation which
9 constitutes the place of domicile of a residential shareholder or
10 lessee therein, or of a lessee or shareholder who is not a residential
11 shareholder therein, which is used by the eligible claimant as the
12 eligible claimant's principal residence; or a mutual housing
13 corporation.

14 "Homestead property tax reimbursement" means the property tax
15 benefit provided pursuant to P.L.1997, c.348 (C.54:4-8.67 et seq).

16 "Horizontal property regime" means the form of real property
17 ownership provided for under the "Horizontal Property Act,"
18 P.L.1963, c.168 (C.46:8A-1 et seq.).

19 "Mutual housing corporation" means a corporation not-for-profit,
20 incorporated under the laws of this State on a mutual or cooperative
21 basis within the scope of section 607 of the Lanham Act (National
22 Defense Housing), Pub.L.849, (42 U.S.C. s.1521 et seq.), as
23 amended, which acquired a National Defense Housing Project
24 pursuant to that act.

25 "Principal residence" means a homestead actually and
26 continually occupied by an eligible claimant as the eligible
27 claimant's permanent residence, including a homestead on which an
28 eligible claimant made one or more payments in lieu of taxes to the
29 municipality in which the homestead is located, as distinguished
30 from a vacation home, property owned and rented or offered for
31 rent by the eligible claimant, and other secondary real property
32 holdings.

33 "Property tax" means the general property tax due and payable
34 by the owner of a homestead, based on an assessment made by the
35 municipality upon real property on an ad valorem basis on land and
36 improvements, and shall include payments in lieu of taxes.

37 "Stay NJ property tax credit" means a property tax credit in the
38 amount of 50 percent of an eligible claimant's property tax bill.

39 "Tax year" means the calendar year, January 1 through
40 December 31, in which a homestead is assessed for property
41 taxation and the property tax is levied thereon.

42 "Tax year quarter" means a three month period of a tax year
43 consisting of January 1 through March 31, April 1 through June 30,
44 July 1 through September 30, and October 1 through December 31.

45
46 3. (New section) The director shall administer the Stay NJ
47 property tax credit that shall provide to an eligible claimant a
48 property tax credit in the amount of 50 percent of the property tax

1 due and owing for the eligible claimant's principal residence.
2 Property tax credits shall be allowed pursuant to this section in
3 relation to the property taxes paid or allocable to an eligible
4 claimant who has more than one homestead in a tax year, but the
5 aggregate amount of the property taxes or property tax credits
6 claimed shall not exceed the total proportionate amounts of property
7 taxes assessed and levied against or allocable to each homestead for
8 the proportion of the tax year quarter to which the taxpayer
9 occupies it as the taxpayer's principle residence.

10 The amount of the Stay NJ property tax credit shall be calculated
11 for each eligible claimant by the director, and paid to the tax
12 collector of the municipality in which the eligible claimant's
13 homestead is located pursuant to the provisions of subsection a. of
14 section 5 of P.L. , c. (C.) (pending before the Legislature as
15 this bill).

16 Notwithstanding the provisions of P.L. , c. (C.) (pending
17 before the Legislature as this bill) that require an annual property
18 tax credit in the amount of 50 percent of the property tax due and
19 owing on an eligible claimant's homestead, the maximum amount
20 to be credited to an eligible claimant shall be \$10,000 per tax year.

21 An eligible claimant shall be entitled to a Stay NJ property tax
22 credit annually, on proper claim being made therefor to the director.
23 Notwithstanding any provision of P.L. , c. (C.)
24 (pending before the Legislature as this bill) to the contrary, the
25 amount of property taxes used to determine the amount of the Stay
26 NJ property tax credit shall not be reduced by the amount of the
27 deductions taken by an eligible claimant pursuant to P.L.1963,
28 c.171 (C.54:4-8.10 to 54:4-8.23) and P.L.1964, c.255 (C.54:4-8.40
29 to 54:4-8.45 et al.). The surviving spouse of a deceased resident of
30 this State who during his or her life received a Stay NJ property tax
31 credit shall be entitled, so long as the surviving spouse does not
32 remarry, remains a resident in the same homestead with respect to
33 which the Stay NJ property tax credit was granted, and is an eligible
34 claimant, to the same Stay NJ property tax credit, upon the same
35 conditions, with respect to the same homestead.

36
37 4. (New section) a. Not later than July 1, 2023, the director
38 shall promulgate a combined single application form consistent with
39 the requirements of section 6 of this act, that shall be available on
40 and after that date to be used by State residents to apply for the Stay
41 NJ property tax credit, the ANCHOR property tax rebate, and the
42 homestead property tax reimbursement program. State residents
43 seeking property tax benefits under those programs shall complete
44 the entire application and file it with the director. The director shall
45 determine which property tax benefit program or programs provide
46 the greatest benefit for the applicant pursuant to the requirements of
47 subsection b. of this section.

1 b. Notwithstanding any provision of law, rule, or regulation to the
2 contrary, an applicant shall only be entitled to the greater of:

- 3 (1) the amount of the Stay NJ property tax credit; or
4 (2) the combined amount of the ANCHOR property tax rebate and
5 the homestead property tax reimbursement.

6 c. With respect to the homestead property tax reimbursement
7 program, the base year of an eligible claimant who receives a Stay
8 NJ property tax credit instead of a homestead property tax
9 reimbursement shall remain unchanged, notwithstanding the
10 number of years that the eligible claimant receives a Stay NJ
11 property tax credit instead of a homestead property tax
12 reimbursement.

13 d. The director shall determine the amount of the Stay NJ
14 property tax credit that shall be provided for each eligible claimant
15 pursuant to P.L. , c. (C.) (pending before the Legislature as
16 this bill) based upon the information provided by the eligible
17 claimant in the application or from any other information as may be
18 available to the director and shall notify the applicant of the
19 determined amount in such manner as the director may deem
20 appropriate. Subject to the provisions of the State Uniform Tax
21 Procedure Law, R.S.54:48-1 et seq., such notification shall finally
22 and irrevocably fix the amount of the Stay NJ property tax credit
23 unless the applicant, within 90 days after having been given notice
24 of such determination, shall apply to the director for a hearing, or
25 unless the director shall redetermine the same. After such hearing
26 the director shall give notice of the final determination to the
27 applicant.

28 e. An eligible claimant for Stay NJ property tax credit
29 authorized under this act who is aggrieved by any decision, order,
30 finding, or denial by the director of all or part of that eligible
31 claimant's Keep Senior New Jersey property tax credit may appeal
32 therefrom to the New Jersey Tax Court in accordance with the
33 provisions of the State Uniform Tax Procedure Law, R.S.54:48-1 et
34 seq. The appeal provided by this section shall be the exclusive
35 remedy available to an applicant for review of a decision of a
36 director in respect to the determination of all or a part of a Stay NJ
37 property tax credit authorized under this act.

38
39 5. (New section) a. The State Treasurer, upon certification of
40 the director and upon warrant of the Director of the Division of
41 Budget and Accounting, shall pay and distribute the amount of a
42 Stay NJ property tax credit payable under this act that is claimed for
43 the tax year to each eligible claimant whose credit is approved by
44 the director. A Stay NJ property tax credit allowed by the director
45 to an eligible claimant who claimed a Stay NJ property tax credit
46 pursuant to section 3 of P.L. , c. (C.) (pending before the
47 Legislature as this bill), and whose homestead is not a unit in a
48 cooperative, mutual housing corporation, or continuing care

1 retirement community, shall be paid by the State Treasurer through
2 electronic funds transfer made by the director to the local property
3 tax account maintained by the local property tax collector for the
4 homestead of an eligible claimant as the eligible claimant shall
5 identify, in four equal installments after the application for the
6 credit has been approved. The State Treasurer shall pay and
7 distribute Stay NJ property tax credit payments to each municipal
8 tax collector, as applicable, on a quarterly basis at least 10 days
9 prior to the statutory due date for each property tax year quarter
10 payment. Notice of payments of Stay NJ credit installments shall
11 be provided to the eligible claimant and the appropriate local tax
12 collector.

13 b. Each municipal tax collector who applies a Stay NJ property
14 tax credit to the property tax account of the homestead of an eligible
15 claimant pursuant to this section shall provide timely notice thereof
16 to the eligible claimant and to any mortgagee or servicing
17 organization noted on the property tax account that requires a
18 mortgagor to make property tax payments to an escrow account, for
19 the purpose of encouraging the escrow account property tax
20 requirements to be promptly adjusted to the benefit of the property
21 tax taxpayer on account of Stay NJ property tax credit payments.
22

23 6. (New section) a. Notwithstanding the provisions of section 6
24 of P.L.1990, c.61 (C.54:4-8.62) and section 3 of P.L.1997, c.348
25 (C.54:4-8.70) concerning the form and deadline of applications for
26 the ANCHOR rebate program and the homestead property tax
27 reimbursement, the director shall promulgate a single combined
28 application form to be used by State residents to apply for the
29 ANCHOR rebate program, the homestead property tax
30 reimbursement program, and the Stay NJ property tax credit. The
31 combined application form shall require the applicant to submit
32 information about his or her age, annual income, homestead
33 property address, as well as any other information determined
34 necessary by the director in order to approve or disapprove the
35 applicant's participation in those programs. The combined
36 application form shall also advise the applicant that the director
37 shall determine the eligibility of an applicant to receive an
38 ANCHOR rebate, homestead property tax reimbursement, or a Stay
39 NJ property tax credit. The director shall, for good cause shown,
40 extend the time of any applicant to file an application for a
41 reasonable period, and in such case, the application shall be
42 processed and payment of an ANCHOR rebate, homestead property
43 tax reimbursement, or a Stay NJ property tax credit made in
44 accordance with the procedures established in the case of
45 applications timely filed, except the date for the payment may be
46 delayed for a reasonable period. If an applicant or an applicant's
47 spouse has filed an application for an extension of time to file a
48 gross income tax return, the date by which the applicant shall file an

1 application may, in the discretion of the director, be extended for a
2 reasonable period, and the date for the payment of payment of an
3 ANCHOR rebate, homestead property tax reimbursement, or a Stay
4 NJ property tax credit may be delayed for a reasonable period. A
5 State resident seeking property tax benefits under any of those
6 programs shall accurately complete the entire application and file it
7 with the director.

8 For purposes of this subsection, in order to establish good cause
9 to extend the time of an eligible claimant to file an application, the
10 eligible claimant shall provide to the director either medical
11 evidence, such as a doctor's certification, that the claimant was
12 unable to file the claim by the date prescribed by the director
13 because of illness or hospitalization, or evidence that the applicant
14 attempted to file a timely application. Except as may be established
15 by medical evidence or inability to file a claim, good cause shall not
16 be established due to a claimant not having received an application
17 from the director.

18 b. Upon the approval of applications by the director, the director
19 shall prepare lists of individuals entitled to receive a Stay NJ
20 credit, together with the respective amounts due each claimant and
21 shall forward such lists to the State Treasurer, the Director of the
22 Division of Budget and Accounting, and any other officials as the
23 director deems appropriate on or before the earliest of such date or
24 dates as may be convenient for the director to compile such lists.
25 The director may inspect all records in the office of the tax collector
26 and tax assessor of a municipality with respect to applications,
27 claims, and allowances for Stay NJ property tax credits.

28 c. If an application contains a claim for a Stay NJ property tax
29 credit that is incorrectly determined by the eligible claimant or is
30 based upon incorrect or insufficient information from which the
31 director is to approve the claim, the director may determine the
32 eligibility of the claimant for a Stay NJ property tax credit and the
33 correct amount of a Stay NJ property tax credit from such other
34 information as may be available to the director.

35 d. In the case of an eligible claimant whose homestead is a unit
36 in a cooperative, mutual housing corporation, or continuing care
37 retirement community, the director may provide that the application
38 shall include the name and address of the location of the property
39 and the amount of real property taxes attributed to the cooperative,
40 mutual housing residential unit or continuing care retirement
41 community residential unit, as shall be indicated in an official
42 notice which shall be furnished by the cooperative, mutual housing
43 corporation, or continuing care retirement community for the tax
44 year.

45

46 7. (New section) When title to a homestead for which a Stay NJ
47 property tax credit is claimed, is held by an eligible claimant and
48 another or others, either as tenants in common or as joint tenants,

1 the eligible claimant shall not be allowed a Stay NJ property tax
2 credit in an amount in excess of the eligible claimant's
3 proportionate share of the taxes assessed against the homestead,
4 which proportionate share, for the purposes of
5 P.L. , c. (C.) (pending before the Legislature as this
6 bill), shall be deemed to be equal to that of each of the other
7 tenants, unless it is shown that the interests in question are not
8 equal, in which event the eligible claimant's proportionate share
9 shall be as shown. Nothing herein shall preclude more than one
10 tenant, whether title be held in common or joint tenancy, from
11 claiming a Stay NJ property tax credit from the taxes assessed
12 against the property so held, but no more than the equivalent of one
13 full Stay NJ property tax credit in regard to such homestead shall be
14 allowed in any year. In any case in which the eligible claimants
15 cannot agree as to the apportionment thereof, such Stay NJ property
16 tax credit shall be apportioned between or among them in
17 proportion to their interest. Property held by husband and wife, as
18 tenants by the entirety, shall be deemed wholly owned by each
19 tenant, but no more than one full Stay NJ property tax credit in
20 regard to such homestead shall be allowed in any year. Right to
21 claim a Stay NJ property tax credit hereunder shall extend to a
22 homestead the title to which is held by a partnership, to the extent
23 of the eligible claimant's interest as a partner therein, and by a
24 guardian, trustee, committee, conservator or other fiduciary for any
25 person who would otherwise be entitled to claim such Stay NJ
26 property tax credit hereunder, but not to a homestead the title to
27 which is held by a corporation; except that a residential shareholder
28 in a cooperative or mutual housing corporation shall be entitled to
29 claim a Stay NJ property tax credit if the residential shareholder is
30 otherwise eligible to receive it, to the extent of the proportionate
31 share of the taxes assessed against the homestead of the
32 corporation, or any other entity holding title, attributable to the
33 residential shareholder's unit therein.

34

35 8. (New section) In the case of a delinquency in the payment of
36 property taxes by a cooperative, mutual housing corporation or
37 continuing care retirement community, a Stay NJ property tax
38 credit that may be due an individual shall be paid by the State
39 Treasurer to the tax collector of the municipality. The tax collector
40 shall credit the cooperative, mutual housing corporation or
41 continuing care retirement community with such payment and the
42 cooperative, mutual housing corporation or continuing care
43 retirement community shall, in turn, credit the individual unit owner
44 to the extent of the Stay NJ property tax credit and notify the
45 eligible claimant of the amount to be credited.

46

47 9. (New section) Any individual who receives a Stay NJ
48 property tax credit otherwise authorized under this act but as a

1 result of an intentional misrepresentation of a material fact shall be
2 required to repay to the director the amount of the credit and shall
3 be liable to a penalty equal to 150 percent of the amount of the Stay
4 NJ property tax credit paid as a result of that misrepresentation.

5
6 10. a. (New section) Except as provided in subsection b. of this
7 section, a person who receives a Stay NJ property tax credit
8 otherwise authorized under this act but which has been paid in error
9 and which is recoverable by the director, and fails to return the
10 payment within 45 days of receiving notice from the director that
11 such payment was erroneous, shall pay, in addition to the amount of
12 the erroneous credit, interest at the rate prescribed in R.S.54:49-3,
13 assessed for each month or fraction thereof, compounded annually
14 at the end of each year, from the date next following the 45th day
15 after receiving the notice from the director that such payment was
16 erroneous until the date of the return of the erroneous payment.

17 b. A person who is 65 years of age or older at the close of the
18 tax year, or who is allowed to claim a personal deduction as a blind
19 or disabled taxpayer pursuant to subsection b. of N.J.S.54A:3-1,
20 who receives notice from the director pursuant to this section, shall
21 within 45 days after receiving that notice, be permitted enter into an
22 installment payment agreement for a reasonable period of time that
23 will enable the person to completely satisfy the amount paid in
24 effort and without the assessment of interest thereon.

25 c. Except as an installment payment agreement permitted
26 pursuant to subsection b. of this section, a Stay NJ Property Tax
27 Credit paid as a result of misrepresentation or paid in error and any
28 penalties and interest imposed thereon by this act, shall be payable
29 to and recoverable by the director in the same manner as a
30 deficiency with respect to the payment of State tax in accordance
31 with the State Uniform Tax Procedure Law, R.S.54:48-1 et seq.

32
33 11. (New section) Notwithstanding the provisions of the
34 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
35 seq.) to the contrary, the Director of the Division of Taxation in the
36 Department of the Treasury may adopt immediately upon filing
37 with the Office of Administrative Law, such regulations as the
38 director deems necessary to implement the provisions of
39 P.L. , c. (C.) (pending before the Legislature as this bill) as
40 may be necessary to meet the requirements of P.L. , c. (C.)
41 (pending before the Legislature as this bill), which regulations shall
42 be effective for a period not to exceed 180 days from the date of the
43 filing. The regulations may thereafter be amended, adopted, or
44 readopted by the director as the director deems necessary in
45 accordance with P.L.1968, c.410. The director shall also
46 promulgate such forms as the director shall deem necessary to
47 implement the provisions of P.L. , c. (C.) (pending before
48 the Legislature as this bill).

1 12. (New section) There shall be annually appropriated to the
2 Department of the Treasury such amount as the Director of the
3 Division of Budget and Accounting in the Department of the
4 Treasury shall determine is necessary for the administrative costs,
5 including to reimburse additional costs incurred by local tax
6 collectors, of implementing the provisions of P.L. , c. (C.)
7 (pending before the Legislature as this bill).

8
9 13. Section 1 of P.L.1997, c.348 (C.54:4-8.67) is amended to
10 read as follows:

11 1. As used in this act:

12 "Base year" means, in the case of a person who is an eligible
13 claimant on or before December 31, 1997, the tax year 1997; and in
14 the case of a person who first becomes an eligible claimant after
15 December 31, 1997, the tax year in which the person first becomes
16 an eligible claimant. In the case of an eligible claimant who
17 subsequently moves from the homestead for which the initial
18 eligibility was established, the base year shall be the first full tax
19 year during which the person resides in the new homestead.
20 Provided however, a base year for an eligible claimant after such a
21 move shall not apply to tax years commencing prior to January 1,
22 2009. In the case of an eligible claimant who receives a Stay NJ
23 property tax credit in lieu of a homestead property tax
24 reimbursement pursuant to section 4 of P.L. , c. (C.) (pending
25 before the Legislature as this bill), the base year of that eligible
26 claimant shall remain unchanged.

27 "Commissioner" means the Commissioner of Community
28 Affairs.

29 "Director" means the Director of the Division of Taxation.

30 "Condominium" means the form of real property ownership
31 provided for under the "Condominium Act," P.L.1969, c.257
32 (C.46:8B-1 et seq.).

33 "Cooperative" means a housing corporation or association which
34 entitles the holder of a share or membership interest thereof to
35 possess and occupy for dwelling purposes a house, apartment or
36 other unit of housing owned or leased by the corporation or
37 association, or to lease or purchase a unit of housing constructed or
38 to be constructed by the corporation or association.

39 "Disabled person" means an individual receiving monetary
40 payments pursuant to Title II of the federal Social Security Act (42
41 U.S.C. s.401 et seq.) on December 31, 1998, or on December 31 in
42 all or any part of the year for which a homestead property tax
43 reimbursement under this act is claimed.

44 "Dwelling house" means any residential property assessed as real
45 property which consists of not more than four units, of which not
46 more than one may be used for commercial purposes, but shall not
47 include a unit in a condominium, cooperative, horizontal property
48 regime or mutual housing corporation.

1 "Eligible claimant" means a person who:
2 is 65 or more years of age, or who is a disabled person;
3 is an owner of a homestead, or the lessee of a site in a mobile
4 home park on which site the applicant owns a manufactured or
5 mobile home;
6 has an annual income of less than \$17,918 in tax year 1998, less
7 than \$18,151 in tax year 1999, or less than \$37,174 in tax year
8 2000, if single, or, if married, whose annual income combined with
9 that of the spouse is less than \$21,970 in tax year 1998, less than
10 \$22,256 in tax year 1999, or less than \$45,582 in tax year 2000,
11 which income eligibility limits for single and married persons shall
12 be subject to adjustments in tax years 2001 through 2006 pursuant
13 to section 9 of P.L.1997, c.348 (C.54:4-8.68);
14 has an annual income of \$60,000 or less in tax year 2007,
15 \$70,000 or less in tax year 2008, or \$80,000 or less in tax year
16 2009, if single or married, which income eligibility limits shall be
17 subject to adjustments in subsequent tax years pursuant to section 9
18 of P.L.1997, c.348 (C.54:4-8.68);
19 as a renter or homeowner, has made a long-term contribution to
20 the fabric, social structure and finances of one or more communities
21 in this State, as demonstrated through the payment of property taxes
22 directly, or through rent, on any homestead or rental unit used as a
23 principal residence in this State for at least 10 consecutive years at
24 least three of which as owner of the homestead for which a
25 homestead property tax reimbursement is sought prior to the date
26 that an initial application for a homestead property tax
27 reimbursement is filed. A person who has been an eligible claimant
28 for a previous tax year shall qualify as an eligible claimant
29 beginning the second full tax year following a move to another
30 homestead in New Jersey, despite not meeting the three-year
31 minimum residency and ownership requirement required for initial
32 claimants under this paragraph; provided that the person satisfies
33 the income eligibility limits for the tax year. Provided however,
34 eligibility beginning in a second full tax year after such a move
35 shall not apply to tax years commencing prior to January 1, 2010.
36 "Homestead" means:
37 a dwelling house and the land on which that dwelling house is
38 located which constitutes the place of the eligible claimant's
39 domicile and is owned and used by the eligible claimant as the
40 eligible claimant's principal residence;
41 a site in a mobile home park equipped for the installation of
42 manufactured or mobile homes, where these sites are under
43 common ownership and control for the purpose of leasing each site
44 to the owner of a manufactured or mobile home for the installation
45 thereof and such site is used by the eligible claimant as the eligible
46 claimant's principal residence;
47 a dwelling house situated on land owned by a person other than
48 the eligible claimant which constitutes the place of the eligible

1 claimant's domicile and is owned and used by the eligible claimant
2 as the eligible claimant's principal residence;

3 a condominium unit or a unit in a horizontal property regime or a
4 continuing care retirement community which constitutes the place
5 of the eligible claimant's domicile and is owned and used by the
6 eligible claimant as the eligible claimant's principal residence.

7 In addition to the generally accepted meaning of "owned" or
8 "ownership," a homestead shall be deemed to be owned by a person
9 if that person is a tenant for life or a tenant under a lease for 99
10 years or more, is entitled to and actually takes possession of the
11 homestead under an executory contract for the sale thereof or under
12 an agreement with a lending institution which holds title as security
13 for a loan, or is a resident of a continuing care retirement
14 community pursuant to a contract for continuing care for the life of
15 that person which requires the resident to bear, separately from any
16 other charges, the proportionate share of property taxes attributable
17 to the unit that the resident occupies;

18 a unit in a cooperative or mutual housing corporation which
19 constitutes the place of domicile of a residential shareholder or
20 lessee therein, or of a lessee or shareholder who is not a residential
21 shareholder therein, which is used by the eligible claimant as the
22 eligible claimant's principal residence.

23 "Homestead property tax reimbursement" means payment of the
24 difference between the amount of property tax or site fee
25 constituting property tax due and paid in any year on any
26 homestead, exclusive of improvements not included in the
27 assessment on the real property for the base year, and the amount of
28 property tax or site fee constituting property tax due and paid in the
29 base year, when the amount paid in the base year is the lower
30 amount; but such calculations shall be reduced by any current year
31 property tax reductions or reductions in site fees constituting
32 property taxes resulting from judgments entered by county boards
33 of taxation or the State Tax Court.

34 "Horizontal property regime" means the form of real property
35 ownership provided for under the "Horizontal Property Act,"
36 P.L.1963, c.168 (C.46:8A-1 et seq.).

37 "Manufactured home" or "mobile home" means a unit of housing
38 which:

39 (1) Consists of one or more transportable sections which are
40 substantially constructed off site and, if more than one section, are
41 joined together on site;

42 (2) Is built on a permanent chassis;

43 (3) Is designed to be used, when connected to utilities, as a
44 dwelling on a permanent or nonpermanent foundation; and

45 (4) Is manufactured in accordance with the standards
46 promulgated for a manufactured home by the Secretary of the
47 United States Department of Housing and Urban Development
48 pursuant to the "National Manufactured Housing Construction and

1 Safety Standards Act of 1974," Pub.L.93-383 (42 U.S.C. s.5401 et
2 seq.) and the standards promulgated for a manufactured or mobile
3 home by the commissioner pursuant to the "State Uniform
4 Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.).

5 "Mobile home park" means a parcel of land, or two or more
6 parcels of land, containing no fewer than 10 sites equipped for the
7 installation of manufactured or mobile homes, where these sites are
8 under common ownership and control for the purpose of leasing
9 each site to the owner of a manufactured or mobile home for the
10 installation thereof, and where the owner or owners provide
11 services, which are provided by the municipality in which the park
12 is located for property owners outside the park, which services may
13 include but shall not be limited to:

- 14 (1) The construction and maintenance of streets;
- 15 (2) Lighting of streets and other common areas;
- 16 (3) Garbage removal;
- 17 (4) Snow removal; and
- 18 (5) Provisions for the drainage of surface water from home sites
19 and common areas.

20 "Mutual housing corporation" means a corporation not-for-profit,
21 incorporated under the laws of this State on a mutual or cooperative
22 basis within the scope of section 607 of the Lanham Act (National
23 Defense Housing), Pub.L.849, (42 U.S.C. s.1521 et seq.), as
24 amended, which acquired a National Defense Housing Project
25 pursuant to that act.

26 "Income" means income as determined pursuant to P.L.1975,
27 c.194 (C.30:4D-20 et seq.).

28 "Principal residence" means a homestead actually and
29 continually occupied by an eligible claimant as his or her permanent
30 residence, as distinguished from a vacation home, property owned
31 and rented or offered for rent by the claimant, and other secondary
32 real property holdings.

33 "Property tax" means the general property tax due and paid as set
34 forth in this section, and shall include the amount of property tax
35 credit as defined in section 1 of P.L.2018, c.11 (C.54:4-66.6), on a
36 homestead, but does not include special assessments and interest
37 and penalties for delinquent taxes. For the sole purpose of
38 qualifying for a benefit under P.L.1997, c.348 (C.54:4-8.67 et seq.),
39 property taxes paid by June 1 of the year following the year for
40 which the benefit is claimed will be deemed to be timely paid.

41 "Site fee constituting property tax" means 18 percent of the
42 annual site fee paid or payable to the owner of a mobile home park.

43 "Tax year" means the calendar year in which a homestead is
44 assessed and the property tax is levied thereon and it means the
45 calendar year in which income is received or accrued.

46 (cf: P.L.2018, c.11, s.11)

1 14. Section 7 of P.L.1997, c.348 (C.54:4-8.74) is amended to
2 read as follows:

3 7. In the event that a previously eligible claimant ceases to be an
4 eligible claimant for any tax year, the base year for that claimant
5 shall be the year prior to which the claimant again becomes an
6 eligible claimant.

7 In the case of an eligible claimant who receives a Stay NJ
8 property tax credit in lieu of a homestead property tax
9 reimbursement pursuant to section 4 of P.L. , c. (C.) (pending
10 before the Legislature as this bill), the eligible claimant shall remain
11 an eligible claimant for the purposes of P.L.1997, c.348 (C.54:4-
12 8.67 et seq.), and the base year of that eligible claimant shall remain
13 unchanged as long as the eligible claimant meets all of the other
14 eligibility requirements of P.L.1997, c.348 (C.54:4-8.67 et seq.).
15 (cf: P.L.1997, c.348, s.7)

16
17 15. a. The Department of the Treasury shall establish a
18 dedicated nonlapsing account known as the Stay NJ account. All
19 moneys deposited into the fund shall be used for the payment of
20 Stay NJ property tax credits and for the administration of the Stay
21 NJ property tax credit program.

22 b. There is appropriated to the Stay NJ account an amount not in
23 excess of \$300,000,000 for the Stay NJ program, subject to the
24 approval of the Director of the Division of Budget and Accounting
25 in the Department of the Treasury.

26 c. In State Fiscal Year 2024, there shall be appropriated to the
27 Stay NJ account an amount not in excess of \$300,000,000 for the
28 Stay NJ program, subject to the approval of the Director of the
29 Division of Budget and Accounting in the Department of the
30 Treasury.

31 d. In State Fiscal Year 2025, there shall be appropriated to the
32 Stay NJ account an amount not in excess of \$600,000,000 for the
33 Stay NJ program, subject to the approval of the Director of the
34 Division of Budget and Accounting in the Department of the
35 Treasury.

36 e. In State Fiscal Year 2026, there shall be appropriated to the
37 Stay NJ account an amount not in excess of \$800,000,000 for the
38 Stay NJ program, subject to the approval of the Director of the
39 Division of Budget and Accounting in the Department of the
40 Treasury.

41 f. In State Fiscal Year 2027, there shall be appropriated to the
42 Stay NJ account an amount not in excess of \$1,000,000,000 for the
43 Stay NJ program, subject to the approval of the Director of the
44 Division of Budget and Accounting in the Department of the
45 Treasury.

46 g. In State Fiscal Year 2028, and each fiscal year thereafter,
47 there shall be appropriated to the Stay NJ account an amount not in
48 excess of \$1,200,000,000 for the Stay NJ program, subject to the

1 approval of the Director of the Division of Budget and Accounting
2 in the Department of the Treasury.

3

4 16. This act shall take effect July 1, 2023 and first apply to
5 property tax credits for the tax year quarter beginning January 1,
6 2025.

7

8

9

STATEMENT

10

11 This bill establishes a property tax credit program, which will be
12 known and may be cited as the “Stay NJ Act.”

13 This program would provide to an eligible claimant a property
14 tax credit in the amount of 50 percent of the property tax due and
15 owing for the eligible claimant’s principal residence. The bill
16 defines “eligible claimant” as a person who is 65 or more years of
17 age and the owner of a homestead in this State that is the person’s
18 primary residence. There is no income limit for eligibility to
19 receive a property tax credit under the program. The purpose of the
20 program is to make property taxes more affordable for senior
21 citizens, so that they are able to stay in their homes. The program
22 will provide an eligible claimant with a property tax credit in an
23 amount equal to 50 percent of property taxes due and owed;
24 however, the bill provides that the maximum amount to be credited
25 to an eligible claimant under the program is \$10,000 per tax year.

26 Under the bill, a property taxpayer who may be eligible to apply
27 for an ANCHOR property tax rebate and a homestead property tax
28 reimbursement shall only be entitled to the greater of the Stay NJ
29 credit, or the combined amount of the ANCHOR property tax rebate
30 and the homestead property tax reimbursement.

31 The bill requires the director to promulgate a single combined
32 application form to be used by State residents to apply for the
33 ANCHOR rebate program, the homestead property tax
34 reimbursement program, and the Stay NJ property tax credit. State
35 residents seeking property tax benefits under each of those
36 programs would be required to fill out the entire application and file
37 it with the director, who would determine which property tax
38 program provides the greatest benefit for the applicant.

39 With respect to the homestead property tax reimbursement
40 program, the base year of an eligible claimant who receives a Stay
41 NJ property tax credit instead of a homestead property tax
42 reimbursement would remain unchanged, notwithstanding the
43 number of years that the taxpayer would receive a Stay NJ property
44 tax credit instead of a homestead property tax reimbursement.

45 The amount of an eligible claimant’s Stay NJ property tax credit
46 would be divided into four tax year quarter credits that will be
47 applied by the municipality on each of the property tax quarter
48 payments due and owing on the eligible claimant’s homestead. The

1 State Treasurer is required to forward Stay NJ property tax credit
2 payments to each municipal tax collector, as applicable, on a
3 quarterly basis at least 10 days prior to the statutory due date for
4 each property tax year quarter payment (February 1, May 1, August
5 1, and November 1) to be applied against the property tax account
6 of the homestead of the eligible claimant.

7 The bill establishes a dedicated nonlapsing account known as the
8 Stay NJ account. All moneys deposited into the fund will be used
9 for the payment of Stay NJ property tax credits and for the
10 administration of the Stay NJ property tax credit program. The bill
11 appropriates not more than \$300 million in State Fiscal Year 2023
12 to be used for the payment of Stay NJ property tax credits and for
13 the administration of the Stay NJ property tax credit program. The
14 bill also provides for appropriations to the program of \$300 million
15 in Fiscal Year 2024, \$600 million in Fiscal Year 2025, \$800 million
16 in Fiscal Year 2026, \$1 billion in Fiscal Year 2027, and \$1.2 billion
17 in Fiscal Year 2028 and each fiscal year thereafter.

18 Under the bill, the Stay NJ property tax credits will first be
19 provided in the tax year quarter beginning January 1, 2025.

ASSEMBLY AGING AND SENIOR SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 8, 2023

The Assembly Aging and Senior Services Committee reports favorably and with committee amendments Assembly Bill No. 1.

As amended by the committee, this bill would provide property tax benefits to senior citizens through a new program called STAY NJ, and expand eligibility requirements under the homestead property tax reimbursement program (colloquially, the “senior freeze” program) for senior citizens and persons with disabilities.

The STAY NJ program would provide to an eligible claimant a property tax credit in the amount of 50 percent of the property tax due and owing for the eligible claimant’s principal residence, up to a maximum of \$10,000 per year. The bill defines “eligible claimant” as a person who is 65 or more years of age and the owner of a homestead in this State that is the person’s primary residence. There is no income limit for eligibility to receive a property tax credit under the program.

Under the bill, a property taxpayer who may be eligible to apply for an ANCHOR property tax rebate and a homestead property tax reimbursement shall only be entitled to the greater of the STAY NJ credit, or the combined amount of the ANCHOR property tax rebate and the homestead property tax reimbursement.

The bill requires the director to promulgate a single combined application form to be used by State residents to apply for the ANCHOR rebate program, the homestead property tax reimbursement program, and the Stay NJ property tax credit. State residents seeking property tax benefits under each of those programs would be required to fill out the entire application and file it with the director, who would determine which property tax program provides the greatest benefit for the applicant.

The amount of an eligible claimant’s Stay NJ property tax credit would be divided into four tax year quarter credits that would be applied by the municipality to each of the property tax quarter payments due and owing on the eligible claimant’s homestead. The State Treasurer is required to forward Stay NJ property tax credit payments to each municipal tax collector, as applicable, on a quarterly basis at least 10 days prior to the statutory due date for each property tax year quarter payment (February 1, May 1, August

1, and November 1) to be applied against the property tax account of the homestead of an eligible claimant.

The base year of an eligible claimant who, for any tax year, receives a Stay NJ property tax credit instead of a homestead property tax reimbursement, would remain unchanged, notwithstanding the number of years that the taxpayer would receive a Stay NJ property tax credit instead of a homestead property tax reimbursement.

The bill establishes a dedicated nonlapsing account known as the Stay NJ account, and appropriates not more than \$300 million in State fiscal year 2023 to be used for the payment of Stay NJ property tax credits and for the administration of the Stay NJ property tax credit program. The bill also provides for appropriations to the program of \$300 million in Fiscal Year 2024, \$600 million in Fiscal Year 2025, \$800 million in Fiscal Year 2026, \$1 billion in Fiscal Year 2027, and \$1.2 billion in Fiscal Year 2028 and in each fiscal year thereafter.

The bill also includes language requiring that the provisions of the STAY NJ program will not supersede, impact, or interfere with the full funding in each State fiscal year necessary to satisfy the requirement in Article VIII, Section 4, paragraph 1 of the New Jersey Constitution that the Legislature provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of children in the State between 5 and 18 years of age; and the full funding of the veterans' \$250 property tax deduction, required to be provided to eligible veterans pursuant to Article VIII, Section I, paragraph 3 of the New Jersey Constitution, and the senior citizens' and disabled persons' \$250 property tax deduction authorized by Article VIII, section I, paragraph 4 of the New Jersey Constitution.

Under the bill, the Stay NJ property tax credits will first be provided in the tax year quarter beginning January 1, 2025.

The bill also effectuates a recommendation in the Governor's Fiscal Year 2024 budget recommendations concerning the homestead property tax reimbursement program (colloquially, the "senior freeze program"). This recommendation proposed an expansion of the homestead property tax reimbursement program by increasing the income limit for eligibility to receive a homestead property tax reimbursement to \$150,000, and reducing the 10-year waiting period for eligibility to only three years of home ownership of the property for which a reimbursement is sought.

COMMITTEE AMENDMENTS

The committee amended the bill to:

- Require that the provisions of the bill concerning the STAY NJ program will not supersede, impact or interfere with the full funding in each State Fiscal Year necessary to satisfy the requirement in Article VIII, Section 4, paragraph 1 of the New

Jersey Constitution that the Legislature provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of children in the State between 5 and 18 years of age; and the full funding of the veterans' \$250 property tax deduction, required to be provided to eligible veterans pursuant to Article VIII, Section I, paragraph 3 of the New Jersey Constitution, and the senior citizens' and disabled persons' \$250 property tax deduction authorized by Article VIII, Section I, paragraph 4 of the New Jersey Constitution;

- Revise the definition of “eligible claimant” in the homestead property tax reimbursement program (colloquially, the “senior freeze” program) to increase to \$150,000 the income eligibility limit for tax year 2022, and require that this income eligibility limit would be subject to adjustment in subsequent tax years pursuant to section 9 of P.L.1997, c.348 (C.54:4-8.67);
- Reduce the ownership requirement for eligibility to receive a homestead property tax reimbursement to three years; and
- Add a provision scheduling the implementation of the bill's amendments to the income limit and ownership requirement amendments to the homestead property tax reimbursement program.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 28, 2023

The Assembly Budget Committee reports favorably and with committee amendments, Assembly Bill No. 1 (1R).

As amended, this bill would provide property tax benefits to senior citizens through a new program called the Stay NJ property tax credit program, expand eligibility requirements under the homestead property tax reimbursement program (colloquially, the “senior freeze” program) for senior citizens and persons with disabilities, and expand property tax benefits for senior homeowners and renters under the ANCHOR Property Tax Relief Program.

The Stay NJ property tax credit program would provide to eligible claimants an annual property tax credit of 50 percent of the property taxes they paid on their principal residence in the prior tax year, up to a maximum of \$6,500 per year. The bill defines “eligible claimant” as a person who is 65 or more years of age, is the owner of a homestead in this State that is the person’s primary residence, and has a gross annual income that is less than \$500,000. Under the bill, there is a target date of January 1, 2026 for the implementation of the Stay NJ property tax credit program.

Under the bill, a property taxpayer who may be eligible to apply for an ANCHOR property tax rebate and a homestead property tax reimbursement, shall only be entitled to the greater of the Stay NJ property tax credit, or the combined amount of the ANCHOR property tax rebate and the homestead property tax reimbursement.

The bill requires the director to promulgate a single combined application form to be used by State residents to apply for the ANCHOR rebate program, the homestead property tax reimbursement program, and the Stay NJ property tax credit program. State residents seeking property tax benefits under each of those programs would be required to fill out the entire application and file it with the director, who would determine which property tax relief program provides the greatest benefit for the applicant.

The amount of an eligible claimant’s Stay NJ property tax credit would be divided into four tax year quarter credits that would be

applied by the municipality to each of the property tax quarter payments paid on the eligible claimant's homestead in the tax year. The State Treasurer is required to forward Stay NJ property tax credit payments to each municipal tax collector, as applicable, on a quarterly basis at least 10 days prior to the statutory due date for each property tax year quarter payment (February 1, May 1, August 1, and November 1) to be applied against the property tax account of the homestead of an eligible claimant.

Under the bill, the base year of an eligible claimant who, for any tax year, receives a Stay NJ property tax credit instead of a homestead property tax reimbursement, would remain unchanged, notwithstanding the number of years that the taxpayer would receive a Stay NJ property tax credit instead of a homestead property tax reimbursement.

The bill establishes a dedicated, nonlapsing account to pay Stay NJ property tax credits and provides that \$100,000,000 shall be appropriated to that account in State Fiscal Year 2024, \$200,000,000 in State Fiscal Year 2025, and \$300,000,000 for State Fiscal Year 2026.

The bill also includes language requiring that the provisions of the STAY NJ property tax credit program will not supersede, impact, or interfere with the full funding in each State fiscal year necessary to satisfy the requirement in Article VIII, Section IV, paragraph 1 of the New Jersey Constitution that the Legislature provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of children in the State between 5 and 18 years of age; the full funding of the veterans' \$250 property tax deduction, required to be provided to eligible veterans pursuant to Article VIII, Section I, paragraph 3 of the New Jersey Constitution; the senior citizens' and disabled persons' \$250 property tax deduction authorized by Article VIII, section I, paragraph 4 of the New Jersey Constitution; the full payment of contributions required by law to be made to the State-administered retirement systems; and the maintenance of a budgetary surplus target of no less than 12 percent of total expenditures from the General Fund and the Property Tax Relief Fund in a given State fiscal year.

The bill also establishes the Stay NJ Task Force in the Department of the Treasury, to develop recommendations for establishing and funding uniform property tax relief to all senior citizen homeowners and tenants making under \$500,000 per year. The task force is required to review all of the existing property tax relief programs and present, to the Governor and the Legislature, no later than May 30, 2024, a report containing recommendations that have a target implementation date of January 1, 2026, about how to restructure and consolidate the various property tax relief programs into one, streamlined, property tax relief program that would deliver to senior citizens having an annual gross income under \$500,000 an

annual property tax benefit, which for homeowners would be in the amount of 50 percent of the property tax bill on their principal residence, beginning with the tax year 2026, which commences on January 1 of that year. The report is to include recommendations concerning system improvements that both the State and local government units would need to implement the Stay NJ property tax credit program and the funding required to establish and maintain such system improvements. The bill also requires the Legislature to consider and approve, and the Governor to enact, legislation implementing the task force's recommendations.

The bill would also rename the "Homestead Property Tax Credit Act" the "Stay NJ Act." That change would take effect when the Stay NJ property tax credit program is implemented.

The bill also would provide expanded benefits to eligible seniors 65 years of age or older under the ANCHOR Property Tax Relief Program in State Fiscal Years 2024, 2025, and 2026. Eligible senior homeowners having income not in excess of \$250,000 would receive an additional \$250, and seniors who are renters with incomes not in excess of \$150,000 would also receive an additional \$250.

The bill also makes appropriations of \$2,000,000 to fund the work of the Stay NJ Task Force, and \$15,000,000 for marketing and outreach to senior citizens concerning the increased ANCHOR benefits provided under the bill.

The bill also effectuates a recommendation in the Governor's Fiscal Year 2024 budget recommendations concerning the homestead property tax reimbursement program (colloquially, the "senior freeze program"). This recommendation proposed an expansion of the homestead property tax reimbursement program by increasing the income limit for eligibility to receive a homestead property tax reimbursement to \$150,000, and reducing the 10-year waiting period for eligibility to only three years of home ownership of the property for which a reimbursement is sought.

As amended by the committee, this bill will be identical to S1 (1R) as that bill will be amended and reported by the Senate Budget and Appropriations Committee on this date.

COMMITTEE AMENDMENTS

The committee amended the bill to:

- Require that the provisions of the bill concerning the Stay NJ property tax credit program will also not supersede, impact or interfere with the full payment of the contributions required by law to be made to the State-administered retirement systems, and the maintenance of a budgetary surplus target of 12 percent of total expenditures from the General Fund and the Property Tax Relief Fund in a given State fiscal year;

- Provide additional ANCHOR Property Tax Relief Program benefits in the amount of \$250 to eligible senior citizen homeowners and renters in State Fiscal Years 2024, 2025, and 2026;
- Establish a dedicated, nonlapsing account for Stay NJ property tax credit funds, and to appropriate to that account the following amounts: in State FY 2024, \$100,000,000; in State FY 2025, \$200,000,000; and in State FY 2026, \$300,000,000;
- Establish the Stay NJ Task Force and set forth its purpose of recommending how to establish and fund uniform property tax relief for all senior citizen homeowners and tenants making under \$500,000 per year; designate its membership; and require that it issue recommendations for legislation implementing that uniform property tax relief;
- Require the Legislature to consider and approve, and the Governor to enact, the legislation recommended by the Stay NJ Task Force; and
- Appropriate from the General Fund to the Department of the Treasury \$2,000,000 to fund the work of the Stay NJ Task Force and \$15,000,000 for marketing and outreach to seniors regarding the expanded ANCHOR benefits provided under the bill.

FISCAL IMPACT:

The OLS concludes that the bill will result in additional State costs. In FY 2024, the State will incur additional costs of approximately \$143.7 million as follows: \$126.7 million to provide enhanced ANCHOR benefits to homeowners and renters over age 65, \$15.0 million for an ANCHOR outreach and marketing campaign, and \$2.0 million for expenses associated with the Stay NJ Task Force. In FY 2025, the State will incur additional State costs of approximately \$17.5 million as follows: \$3.5 million to provide the second year of enhanced ANCHOR benefits to homeowners and renters over age 65 and \$14.0 million due to the expansion of eligibility for the homestead property tax reimbursement program.

The implementation of the Stay NJ property tax credit program will result in additional State costs of \$2.1 billion to \$2.4 billion in FY 2026. These costs will be partially offset by anticipated savings of senior citizen homeowners who currently participate in the ANCHOR and homestead property tax reimbursement programs shifting to the Stay NJ property tax credit program. Applying these cost savings reduces the program cost range to \$1.2 billion to \$1.5 billion. Program costs will increase to \$1.3 billion to \$1.6 million in FY 2027 and to \$1.4 billion to \$1.7 billion in FY 2028.

Although actual program expenditures will fluctuate in succeeding fiscal years due to changes in property taxes and participation levels

among eligible claimants, the OLS estimates that program costs will grow by about two percent annually, in line with recent increases in property taxes. The bill requires additional State appropriations, beginning at \$100 million in FY 2024 and increasing to \$300 million in FY 2026 to support the Stay NJ property tax credit program. These appropriations will not be sufficient to cover the program's full cost.

Under the bill, the failure to enact reforms proposed by the Stay NJ Task Force will delay the development of the combined property tax relief application form, which, in turn, will delay the implementation of the Stay NJ property tax credit program to an unknown date in the future. For purposes of this estimate, the OLS projects that the Stay NJ property tax credit program is operative beginning January 1, 2026.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 1 STATE OF NEW JERSEY 220th LEGISLATURE

DATED: JUNE 21, 2023

SUMMARY

- Synopsis:** Establishes Stay NJ senior property tax credit affordability program; expands income limit and modifies ownership requirement for eligibility to receive homestead property tax reimbursement; appropriates not more than \$300 million.
- Type of Impact:** Increased State costs.
- Agencies Affected:** Department of the Treasury.
Municipalities.

Office of Legislative Services Estimate

Fiscal Impact	<u>FY 2025 through FY 2028</u>
Annual State Cost	\$2.3 billion to \$2.8 billion
<i>Less: Annual State Cost Savings</i>	<i>\$805 million to \$829 million</i>
Annual Net State Cost	\$1.5 billion to \$1.9 billion

- The Office of Legislative Services (OLS) estimates that the bill will result in additional net costs to the State of approximately \$1.5 billion to \$1.8 billion in FY 2025. These costs will increase by about two percent annually to a range of \$1.6 billion to \$1.9 billion by FY 2028.
- The projected cost of the first year of the Stay NJ program ranges from \$2.3 billion to \$2.6 billion, increasing to as high as \$2.8 billion by FY 2028. These costs would be partially offset by savings of approximately \$805 million to \$829 million due to reduced participation in the ANCHOR Property Tax Relief Program and the homestead property tax reimbursement program.
- Although the bill requires additional State appropriations to support the program, beginning with an initial allocation of \$300 million in FY 2023, these appropriations will not be sufficient to pay for the full cost of the Stay NJ program.

- The OLS notes the bill increases the homestead property tax reimbursement program's income eligibility limit and reduces the program's home ownership waiting period. However, since many homeowners who would be eligible for a homestead property tax reimbursement would also be eligible for a Stay NJ property tax credit, the OLS concludes that the proposed expansion is not likely to result in any significant increase in State costs.

BILL DESCRIPTION

The bill provides property tax benefits to senior citizens through a new program, named Stay NJ, and expands eligibility requirements for the homestead property tax reimbursement, colloquially known as the "senior freeze" for senior citizens and disabled persons.

Stay NJ: The Stay NJ program provides to an eligible claimant a property tax credit in the amount of 50 percent of the property tax due and owing for their principal residence, up to a maximum of \$10,000 per year. Under the bill, an eligible claimant is a person who is 65 or more years of age and the owner of a homestead in New Jersey that is the person's primary residence. There is no income eligibility limit for participation in the Stay NJ program. A property taxpayer who is eligible to receive a rebate through the Affordable New Jersey Communities for Homeowners and Renters, or ANCHOR, Property Tax Relief Program and the senior freeze is entitled to the greater of the Stay NJ credit or the combined amount of the ANCHOR property tax rebate and the homestead property tax reimbursement. Operationally, a Stay NJ credit would be issued by a municipality as an adjustment to a homeowner's property tax bill. The municipality would receive a payment from the State equal to the total amount of credits.

The bill requires the Division of Taxation to promulgate a single combined application form to be used by State residents to apply for the ANCHOR rebate program, homestead property tax reimbursement, and Stay NJ credit. The bill requires the division to determine which property tax relief programs would provide the greatest benefits to an applicant.

The bill establishes a dedicated, non-lapsing account in the Department of the Treasury, known as the Stay NJ account, and appropriates \$300 million for the payment of Stay NJ property tax credits and program administrative costs, including reimbursements to municipalities. The bill requires additional appropriations in future fiscal years as follows: \$300 million in Fiscal Year 2024, \$600 million in Fiscal Year 2025, \$800 million in Fiscal Year 2026, \$1 billion in Fiscal Year 2027, and \$1.2 billion in Fiscal Year 2028. The first Stay NJ property tax credits would be provided in calendar year 2025.

Homestead Property Tax Reimbursement: The bill increases the income eligibility limit for the homestead property tax reimbursement program to \$150,000, beginning in tax year 2022, and reduces the 10-year waiting period for eligibility to only three years of homeownership of the property for which a reimbursement is being sought. Due to the timing of homestead reimbursement payments, these changes would take effect for reimbursements provided in Fiscal Year 2025.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS concludes that implementation of the Stay NJ program will result in additional State costs, of \$2.3 billion to \$2.8 billion, beginning in FY 2025. These costs will be partially offset by anticipated savings of approximately \$805 million to \$829 million as senior citizen homeowners who currently participate in the ANCHOR and homestead property tax reimbursement programs shift to the Stay NJ Program. Applying these estimates reduces the program cost range to \$1.5 billion to \$1.9 billion.

Although actual program expenditures will fluctuate in succeeding fiscal years due to changes in property taxes and participation levels among eligible claimants, the OLS estimates that program costs will grow by two percent annually, in line with recent increases in property taxes. The bill requires additional State appropriations, beginning at \$300 million in FY 2023 and increasing to \$1.2 billion in FY 2028 to support Stay NJ. These appropriations will not be sufficient to cover the program's full cost.

The OLS further estimates that increasing the income eligibility limit for the homestead property tax reimbursement program may result in additional State costs of approximately \$14.0 million, beginning in FY 2025. However, it is also likely that many homeowners who would be newly eligible for a homestead property reimbursement under the new income eligibility limit will also qualify for a Stay NJ property tax credit. Therefore, increasing the income limit is not likely to result in any additional State costs.

The Estimated Cost of the Stay NJ Property Tax Credit

According to the Department of the Treasury, 469,044 senior citizens and disabled homeowners received a FY 2023 ANCHOR benefit. Information available through the U.S. Census Bureau's 2021 American Community Survey's 5-Year Estimates, suggests there are 674,199 owner-occupied housing units with a householder age 65 or older. (A householder is the person, or one of the people, in whose name the home is owned, being bought, or rented.) If householders counted in the American Community Survey are roughly equivalent to homeowners, then approximately 70 percent of homeowners age 65 or older participated in the ANCHOR program in FY 2023. Since the absence of an income eligibility limit and the prospect a larger property tax benefit will motivate more senior citizens to participate in the Stay NJ program, the OLS estimates that 70 percent to 80 percent of eligible claimants will apply for a property tax credit.

Based upon municipal property tax information available through the Division of Local Government Services, the OLS estimates that the Statewide average residential property tax bill increased by an average of 1.78 percent annually from calendar year 2017 through calendar year 2022. To estimate the amount of property taxes that would serve as the basis for the Stay NJ credit, the OLS applied this growth rate to the 2022 average residential property tax bill for each municipality to estimate the calendar year 2025 average residential property tax bills. Using the American Community Survey data and the property tax information, the OLS calculated the amount of Stay NJ credits that would be provided to taxpayers in each municipality. The sum total of these amounts constitute the FY 2025 program costs of \$2.3 billion to \$2.6 billion. Assuming that expenditures increase by two percent annually, program costs are estimated to be as high as \$2.8 billion by FY 2028.

Estimated Cost Savings

The ANCHOR Property Tax Relief Program provides rebates to homeowners, in the amount of either \$1,000 or \$1,500, depending on their gross income. The OLS estimates that FY 2023 ANCHOR rebate payments to senior citizen and disabled homeowners totaled \$684.7 million. The

FY 2024 Governor's Budget estimates that the number of senior citizen and disabled homeowners participating in the ANCHOR program, and the total amount of benefits paid to those participants, will increase by about two percent in FY 2024. Applying the two percent growth rate results in estimated FY 2025 ANCHOR benefit payments to senior citizens and disabled persons of approximately \$712.4 million. The OLS projects that 90 percent of these benefit payments, or \$641.1 million, are attributable to senior citizen homeowners that would transition to the Stay NJ Program.

The FY 2024 Governor's Budget includes \$186.8 million for the homestead property tax reimbursement, an increase of 6.1 percent above FY 2023 program expenditures of \$176.1 million. Data available through the State accounting system indicates that expenditures have been about five to 10 percent lower than program appropriations. Using budget evaluation data, the OLS estimates that FY 2025 homestead property tax reimbursement expenditures will total \$182.1 million. For purposes of this estimate, the OLS assumes a 90 percent reduction, \$163.9 million, in homestead property tax reimbursement costs due to senior citizen homeowners exiting the senior freeze program because they will receive a Stay NJ benefit instead.

Subtracting the total estimated savings, \$805 million, from the estimated cost of \$2.3 billion to \$2.6 billion reduces the net FY 2025 total program cost to \$1.5 billion to \$1.8 billion.

Program Appropriations

Although the bill provides an FY 2023 supplemental appropriation of \$300 million and requires additional State appropriations to support the Stay NJ program in each fiscal year thereafter, this funding will not be sufficient to cover the program's full cost. In addition to the \$300 million appropriated in FY 2023, the bill appropriates \$300 million in FY 2024, and \$600 million in FY 2025, for a total \$1.2 billion. The OLS estimates that Stay NJ's initial cost, after accounting for program savings, will be \$1.5 billion to \$1.8 billion. Therefore, even if the full amounts required under the bill are appropriated and held in the dedicated account, the State would need to appropriate an additional \$300 million to \$600 million FY 2025 to support the full cost of the Stay NJ program.

Expansion of the Homestead Property Tax Reimbursement

The homestead property tax reimbursement provides a benefit to qualified homeowners for the difference between the property taxes paid on a principal residence in the current tax year and the amount paid in the base year. The bill makes two changes to the eligibility requirements for the homestead property tax reimbursement program. First, the bill increases the program's income eligibility limit from an estimated \$108,411 to \$150,000. Second, the bill reduces the 10-year waiting period of eligibility to only three years of homeownership of the property for which a reimbursement is sought. Both of these changes would take effect beginning in FY 2025.

In response to an FY 2024 OLS Discussion Point, the Department of the Treasury indicated that these changes would allow an additional 58,000 households to gain eligibility for the homestead property tax reimbursement program. Of that amount, 43,000 households would qualify due to the proposed income limit increase, while 12,000 households would qualify due to the change in the home ownership waiting period. The OLS projects that the FY 2025 average new participant benefit for the homestead rebate would be about \$241. Applying the estimated new participant benefit to the estimated number of newly eligible household results in additional State costs of approximately \$14.0 million.

However, the amount of the Stay NJ benefit is likely to be greater than the combined amounts provided through other property tax relief programs. Please note the following example for illustrative purposes. Under the bill, an eligible claimant is entitled to a benefit that is the greater of the Stay NJ property tax credit or the combined amount provided through the ANCHOR and

homestead property tax reimbursement programs. The OLS estimates that the average residential property tax bill for calendar year 2025 will be about \$10,000. At that amount, the Stay NJ benefit would be \$5,000. The amounts provided through the ANCHOR and homestead property tax reimbursement programs, assuming no changes to current law or benefit levels, would total \$1,741 (an initial homestead property tax reimbursement benefit of \$241 and an ANCHOR rebate of \$1,500). Since most homeowners who would qualify for a homestead property tax reimbursement are also likely to qualify for, and receive, a Stay NJ property tax credit, the proposed changes to the homestead property tax reimbursement eligibility requirements are not likely to result in any significant increase in State costs.

Section: Revenue, Finance, and Appropriations

*Analyst: Scott A. Brodsky
Staff Fiscal and Budget Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

ASSEMBLY, No. 1

STATE OF NEW JERSEY 220th LEGISLATURE

DATED: AUGUST 9, 2023

SUMMARY

Synopsis: Establishes Stay NJ property tax credit program; establishes Stay NJ Task Force; expands income limit and modifies ownership requirement for eligibility to receive homestead property tax reimbursement; enhances ANCHOR benefits for seniors; and makes appropriations.

Type of Impact: Increased State costs.

Agencies Affected: Department of the Treasury.
Municipalities.

Office of Legislative Services Estimate

Fiscal Impact	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026 through FY 2028</u>
Annual State Cost	\$143.7 million	\$17.5 million	\$2.1 billion to \$2.5 billion
<i>Less: Annual State Cost Savings</i>	\$0	\$0	\$944.8 million to \$834.1 million
Annual Net State Cost	\$143.7 million	\$17.5 million	\$1.2 billion to \$1.7 billion

- The Office of Legislative Services (OLS) estimates that the provision of enhanced Affordable New Jersey Communities for Homeowners and Renters, or ANCHOR, benefits and the expansion of eligibility for the homestead property tax reimbursement will increase State costs by \$143.7 million in FY 2024 and \$17.5 million in FY 2025.
- The projected cost of the first year of the Stay NJ property tax credit program ranges from \$2.1 billion to \$2.4 billion, increasing to as high as \$2.5 billion by FY 2028. These costs would be partially offset by savings of approximately \$944.8 million in FY 2026 to \$834.1 million in FY 2028 due to reduced participation in the ANCHOR Property Tax Relief Program and the homestead property tax reimbursement program. The cost savings will be higher in FY 2026 because senior citizen homeowners will receive a Stay NJ property tax credit instead of the enhanced ANCHOR benefits provided by the bill.

- The State will incur additional costs in FY 2024 due to increased ANCHOR benefits provided by the bill, costs associated with an ANCHOR marketing and outreach campaign, and funding to support the Stay NJ Task Force. Costs associated with the additional ANCHOR benefits will be fully phased out beginning in FY 2027.
- Although the bill requires additional State appropriations to support the program, beginning with an initial allocation of \$100 million in FY 2024, these appropriations will not be sufficient to pay for the full cost of the Stay NJ property tax credit program.
- The OLS notes the bill increases the homestead property tax reimbursement program's income eligibility limit and reduces the program's home ownership waiting period. However, since most homeowners who would qualify for a homestead property tax reimbursement are also likely to qualify for, and receive, a Stay NJ property tax credit, the proposed changes to the homestead property tax reimbursement eligibility requirements are likely to result in an increase in State costs in FY 2025 only. The OLS anticipates that nearly all senior freeze recipients will migrate to the Stay NJ property tax credit program beginning in FY 2026.

BILL DESCRIPTION

The bill provides property tax benefits to senior citizens through a new program, named the Stay NJ property tax credit program, and expands eligibility requirements for the homestead property tax reimbursement program, colloquially known as the "senior freeze," for senior citizens and disabled persons. The bill provides enhanced property tax benefits to homeowners and renters age 65 years or older through the Affordable New Jersey Communities for Homeowners and Renters, or ANCHOR, Property Tax Relief Program. The bill establishes the Stay NJ Task Force in the Department of the Treasury to develop recommendations for establishing and funding uniform property tax relief for all senior citizens and tenants making less than \$500,000 per year.

Stay NJ: The Stay NJ property tax credit program provides to an eligible claimant a property tax credit in the amount of 50 percent of the property tax paid on the claimant's principal residence in the prior tax year, initially up to a maximum of \$6,500 per year. After the first year of the program, the maximum Stay NJ benefit will increase annually based on the increase in the average residential property tax bill, as computed by the Division of Local Government Services in the Department of Community Affairs. Program eligibility is limited to eligible claimants with gross income for the prior tax year of less than \$500,000. A property taxpayer who is eligible to receive a rebate through the ANCHOR Property Tax Relief Program and the homestead property tax reimbursement program is entitled to the greater of the Stay NJ property tax credit or the combined amount of the ANCHOR property tax rebate and the homestead property tax reimbursement. Operationally, a Stay NJ property tax credit would be issued by a municipality as an adjustment to a homeowner's property tax bill. The municipality would receive a payment from the State equal to the total amount of property tax credits.

The bill requires the Division of Taxation to promulgate, by July 1, 2025, a single combined application form to be used by State residents to apply for the ANCHOR rebate program, the homestead property reimbursement, and the Stay NJ property tax credit. The bill requires the division to determine which property tax relief programs would provide the greatest benefits to an applicant.

The bill establishes a dedicated, nonlapsing account in the Department of the Treasury, for the purpose of providing property tax relief to homestead owners and tenants through the Stay NJ

property tax credit program, and funding program administrative costs, including reimbursements to municipalities. The bill requires additional appropriations in future fiscal years as follows: \$100 million in Fiscal Year 2024; \$200 million in Fiscal Year 2025; and \$300 million in Fiscal Year 2026. The first Stay NJ credits would be provided in calendar year 2026 if there are no delays in the promulgation of the combined single application form.

Homestead Property Tax Reimbursement: The bill increases the income eligibility limit for the homestead property tax reimbursement program to \$150,000, beginning in tax year 2022, and reduces the 10-year waiting period to only three years of homeownership of the property for which a reimbursement is being sought. Due to the timing of homestead reimbursement payments, these changes would take effect for reimbursements provided in Fiscal Year 2025.

ANCHOR Property Tax Relief Program: The bill increases by \$250 the amount of the rebate provided to homeowners and tenants age 65 years or older through the ANCHOR Property Tax Relief Program. The ANCHOR Property Tax Relief Program provides rebates, in varying amounts, to homeowners with gross income not in excess of \$250,000 and to renters with gross income not in excess of \$150,000. The bill appropriates \$15 million from the General Fund to the Department of the Treasury for a marketing and outreach program to inform eligible homeowners and renters age 65 and older of the availability of the increased ANCHOR benefits.

Stay NJ Task Force: The six-member Stay NJ Task Force established by the bill is charged with developing recommendations regarding the provision of property tax relief to senior citizen homeowners and tenants with annual gross income of less than \$500,000 per year. The task force is required to review current property tax relief programs and present recommendations to the Governor and the Legislature, no later than May 30, 2024, a report concerning how to consolidate those initiatives into a single program that provides property tax relief to senior citizens with annual gross income of less than \$500,000 per year. The report would include recommendations concerning system improvements by the State and local governments that are necessary to implement the Stay NJ property tax credit program and the funding required to establish and maintain those improvements. The task force is required under the bill to provide recommendations that have a target implementation date of January 1, 2026. The bill appropriates \$2 million from the General Fund to the Department of the Treasury to support the Stay NJ Task Force.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS concludes that the bill will result in additional State costs. In FY 2024, the State will incur additional costs of approximately \$143.7 million as follows: \$126.7 million to provide enhanced ANCHOR benefits to homeowners and renters over age 65, \$15.0 million for an ANCHOR outreach and marketing campaign, and \$2.0 million for expenses associated with the Stay NJ Task Force. In FY 2025, the State will incur additional State costs of approximately \$17.5 million as follows: \$3.5 million to provide the second year of enhanced ANCHOR benefits to homeowners and renters over age 65 and \$14.0 million due to the expansion of eligibility for the homestead property tax reimbursement program.

The implementation of the Stay NJ property tax credit program will result in additional State costs of \$2.1 billion to \$2.4 billion in FY 2026. These costs will be partially offset by anticipated savings of senior citizen homeowners who currently participate in the ANCHOR and homestead property tax reimbursement programs shifting to the Stay NJ property tax credit program. Applying these cost savings reduces the program cost range to \$1.2 billion to \$1.5 billion. Program costs will increase to \$1.3 billion to \$1.6 billion in FY 2027 and to \$1.4 billion to \$1.7 billion in FY 2028.

Although actual program expenditures will fluctuate in succeeding fiscal years due to changes in property taxes and participation levels among eligible claimants, the OLS estimates that program costs will grow by about two percent annually, in line with recent Statewide average increases in property taxes. The bill requires additional State appropriations, beginning at \$100 million in FY 2024 and increasing to \$300 million in FY 2026 to support the Stay NJ property tax credit program. These appropriations will not be sufficient to cover the program's full cost.

Under the bill, the failure to enact reforms proposed by the Stay NJ Task Force will delay the development of the combined property tax relief application form, which, in turn, will delay the implementation of the Stay NJ property tax credit program to an unknown date in the future. For purposes of this estimate, the OLS projects that the Stay NJ property tax credit program is operative beginning January 1, 2026.

Stay NJ

According to the Department of the Treasury, 469,044 senior citizens and disabled homeowners received a FY 2023 ANCHOR benefit. Information available through the U.S. Census Bureau's 2021 American Community Survey's 5-Year Estimates suggests there are 674,199 owner-occupied housing units with a householder age 65 or older in this State. (A householder is the person, or one of the people, in whose name the home is owned, being bought, or rented.) If householders counted in the American Community Survey are roughly equivalent to homeowners, then approximately 70 percent of homeowners age 65 or older participated in the ANCHOR program in FY 2023.

Information published by the Department of the Treasury in the Statistics of Income: 2017 Gross Income Tax Returns indicates that about 1.5 percent of tax returns with at least one filer over age 65 reported gross income of more than \$500,000. For purposes of this estimate, the OLS projects that the income eligibility limit will cause two percent of homeowners over the age of 65 to be excluded from the program. Since the gross income eligibility limit will exclude a small number of homeowners and the prospect of a larger property tax benefit will motivate more senior citizens to participate in the Stay NJ property tax credit program, the OLS estimates that 70 percent to 80 percent of eligible claimants will apply for a property tax credit.

Based upon municipal property tax information available through the Division of Local Government Services, the OLS estimates that the Statewide average residential property tax bill increased by an average of 1.78 percent annually from calendar year 2017 through calendar year 2022. To estimate the amount of property taxes that would serve as the basis for the Stay NJ property tax credit, the OLS applied this growth rate to the 2022 average residential property tax bill for each municipality to estimate the calendar year 2025 average residential property tax bills. Using the American Community Survey data and the property tax information, the OLS calculated the amount of Stay NJ property tax credits that would be provided to taxpayers in each municipality. The sum total of these amounts constitute the FY 2026 program costs of \$2.1 billion to \$2.4 billion. Assuming that expenditures increase by about two percent annually, program costs are estimated to be as high as \$2.5 billion by FY 2028.

Stay NJ Program Appropriations

Although the bill requires appropriations of \$100 million in FY 2024, \$200 million in FY 2025, and \$300 million in FY 2026 to support the Stay NJ property tax credit program, this funding will not be sufficient to cover the program's full cost. The OLS estimates that Stay NJ's initial cost, after accounting for program savings, will be \$1.2 billion to \$1.5 billion. Therefore, even if the full amounts required under the bill are appropriated and held in the dedicated account, the State would need to appropriate an additional \$600 million to \$900 million in FY 2026 to support the full cost of the first-year Stay NJ property tax credit program.

Impact on the ANCHOR Program

The ANCHOR Property Tax Relief Program currently provides rebates to homeowners, in the amount of either \$1,000 or \$1,500, depending on their gross income. The bill increases ANCHOR benefits for homeowners and tenants age 65 and over by \$250 in fiscal years 2024, 2025, and 2026. In comparison to the FY 2023 benefit levels, the new benefit amount would be as follows: the benefit for homeowners age 65 and over with gross income not in excess of \$150,000 rises from \$1,500 to \$1,750; the benefit for homeowners with a gross income in excess of \$150,000 but not in excess of \$250,000 rises from \$1,000 to \$1,250; and the benefit for tenants rises from \$450 to \$700.

The Department of the Treasury has indicated that 469,044 senior citizen and disabled homeowners and 69,219 senior citizen and disabled tenants received a FY 2023 ANCHOR benefit. The OLS estimates that FY 2023 ANCHOR rebate payments to senior citizens and disabled persons totaled \$684.7 million. The FY 2024 Governor's Budget estimates that the number of senior citizen and disabled homeowners participating in the ANCHOR program, and the total amount of benefits paid to those participants, will increase by about 1.9 percent in FY 2024. Under the current program, FY 2024 ANCHOR benefits for senior citizens and disabled persons are projected to cost \$729.8 million. With the increased benefit, the FY 2024 costs increase by \$137.3 million, to \$867.1 million; and by an additional \$3.5 million for FY 2025, for a two-year total of \$143.8 million. The OLS projects that 90 percent of these costs, or \$126.7 million, are attributable to senior citizens.

Although the bill requires the additional ANCHOR benefits to be provided in FY 2026, the OLS anticipates that most homeowners age 65 and over will participate in the Stay NJ property tax credit program. Accordingly, the State costs would be limited to providing the enhanced benefit for tenants (estimated at \$52.8 million for FY 2026) and the cost of providing the enhanced benefit to disabled homeowners (estimated at \$14.1 million). The bill does not require the additional ANCHOR benefits to be provided in FY 2027.

The OLS anticipates that the State will achieve cost savings of \$780.0 million in FY 2026, \$733.3 million in FY 2027, and \$679.7 million in FY 2028 as senior citizen homeowners migrate to the Stay NJ property tax credit program. The anticipated cost savings will be higher in FY 2026 and FY 2027 due to the shift in program participation and the phase-out of additional ANCHOR benefits provided under the bill.

Impact on the Homestead Property Tax Reimbursement

The FY 2024 Governor's Budget includes \$186.8 million for the homestead property tax reimbursement, an increase of 6.1 percent above FY 2023 program expenditures of \$176.1 million. Data available through the State accounting system indicates that expenditures have been about five to 10 percent lower than program appropriations. Using budget evaluation data, the OLS estimates that FY 2026 homestead property tax reimbursement expenditures will total \$183.1 million. For purposes of this estimate, the OLS assumes a 90 percent reduction, or \$164.7 million,

in homestead property tax reimbursement costs due to senior citizen homeowners exiting the senior freeze program because they will receive a Stay NJ property tax credit instead.

The bill makes two changes to the eligibility requirements for the homestead property tax reimbursement program. First, the bill increases the program's income eligibility limit from an estimated \$108,411 to \$150,000. Second, the bill reduces the 10-year waiting period of eligibility to only three years of homeownership of the property for which a reimbursement is sought. Both of these changes would take effect beginning in FY 2025.

In response to an FY 2024 OLS Discussion Point, the Department of the Treasury indicated that these changes would allow an additional 58,000 households to gain eligibility for the homestead property tax reimbursement program. Of that amount, 43,000 households would qualify due to the proposed income limit increase, while 12,000 households would qualify due to the change in the home ownership waiting period. The OLS projects that the FY 2025 average new participant benefit for the homestead rebate would be about \$241. Applying the estimated new participant benefit to the estimated number of newly eligible households results in additional State costs of approximately \$14.0 million.

However, the amount of the Stay NJ property tax credit is likely to be greater than the combined amounts provided through other property tax relief programs. The OLS provides the following example for illustrative purposes. Under the bill, an eligible claimant is entitled to a benefit that is the greater of the Stay NJ property tax credit or the combined amount provided through the ANCHOR and homestead property tax reimbursement programs. The OLS estimates that the average residential property tax bill for calendar year 2025 will be about \$10,000. At that amount, the Stay NJ benefit would be \$5,000. The amounts provided through the ANCHOR and homestead property tax reimbursement programs, assuming no changes to current law or benefit levels, would total \$1,741 (an initial homestead property tax reimbursement benefit of \$241 and an ANCHOR rebate of \$1,500).

Since most homeowners who would qualify for a homestead property tax reimbursement are also likely to qualify for, and receive, a Stay NJ property tax credit, the proposed changes to the homestead property tax reimbursement eligibility requirements are likely to result in an increase in State costs in FY 2025 only. The OLS anticipates that nearly all senior freeze recipients will migrate to the Stay NJ property tax credit program beginning in FY 2026.

Section: Revenue, Finance, and Appropriations

*Analyst: Scott A. Brodsky
Staff Fiscal and Budget Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE, No. 1

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JUNE 5, 2023

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

Senator VIN GOPAL

District 11 (Monmouth)

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

SYNOPSIS

Establishes Stay NJ senior property tax credit affordability program; appropriates not more than \$300 million.

CURRENT VERSION OF TEXT

As introduced.



S1 SCUTARI, GOPAL

2

1 AN ACT providing a property tax credit of up to one-half of
2 property taxes due for primary residences of senior citizens in
3 the State, supplementing chapter 4 of Title 54 of the Revised
4 Statutes, amending P.L.1997, c.348, and making an
5 appropriation.

6

7 **BE IT ENACTED** by the Senate and General Assembly of the State
8 of New Jersey:

9

10 1. (New section) This act shall be known and may be cited as
11 the "Stay NJ Act."

12

13 2. (New section) As used in this act:

14 "Condominium" means the form of real property ownership
15 provided for under the "Condominium Act," P.L.1969, c.257
16 (C.46:8B-1 et seq.).

17 "Cooperative" means a housing corporation or association which
18 entitles the holder of a share or membership interest thereof to
19 possess and occupy for dwelling purposes a house, apartment or
20 other unit of housing owned or leased by the corporation or
21 association, or to lease or purchase a unit of housing constructed or
22 to be constructed by the corporation or association.

23 "Director" means the Director of the Division of Taxation in the
24 Department of the Treasury.

25 "Dwelling house" means any residential property assessed as real
26 property which consists of not more than four units, of which not
27 more than one may be used for commercial purposes, but shall not
28 include a unit in a condominium, cooperative, horizontal property
29 regime or mutual housing corporation.

30 "Eligible claimant" means an individual who is 65 or more years
31 of age and the owner of a homestead in this State on or after July 1,
32 2024, without regard to income.

33 "Homestead" means:

34 a. a dwelling house and the land on which that dwelling house is
35 located which constitutes the place of the eligible claimant's
36 domicile and is owned and used by the eligible claimant as the
37 eligible claimant's principal residence;

38 b. a condominium unit or a unit in a horizontal property regime
39 or a continuing care retirement community which constitutes the
40 place of the eligible claimant's domicile and is owned and used by
41 the eligible claimant as the eligible claimant's principal residence.
42 In addition to the generally accepted meaning of "owned" or
43 "ownership," a homestead shall be deemed to be owned by a person
44 if that person is a tenant for life or a tenant under a lease for 99
45 years or more, is entitled to and actually takes possession of the

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 homestead under an executory contract for the sale thereof or under
2 an agreement with a lending institution which holds title as security
3 for a loan, or is a resident of a continuing care retirement
4 community pursuant to a contract for continuing care for the life of
5 that person which requires the resident to bear, separately from any
6 other charges, the proportionate share of property taxes attributable
7 to the unit that the resident occupies; or

8 c. a unit in a cooperative or mutual housing corporation which
9 constitutes the place of domicile of a residential shareholder or
10 lessee therein, or of a lessee or shareholder who is not a residential
11 shareholder therein, which is used by the eligible claimant as the
12 eligible claimant's principal residence; or a mutual housing
13 corporation.

14 "Homestead property tax reimbursement" means the property tax
15 benefit provided pursuant to P.L.1997, c.348 (C.54:4-8.67 et seq).

16 "Horizontal property regime" means the form of real property
17 ownership provided for under the "Horizontal Property Act,"
18 P.L.1963, c.168 (C.46:8A-1 et seq.).

19 "Mutual housing corporation" means a corporation not-for-profit,
20 incorporated under the laws of this State on a mutual or cooperative
21 basis within the scope of section 607 of the Lanham Act (National
22 Defense Housing), Pub.L.849, (42 U.S.C. s.1521 et seq.), as
23 amended, which acquired a National Defense Housing Project
24 pursuant to that act.

25 "Principal residence" means a homestead actually and
26 continually occupied by an eligible claimant as the eligible
27 claimant's permanent residence, including a homestead on which an
28 eligible claimant made one or more payments in lieu of taxes to the
29 municipality in which the homestead is located, as distinguished
30 from a vacation home, property owned and rented or offered for
31 rent by the eligible claimant, and other secondary real property
32 holdings.

33 "Property tax" means the general property tax due and payable
34 by the owner of a homestead, based on an assessment made by the
35 municipality upon real property on an ad valorem basis on land and
36 improvements, and shall include payments in lieu of taxes.

37 "Stay NJ property tax credit" means a property tax credit in the
38 amount of 50 percent of an eligible claimant's property tax bill.

39 "Tax year" means the calendar year, January 1 through
40 December 31, in which a homestead is assessed for property
41 taxation and the property tax is levied thereon.

42 "Tax year quarter" means a three month period of a tax year
43 consisting of January 1 through March 31, April 1 through June 30,
44 July 1 through September 30, and October 1 through December 31.

45
46 3. (New section) The director shall administer the Stay NJ
47 property tax credit that shall provide to an eligible claimant a
48 property tax credit in the amount of 50 percent of the property tax

1 due and owing for the eligible claimant's principal residence.
2 Property tax credits shall be allowed pursuant to this section in
3 relation to the property taxes paid or allocable to an eligible
4 claimant who has more than one homestead in a tax year, but the
5 aggregate amount of the property taxes or property tax credits
6 claimed shall not exceed the total proportionate amounts of property
7 taxes assessed and levied against or allocable to each homestead for
8 the proportion of the tax year quarter to which the taxpayer
9 occupies it as the taxpayer's principle residence.

10 The amount of the Stay NJ property tax credit shall be calculated
11 for each eligible claimant by the director, and paid to the tax
12 collector of the municipality in which the eligible claimant's
13 homestead is located pursuant to the provisions of subsection a. of
14 section 5 of P.L. , c. (C.) (pending before the Legislature as
15 this bill).

16 Notwithstanding the provisions of P.L. , c. (C.) (pending
17 before the Legislature as this bill) that require an annual property
18 tax credit in the amount of 50 percent of the property tax due and
19 owing on an eligible claimant's homestead, the maximum amount
20 to be credited to an eligible claimant shall be \$10,000 per tax year.

21 An eligible claimant shall be entitled to a Stay NJ property tax
22 credit annually, on proper claim being made therefor to the director.
23 Notwithstanding any provision of P.L. , c. (C.)
24 (pending before the Legislature as this bill) to the contrary, the
25 amount of property taxes used to determine the amount of the Stay
26 NJ property tax credit shall not be reduced by the amount of the
27 deductions taken by an eligible claimant pursuant to P.L.1963,
28 c.171 (C.54:4-8.10 to 54:4-8.23) and P.L.1964, c.255 (C.54:4-8.40
29 to 54:4-8.45 et al.). The surviving spouse of a deceased resident of
30 this State who during his or her life received a Stay NJ property tax
31 credit shall be entitled, so long as the surviving spouse does not
32 remarry, remains a resident in the same homestead with respect to
33 which the Stay NJ property tax credit was granted, and is an eligible
34 claimant, to the same Stay NJ property tax credit, upon the same
35 conditions, with respect to the same homestead.

36
37 4. (New section) a. Not later than July 1, 2023, the director
38 shall promulgate a combined single application form consistent with
39 the requirements of section 6 of this act, that shall be available on
40 and after that date to be used by State residents to apply for the Stay
41 NJ property tax credit, the ANCHOR property tax rebate, and the
42 homestead property tax reimbursement program. State residents
43 seeking property tax benefits under those programs shall complete
44 the entire application and file it with the director. The director shall
45 determine which property tax benefit program or programs provide
46 the greatest benefit for the applicant pursuant to the requirements of
47 subsection b. of this section.

1 b. Notwithstanding any provision of law, rule, or regulation to
2 the contrary, an applicant shall only be entitled to the greater of:

- 3 (1) the amount of the Stay NJ property tax credit; or
4 (2) the combined amount of the ANCHOR property tax rebate and
5 the homestead property tax reimbursement.

6 c. With respect to the homestead property tax reimbursement
7 program, the base year of an eligible claimant who receives a Stay
8 NJ property tax credit instead of a homestead property tax
9 reimbursement shall remain unchanged, notwithstanding the
10 number of years that the eligible claimant receives a Stay NJ
11 property tax credit instead of a homestead property tax
12 reimbursement.

13 d. The director shall determine the amount of the Stay NJ
14 property tax credit that shall be provided for each eligible claimant
15 pursuant to P.L. , c. (C.) (pending before the Legislature as
16 this bill) based upon the information provided by the eligible
17 claimant in the application or from any other information as may be
18 available to the director and shall notify the applicant of the
19 determined amount in such manner as the director may deem
20 appropriate. Subject to the provisions of the State Uniform Tax
21 Procedure Law, R.S.54:48-1 et seq., such notification shall finally
22 and irrevocably fix the amount of the Stay NJ property tax credit
23 unless the applicant, within 90 days after having been given notice
24 of such determination, shall apply to the director for a hearing, or
25 unless the director shall redetermine the same. After such hearing
26 the director shall give notice of the final determination to the
27 applicant.

28 e. An eligible claimant for Stay NJ property tax credit
29 authorized under this act who is aggrieved by any decision, order,
30 finding, or denial by the director of all or part of that eligible
31 claimant's Keep Senior New Jersey property tax credit may appeal
32 therefrom to the New Jersey Tax Court in accordance with the
33 provisions of the State Uniform Tax Procedure Law, R.S.54:48-1 et
34 seq. The appeal provided by this section shall be the exclusive
35 remedy available to an applicant for review of a decision of a
36 director in respect to the determination of all or a part of a Stay NJ
37 property tax credit authorized under this act.

38
39 5. (New section) a. The State Treasurer, upon certification of
40 the director and upon warrant of the Director of the Division of
41 Budget and Accounting, shall pay and distribute the amount of a
42 Stay NJ property tax credit payable under this act that is claimed for
43 the tax year to each eligible claimant whose credit is approved by
44 the director. A Stay NJ property tax credit allowed by the director
45 to an eligible claimant who claimed a Stay NJ property tax credit
46 pursuant to section 3 of P.L. , c. (C.) (pending before the
47 Legislature as this bill), and whose homestead is not a unit in a
48 cooperative, mutual housing corporation, or continuing care

1 retirement community, shall be paid by the State Treasurer through
2 electronic funds transfer made by the director to the local property
3 tax account maintained by the local property tax collector for the
4 homestead of an eligible claimant as the eligible claimant shall
5 identify, in four equal installments after the application for the
6 credit has been approved. The State Treasurer shall pay and
7 distribute Stay NJ property tax credit payments to each municipal
8 tax collector, as applicable, on a quarterly basis at least 10 days
9 prior to the statutory due date for each property tax year quarter
10 payment. Notice of payments of Stay NJ credit installments shall
11 be provided to the eligible claimant and the appropriate local tax
12 collector.

13 b. Each municipal tax collector who applies a Stay NJ property
14 tax credit to the property tax account of the homestead of an eligible
15 claimant pursuant to this section shall provide timely notice thereof
16 to the eligible claimant and to any mortgagee or servicing
17 organization noted on the property tax account that requires a
18 mortgagor to make property tax payments to an escrow account, for
19 the purpose of encouraging the escrow account property tax
20 requirements to be promptly adjusted to the benefit of the property
21 tax taxpayer on account of Stay NJ property tax credit payments.

22
23 6. (New section) a. Notwithstanding the provisions of section 6
24 of P.L.1990, c.61 (C.54:4-8.62) and section 3 of P.L.1997, c.348
25 (C.54:4-8.70) concerning the form and deadline of applications for
26 the ANCHOR rebate program and the homestead property tax
27 reimbursement, the director shall promulgate a single combined
28 application form to be used by State residents to apply for the
29 ANCHOR rebate program, the homestead property tax
30 reimbursement program, and the Stay NJ property tax credit. The
31 combined application form shall require the applicant to submit
32 information about his or her age, annual income, homestead
33 property address, as well as any other information determined
34 necessary by the director in order to approve or disapprove the
35 applicant's participation in those programs. The combined
36 application form shall also advise the applicant that the director
37 shall determine the eligibility of an applicant to receive an
38 ANCHOR rebate, homestead property tax reimbursement, or a Stay
39 NJ property tax credit. The director shall, for good cause shown,
40 extend the time of any applicant to file an application for a
41 reasonable period, and in such case, the application shall be
42 processed and payment of an ANCHOR rebate, homestead property
43 tax reimbursement, or a Stay NJ property tax credit made in
44 accordance with the procedures established in the case of
45 applications timely filed, except the date for the payment may be
46 delayed for a reasonable period. If an applicant or an applicant's
47 spouse has filed an application for an extension of time to file a
48 gross income tax return, the date by which the applicant shall file an

1 application may, in the discretion of the director, be extended for a
2 reasonable period, and the date for the payment of payment of an
3 ANCHOR rebate, homestead property tax reimbursement, or a Stay
4 NJ property tax credit may be delayed for a reasonable period. A
5 State resident seeking property tax benefits under any of those
6 programs shall accurately complete the entire application and file it
7 with the director.

8 For purposes of this subsection, in order to establish good cause
9 to extend the time of an eligible claimant to file an application, the
10 eligible claimant shall provide to the director either medical
11 evidence, such as a doctor's certification, that the claimant was
12 unable to file the claim by the date prescribed by the director
13 because of illness or hospitalization, or evidence that the applicant
14 attempted to file a timely application. Except as may be established
15 by medical evidence or inability to file a claim, good cause shall not
16 be established due to a claimant not having received an application
17 from the director.

18 b. Upon the approval of applications by the director, the director
19 shall prepare lists of individuals entitled to receive a Stay NJ
20 credit, together with the respective amounts due each claimant and
21 shall forward such lists to the State Treasurer, the Director of the
22 Division of Budget and Accounting, and any other officials as the
23 director deems appropriate on or before the earliest of such date or
24 dates as may be convenient for the director to compile such lists.
25 The director may inspect all records in the office of the tax collector
26 and tax assessor of a municipality with respect to applications,
27 claims, and allowances for Stay NJ property tax credits.

28 c. If an application contains a claim for a Stay NJ property tax
29 credit that is incorrectly determined by the eligible claimant or is
30 based upon incorrect or insufficient information from which the
31 director is to approve the claim, the director may determine the
32 eligibility of the claimant for a Stay NJ property tax credit and the
33 correct amount of a Stay NJ property tax credit from such other
34 information as may be available to the director.

35 d. In the case of an eligible claimant whose homestead is a unit
36 in a cooperative, mutual housing corporation, or continuing care
37 retirement community, the director may provide that the application
38 shall include the name and address of the location of the property
39 and the amount of real property taxes attributed to the cooperative,
40 mutual housing residential unit or continuing care retirement
41 community residential unit, as shall be indicated in an official
42 notice which shall be furnished by the cooperative, mutual housing
43 corporation, or continuing care retirement community for the tax
44 year.

45
46 7. (New section) When title to a homestead for which a Stay NJ
47 property tax credit is claimed, is held by an eligible claimant and
48 another or others, either as tenants in common or as joint tenants,

1 the eligible claimant shall not be allowed a Stay NJ property tax
2 credit in an amount in excess of the eligible claimant's
3 proportionate share of the taxes assessed against the homestead,
4 which proportionate share, for the purposes of
5 P.L. , c. (C.) (pending before the Legislature as this
6 bill), shall be deemed to be equal to that of each of the other
7 tenants, unless it is shown that the interests in question are not
8 equal, in which event the eligible claimant's proportionate share
9 shall be as shown. Nothing herein shall preclude more than one
10 tenant, whether title be held in common or joint tenancy, from
11 claiming a Stay NJ property tax credit from the taxes assessed
12 against the property so held, but no more than the equivalent of one
13 full Stay NJ property tax credit in regard to such homestead shall be
14 allowed in any year. In any case in which the eligible claimants
15 cannot agree as to the apportionment thereof, such Stay NJ property
16 tax credit shall be apportioned between or among them in
17 proportion to their interest. Property held by husband and wife, as
18 tenants by the entirety, shall be deemed wholly owned by each
19 tenant, but no more than one full Stay NJ property tax credit in
20 regard to such homestead shall be allowed in any year. Right to
21 claim a Stay NJ property tax credit hereunder shall extend to a
22 homestead the title to which is held by a partnership, to the extent
23 of the eligible claimant's interest as a partner therein, and by a
24 guardian, trustee, committee, conservator or other fiduciary for any
25 person who would otherwise be entitled to claim such Stay NJ
26 property tax credit hereunder, but not to a homestead the title to
27 which is held by a corporation; except that a residential shareholder
28 in a cooperative or mutual housing corporation shall be entitled to
29 claim a Stay NJ property tax credit if the residential shareholder is
30 otherwise eligible to receive it, to the extent of the proportionate
31 share of the taxes assessed against the homestead of the
32 corporation, or any other entity holding title, attributable to the
33 residential shareholder's unit therein.

34

35 8. (New section) In the case of a delinquency in the payment of
36 property taxes by a cooperative, mutual housing corporation or
37 continuing care retirement community, a Stay NJ property tax
38 credit that may be due an individual shall be paid by the State
39 Treasurer to the tax collector of the municipality. The tax collector
40 shall credit the cooperative, mutual housing corporation or
41 continuing care retirement community with such payment and the
42 cooperative, mutual housing corporation or continuing care
43 retirement community shall, in turn, credit the individual unit owner
44 to the extent of the Stay NJ property tax credit and notify the
45 eligible claimant of the amount to be credited.

46

47 9. (New section) Any individual who receives a Stay NJ
48 property tax credit otherwise authorized under this act but as a

1 result of an intentional misrepresentation of a material fact shall be
2 required to repay to the director the amount of the credit and shall
3 be liable to a penalty equal to 150 percent of the amount of the Stay
4 NJ property tax credit paid as a result of that misrepresentation.

5
6 10. a. (New section) Except as provided in subsection b. of this
7 section, a person who receives a Stay NJ property tax credit
8 otherwise authorized under this act but which has been paid in error
9 and which is recoverable by the director, and fails to return the
10 payment within 45 days of receiving notice from the director that
11 such payment was erroneous, shall pay, in addition to the amount of
12 the erroneous credit, interest at the rate prescribed in R.S.54:49-3,
13 assessed for each month or fraction thereof, compounded annually
14 at the end of each year, from the date next following the 45th day
15 after receiving the notice from the director that such payment was
16 erroneous until the date of the return of the erroneous payment.

17 b. A person who is 65 years of age or older at the close of the
18 tax year, or who is allowed to claim a personal deduction as a blind
19 or disabled taxpayer pursuant to subsection b. of N.J.S.54A:3-1,
20 who receives notice from the director pursuant to this section, shall
21 within 45 days after receiving that notice, be permitted enter into an
22 installment payment agreement for a reasonable period of time that
23 will enable the person to completely satisfy the amount paid in
24 effort and without the assessment of interest thereon.

25 c. Except as an installment payment agreement permitted
26 pursuant to subsection b. of this section, a Stay NJ Property Tax
27 Credit paid as a result of misrepresentation or paid in error and any
28 penalties and interest imposed thereon by this act, shall be payable
29 to and recoverable by the director in the same manner as a
30 deficiency with respect to the payment of State tax in accordance
31 with the State Uniform Tax Procedure Law, R.S.54:48-1 et seq.

32
33 11. (New section) Notwithstanding the provisions of the
34 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
35 seq.) to the contrary, the Director of the Division of Taxation in the
36 Department of the Treasury may adopt immediately upon filing
37 with the Office of Administrative Law, such regulations as the
38 director deems necessary to implement the provisions of
39 P.L. , c. (C.) (pending before the Legislature as this bill) as
40 may be necessary to meet the requirements of P.L. , c. (C.)
41 (pending before the Legislature as this bill), which regulations shall
42 be effective for a period not to exceed 180 days from the date of the
43 filing. The regulations may thereafter be amended, adopted, or
44 readopted by the director as the director deems necessary in
45 accordance with P.L.1968, c.410. The director shall also
46 promulgate such forms as the director shall deem necessary to
47 implement the provisions of P.L. , c. (C.) (pending before
48 the Legislature as this bill).

1 12. (New section) There shall be annually appropriated to the
2 Department of the Treasury such amount as the Director of the
3 Division of Budget and Accounting in the Department of the
4 Treasury shall determine is necessary for the administrative costs,
5 including to reimburse additional costs incurred by local tax
6 collectors, of implementing the provisions of P.L. , c. (C.)
7 (pending before the Legislature as this bill).

8
9 13. Section 1 of P.L.1997, c.348 (C.54:4-8.67) is amended to
10 read as follows:

11 1. As used in this act:

12 "Base year" means, in the case of a person who is an eligible
13 claimant on or before December 31, 1997, the tax year 1997; and in
14 the case of a person who first becomes an eligible claimant after
15 December 31, 1997, the tax year in which the person first becomes
16 an eligible claimant. In the case of an eligible claimant who
17 subsequently moves from the homestead for which the initial
18 eligibility was established, the base year shall be the first full tax
19 year during which the person resides in the new homestead.
20 Provided however, a base year for an eligible claimant after such a
21 move shall not apply to tax years commencing prior to January 1,
22 2009. In the case of an eligible claimant who receives a Stay NJ
23 property tax credit in lieu of a homestead property tax
24 reimbursement pursuant to section 4 of P.L. , c. (C.) (pending
25 before the Legislature as this bill), the base year of that eligible
26 claimant shall remain unchanged.

27 "Commissioner" means the Commissioner of Community
28 Affairs.

29 "Director" means the Director of the Division of Taxation.

30 "Condominium" means the form of real property ownership
31 provided for under the "Condominium Act," P.L.1969, c.257
32 (C.46:8B-1 et seq.).

33 "Cooperative" means a housing corporation or association which
34 entitles the holder of a share or membership interest thereof to
35 possess and occupy for dwelling purposes a house, apartment or
36 other unit of housing owned or leased by the corporation or
37 association, or to lease or purchase a unit of housing constructed or
38 to be constructed by the corporation or association.

39 "Disabled person" means an individual receiving monetary
40 payments pursuant to Title II of the federal Social Security Act (42
41 U.S.C. s.401 et seq.) on December 31, 1998, or on December 31 in
42 all or any part of the year for which a homestead property tax
43 reimbursement under this act is claimed.

44 "Dwelling house" means any residential property assessed as real
45 property which consists of not more than four units, of which not
46 more than one may be used for commercial purposes, but shall not
47 include a unit in a condominium, cooperative, horizontal property
48 regime or mutual housing corporation.

1 "Eligible claimant" means a person who:
2 is 65 or more years of age, or who is a disabled person;
3 is an owner of a homestead, or the lessee of a site in a mobile
4 home park on which site the applicant owns a manufactured or
5 mobile home;
6 has an annual income of less than \$17,918 in tax year 1998, less
7 than \$18,151 in tax year 1999, or less than \$37,174 in tax year
8 2000, if single, or, if married, whose annual income combined with
9 that of the spouse is less than \$21,970 in tax year 1998, less than
10 \$22,256 in tax year 1999, or less than \$45,582 in tax year 2000,
11 which income eligibility limits for single and married persons shall
12 be subject to adjustments in tax years 2001 through 2006 pursuant
13 to section 9 of P.L.1997, c.348 (C.54:4-8.68);
14 has an annual income of \$60,000 or less in tax year 2007,
15 \$70,000 or less in tax year 2008, or \$80,000 or less in tax year
16 2009, if single or married, which income eligibility limits shall be
17 subject to adjustments in subsequent tax years pursuant to section 9
18 of P.L.1997, c.348 (C.54:4-8.68);
19 as a renter or homeowner, has made a long-term contribution to
20 the fabric, social structure and finances of one or more communities
21 in this State, as demonstrated through the payment of property taxes
22 directly, or through rent, on any homestead or rental unit used as a
23 principal residence in this State for at least 10 consecutive years at
24 least three of which as owner of the homestead for which a
25 homestead property tax reimbursement is sought prior to the date
26 that an initial application for a homestead property tax
27 reimbursement is filed. A person who has been an eligible claimant
28 for a previous tax year shall qualify as an eligible claimant
29 beginning the second full tax year following a move to another
30 homestead in New Jersey, despite not meeting the three-year
31 minimum residency and ownership requirement required for initial
32 claimants under this paragraph; provided that the person satisfies
33 the income eligibility limits for the tax year. Provided however,
34 eligibility beginning in a second full tax year after such a move
35 shall not apply to tax years commencing prior to January 1, 2010.
36 "Homestead" means:
37 a dwelling house and the land on which that dwelling house is
38 located which constitutes the place of the eligible claimant's
39 domicile and is owned and used by the eligible claimant as the
40 eligible claimant's principal residence;
41 a site in a mobile home park equipped for the installation of
42 manufactured or mobile homes, where these sites are under
43 common ownership and control for the purpose of leasing each site
44 to the owner of a manufactured or mobile home for the installation
45 thereof and such site is used by the eligible claimant as the eligible
46 claimant's principal residence;
47 a dwelling house situated on land owned by a person other than
48 the eligible claimant which constitutes the place of the eligible

1 claimant's domicile and is owned and used by the eligible claimant
2 as the eligible claimant's principal residence;

3 a condominium unit or a unit in a horizontal property regime or
4 continuing care retirement community which constitutes the place
5 of the eligible claimant's domicile and is owned and used by the
6 eligible claimant as the eligible claimant's principal residence.

7 In addition to the generally accepted meaning of "owned" or
8 "ownership," a homestead shall be deemed to be owned by a person
9 if that person is a tenant for life or a tenant under a lease for 99
10 years or more, is entitled to and actually takes possession of the
11 homestead under an executory contract for the sale thereof or under
12 an agreement with a lending institution which holds title as security
13 for a loan, or is a resident of a continuing care retirement
14 community pursuant to a contract for continuing care for the life of
15 that person which requires the resident to bear, separately from any
16 other charges, the proportionate share of property taxes attributable
17 to the unit that the resident occupies;

18 a unit in a cooperative or mutual housing corporation which
19 constitutes the place of domicile of a residential shareholder or
20 lessee therein, or of a lessee or shareholder who is not a residential
21 shareholder therein, which is used by the eligible claimant as the
22 eligible claimant's principal residence.

23 "Homestead property tax reimbursement" means payment of the
24 difference between the amount of property tax or site fee
25 constituting property tax due and paid in any year on any
26 homestead, exclusive of improvements not included in the
27 assessment on the real property for the base year, and the amount of
28 property tax or site fee constituting property tax due and paid in the
29 base year, when the amount paid in the base year is the lower
30 amount; but such calculations shall be reduced by any current year
31 property tax reductions or reductions in site fees constituting
32 property taxes resulting from judgments entered by county boards
33 of taxation or the State Tax Court.

34 "Horizontal property regime" means the form of real property
35 ownership provided for under the "Horizontal Property Act,"
36 P.L.1963, c.168 (C.46:8A-1 et seq.).

37 "Manufactured home" or "mobile home" means a unit of housing
38 which:

39 (1) Consists of one or more transportable sections which are
40 substantially constructed off site and, if more than one section, are
41 joined together on site;

42 (2) Is built on a permanent chassis;

43 (3) Is designed to be used, when connected to utilities, as a
44 dwelling on a permanent or nonpermanent foundation; and

45 (4) Is manufactured in accordance with the standards
46 promulgated for a manufactured home by the Secretary of the
47 United States Department of Housing and Urban Development
48 pursuant to the "National Manufactured Housing Construction and

1 Safety Standards Act of 1974," Pub.L.93-383 (42 U.S.C. s.5401 et
2 seq.) and the standards promulgated for a manufactured or mobile
3 home by the commissioner pursuant to the "State Uniform
4 Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.).

5 "Mobile home park" means a parcel of land, or two or more
6 parcels of land, containing no fewer than 10 sites equipped for the
7 installation of manufactured or mobile homes, where these sites are
8 under common ownership and control for the purpose of leasing
9 each site to the owner of a manufactured or mobile home for the
10 installation thereof, and where the owner or owners provide
11 services, which are provided by the municipality in which the park
12 is located for property owners outside the park, which services may
13 include but shall not be limited to:

- 14 (1) The construction and maintenance of streets;
- 15 (2) Lighting of streets and other common areas;
- 16 (3) Garbage removal;
- 17 (4) Snow removal; and
- 18 (5) Provisions for the drainage of surface water from home sites
19 and common areas.

20 "Mutual housing corporation" means a corporation not-for-profit,
21 incorporated under the laws of this State on a mutual or cooperative
22 basis within the scope of section 607 of the Lanham Act (National
23 Defense Housing), Pub.L.849, (42 U.S.C. s.1521 et seq.), as
24 amended, which acquired a National Defense Housing Project
25 pursuant to that act.

26 "Income" means income as determined pursuant to P.L.1975,
27 c.194 (C.30:4D-20 et seq.).

28 "Principal residence" means a homestead actually and
29 continually occupied by an eligible claimant as his or her permanent
30 residence, as distinguished from a vacation home, property owned
31 and rented or offered for rent by the claimant, and other secondary
32 real property holdings.

33 "Property tax" means the general property tax due and paid as set
34 forth in this section, and shall include the amount of property tax
35 credit as defined in section 1 of P.L.2018, c.11 (C.54:4-66.6), on a
36 homestead, but does not include special assessments and interest
37 and penalties for delinquent taxes. For the sole purpose of
38 qualifying for a benefit under P.L.1997, c.348 (C.54:4-8.67 et seq.),
39 property taxes paid by June 1 of the year following the year for
40 which the benefit is claimed will be deemed to be timely paid.

41 "Site fee constituting property tax" means 18 percent of the
42 annual site fee paid or payable to the owner of a mobile home park.

43 "Tax year" means the calendar year in which a homestead is
44 assessed and the property tax is levied thereon and it means the
45 calendar year in which income is received or accrued.

46 (cf: P.L.2018, c.11, s.11)

1 14. Section 7 of P.L.1997, c.348 (C.54:4-8.74) is amended to
2 read as follows:

3 7. In the event that a previously eligible claimant ceases to be an
4 eligible claimant for any tax year, the base year for that claimant
5 shall be the year prior to which the claimant again becomes an
6 eligible claimant.

7 In the case of an eligible claimant who receives a Stay NJ
8 property tax credit in lieu of a homestead property tax
9 reimbursement pursuant to section 4 of P.L. , c. (C.) (pending
10 before the Legislature as this bill), the eligible claimant shall remain
11 an eligible claimant for the purposes of P.L.1997, c.348 (C.54:4-
12 8.67 et seq.), and the base year of that eligible claimant shall remain
13 unchanged as long as the eligible claimant meets all of the other
14 eligibility requirements of P.L.1997, c.348 (C.54:4-8.67 et seq.).
15 (cf: P.L.1997, c.348, s.7)

16

17 15. a. The Department of the Treasury shall establish a
18 dedicated nonlapsing account known as the Stay NJ account. All
19 moneys deposited into the fund shall be used for the payment of
20 Stay NJ property tax credits and for the administration of the Stay
21 NJ property tax credit program.

22 b. There is appropriated to the Stay NJ account an amount not in
23 excess of \$300,000,000 for the Stay NJ program, subject to the
24 approval of the Director of the Division of Budget and Accounting
25 in the Department of the Treasury.

26 c. In State Fiscal Year 2024, there shall be appropriated to the
27 Stay NJ account an amount not in excess of \$300,000,000 for the
28 Stay NJ program, subject to the approval of the Director of the
29 Division of Budget and Accounting in the Department of the
30 Treasury.

31 d. In State Fiscal Year 2025, there shall be appropriated to the
32 Stay NJ account an amount not in excess of \$600,000,000 for the
33 Stay NJ program, subject to the approval of the Director of the
34 Division of Budget and Accounting in the Department of the
35 Treasury.

36 e. In State Fiscal Year 2026, there shall be appropriated to the
37 Stay NJ account an amount not in excess of \$800,000,000 for the
38 Stay NJ program, subject to the approval of the Director of the
39 Division of Budget and Accounting in the Department of the
40 Treasury.

41 f. In State Fiscal Year 2027, there shall be appropriated to the
42 Stay NJ account an amount not in excess of \$1,000,000,000 for the
43 Stay NJ program, subject to the approval of the Director of the
44 Division of Budget and Accounting in the Department of the
45 Treasury.

46 g. In State Fiscal Year 2028, and each fiscal year thereafter,
47 there shall be appropriated to the Stay NJ account an amount not in
48 excess of \$1,200,000,000 for the Stay NJ program, subject to the

1 approval of the Director of the Division of Budget and Accounting
2 in the Department of the Treasury.

3

4 16. This act shall take effect July 1, 2023 and first apply to
5 property tax credits for the tax year quarter beginning January 1,
6 2025.

7

8

9

STATEMENT

10

11 This bill establishes a property tax credit program, which will be
12 known and may be cited as the “Stay NJ Act.”

13 This program would provide to an eligible claimant a property
14 tax credit in the amount of 50 percent of the property tax due and
15 owing for the eligible claimant’s principal residence. The bill
16 defines “eligible claimant” as a person who is 65 or more years of
17 age and the owner of a homestead in this State that is the person’s
18 primary residence. There is no income limit for eligibility to
19 receive a property tax credit under the program. The purpose of the
20 program is to make property taxes more affordable for senior
21 citizens, so that they are able to stay in their homes. The program
22 will provide an eligible claimant with a property tax credit in an
23 amount equal to 50 percent of property taxes due and owed;
24 however, the bill provides that the maximum amount to be credited
25 to an eligible claimant under the program is \$10,000 per tax year.

26 Under the bill, a property taxpayer who may be eligible to apply
27 for an ANCHOR property tax rebate and a homestead property tax
28 reimbursement shall only be entitled to the greater of the Stay NJ
29 credit, or the combined amount of the ANCHOR property tax rebate
30 and the homestead property tax reimbursement.

31 The bill requires the director to promulgate a single combined
32 application form to be used by State residents to apply for the
33 ANCHOR rebate program, the homestead property tax
34 reimbursement program, and the Stay NJ property tax credit. State
35 residents seeking property tax benefits under each of those
36 programs would be required to fill out the entire application and file
37 it with the director, who would determine which property tax
38 program provides the greatest benefit for the applicant.

39 With respect to the homestead property tax reimbursement
40 program, the base year of an eligible claimant who receives a Stay
41 NJ property tax credit instead of a homestead property tax
42 reimbursement would remain unchanged, notwithstanding the
43 number of years that the taxpayer would receive a Stay NJ property
44 tax credit instead of a homestead property tax reimbursement.

45 The amount of an eligible claimant’s Stay NJ property tax credit
46 would be divided into four tax year quarter credits that will be
47 applied by the municipality on each of the property tax quarter
48 payments due and owing on the eligible claimant’s homestead. The

S1 SCUTARI, GOPAL

16

1 State Treasurer is required to forward Stay NJ property tax credit
2 payments to each municipal tax collector, as applicable, on a
3 quarterly basis at least 10 days prior to the statutory due date for
4 each property tax year quarter payment (February 1, May 1, August
5 1, and November 1) to be applied against the property tax account
6 of the homestead of the eligible claimant.

7 The bill establishes a dedicated nonlapsing account known as the
8 Stay NJ account. All moneys deposited into the fund will be used
9 for the payment of Stay NJ property tax credits and for the
10 administration of the Stay NJ property tax credit program. The bill
11 appropriates not more than \$300 million in State Fiscal Year 2023
12 to be used for the payment of Stay NJ property tax credits and for
13 the administration of the Stay NJ property tax credit program. The
14 bill also provides for appropriations to the program of \$300 million
15 in Fiscal Year 2024, \$600 million in Fiscal Year 2025, \$800 million
16 in Fiscal Year 2026, \$1 billion in Fiscal Year 2027, and \$1.2 billion
17 in Fiscal Year 2028 and each fiscal year thereafter.

18 Under the bill, the Stay NJ property tax credits will first be
19 provided in the tax year quarter beginning January 1, 2025.

SENATE, No. 1

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JUNE 5, 2023

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

Senator VIN GOPAL

District 11 (Monmouth)

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

SYNOPSIS

Establishes Stay NJ senior property tax credit affordability program; appropriates not more than \$300 million.

CURRENT VERSION OF TEXT

As introduced.



S1 SCUTARI, GOPAL

2

1 AN ACT providing a property tax credit of up to one-half of
2 property taxes due for primary residences of senior citizens in
3 the State, supplementing chapter 4 of Title 54 of the Revised
4 Statutes, amending P.L.1997, c.348, and making an
5 appropriation.

6
7 **BE IT ENACTED** by the Senate and General Assembly of the State
8 of New Jersey:

9
10 1. (New section) This act shall be known and may be cited as
11 the "Stay NJ Act."

12
13 2. (New section) As used in this act:

14 "Condominium" means the form of real property ownership
15 provided for under the "Condominium Act," P.L.1969, c.257
16 (C.46:8B-1 et seq.).

17 "Cooperative" means a housing corporation or association which
18 entitles the holder of a share or membership interest thereof to
19 possess and occupy for dwelling purposes a house, apartment or
20 other unit of housing owned or leased by the corporation or
21 association, or to lease or purchase a unit of housing constructed or
22 to be constructed by the corporation or association.

23 "Director" means the Director of the Division of Taxation in the
24 Department of the Treasury.

25 "Dwelling house" means any residential property assessed as real
26 property which consists of not more than four units, of which not
27 more than one may be used for commercial purposes, but shall not
28 include a unit in a condominium, cooperative, horizontal property
29 regime or mutual housing corporation.

30 "Eligible claimant" means an individual who is 65 or more years
31 of age and the owner of a homestead in this State on or after July 1,
32 2024, without regard to income.

33 "Homestead" means:

34 a. a dwelling house and the land on which that dwelling house is
35 located which constitutes the place of the eligible claimant's
36 domicile and is owned and used by the eligible claimant as the
37 eligible claimant's principal residence;

38 b. a condominium unit or a unit in a horizontal property regime
39 or a continuing care retirement community which constitutes the
40 place of the eligible claimant's domicile and is owned and used by
41 the eligible claimant as the eligible claimant's principal residence.

42 In addition to the generally accepted meaning of "owned" or
43 "ownership," a homestead shall be deemed to be owned by a person
44 if that person is a tenant for life or a tenant under a lease for 99
45 years or more, is entitled to and actually takes possession of the

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 homestead under an executory contract for the sale thereof or under
2 an agreement with a lending institution which holds title as security
3 for a loan, or is a resident of a continuing care retirement
4 community pursuant to a contract for continuing care for the life of
5 that person which requires the resident to bear, separately from any
6 other charges, the proportionate share of property taxes attributable
7 to the unit that the resident occupies; or

8 c. a unit in a cooperative or mutual housing corporation which
9 constitutes the place of domicile of a residential shareholder or
10 lessee therein, or of a lessee or shareholder who is not a residential
11 shareholder therein, which is used by the eligible claimant as the
12 eligible claimant's principal residence; or a mutual housing
13 corporation.

14 "Homestead property tax reimbursement" means the property tax
15 benefit provided pursuant to P.L.1997, c.348 (C.54:4-8.67 et seq).

16 "Horizontal property regime" means the form of real property
17 ownership provided for under the "Horizontal Property Act,"
18 P.L.1963, c.168 (C.46:8A-1 et seq.).

19 "Mutual housing corporation" means a corporation not-for-profit,
20 incorporated under the laws of this State on a mutual or cooperative
21 basis within the scope of section 607 of the Lanham Act (National
22 Defense Housing), Pub.L.849, (42 U.S.C. s.1521 et seq.), as
23 amended, which acquired a National Defense Housing Project
24 pursuant to that act.

25 "Principal residence" means a homestead actually and
26 continually occupied by an eligible claimant as the eligible
27 claimant's permanent residence, including a homestead on which an
28 eligible claimant made one or more payments in lieu of taxes to the
29 municipality in which the homestead is located, as distinguished
30 from a vacation home, property owned and rented or offered for
31 rent by the eligible claimant, and other secondary real property
32 holdings.

33 "Property tax" means the general property tax due and payable
34 by the owner of a homestead, based on an assessment made by the
35 municipality upon real property on an ad valorem basis on land and
36 improvements, and shall include payments in lieu of taxes.

37 "Stay NJ property tax credit" means a property tax credit in the
38 amount of 50 percent of an eligible claimant's property tax bill.

39 "Tax year" means the calendar year, January 1 through
40 December 31, in which a homestead is assessed for property
41 taxation and the property tax is levied thereon.

42 "Tax year quarter" means a three month period of a tax year
43 consisting of January 1 through March 31, April 1 through June 30,
44 July 1 through September 30, and October 1 through December 31.

45
46 3. (New section) The director shall administer the Stay NJ
47 property tax credit that shall provide to an eligible claimant a
48 property tax credit in the amount of 50 percent of the property tax

1 due and owing for the eligible claimant's principal residence.
2 Property tax credits shall be allowed pursuant to this section in
3 relation to the property taxes paid or allocable to an eligible
4 claimant who has more than one homestead in a tax year, but the
5 aggregate amount of the property taxes or property tax credits
6 claimed shall not exceed the total proportionate amounts of property
7 taxes assessed and levied against or allocable to each homestead for
8 the proportion of the tax year quarter to which the taxpayer
9 occupies it as the taxpayer's principle residence.

10 The amount of the Stay NJ property tax credit shall be calculated
11 for each eligible claimant by the director, and paid to the tax
12 collector of the municipality in which the eligible claimant's
13 homestead is located pursuant to the provisions of subsection a. of
14 section 5 of P.L. , c. (C.) (pending before the Legislature as
15 this bill).

16 Notwithstanding the provisions of P.L. , c. (C.) (pending
17 before the Legislature as this bill) that require an annual property
18 tax credit in the amount of 50 percent of the property tax due and
19 owing on an eligible claimant's homestead, the maximum amount
20 to be credited to an eligible claimant shall be \$10,000 per tax year.

21 An eligible claimant shall be entitled to a Stay NJ property tax
22 credit annually, on proper claim being made therefor to the director.
23 Notwithstanding any provision of P.L. , c. (C.)
24 (pending before the Legislature as this bill) to the contrary, the
25 amount of property taxes used to determine the amount of the Stay
26 NJ property tax credit shall not be reduced by the amount of the
27 deductions taken by an eligible claimant pursuant to P.L.1963,
28 c.171 (C.54:4-8.10 to 54:4-8.23) and P.L.1964, c.255 (C.54:4-8.40
29 to 54:4-8.45 et al.). The surviving spouse of a deceased resident of
30 this State who during his or her life received a Stay NJ property tax
31 credit shall be entitled, so long as the surviving spouse does not
32 remarry, remains a resident in the same homestead with respect to
33 which the Stay NJ property tax credit was granted, and is an eligible
34 claimant, to the same Stay NJ property tax credit, upon the same
35 conditions, with respect to the same homestead.

36
37 4. (New section) a. Not later than July 1, 2023, the director
38 shall promulgate a combined single application form consistent with
39 the requirements of section 6 of this act, that shall be available on
40 and after that date to be used by State residents to apply for the Stay
41 NJ property tax credit, the ANCHOR property tax rebate, and the
42 homestead property tax reimbursement program. State residents
43 seeking property tax benefits under those programs shall complete
44 the entire application and file it with the director. The director shall
45 determine which property tax benefit program or programs provide
46 the greatest benefit for the applicant pursuant to the requirements of
47 subsection b. of this section.

1 b. Notwithstanding any provision of law, rule, or regulation to
2 the contrary, an applicant shall only be entitled to the greater of:

- 3 (1) the amount of the Stay NJ property tax credit; or
4 (2) the combined amount of the ANCHOR property tax rebate and
5 the homestead property tax reimbursement.

6 c. With respect to the homestead property tax reimbursement
7 program, the base year of an eligible claimant who receives a Stay
8 NJ property tax credit instead of a homestead property tax
9 reimbursement shall remain unchanged, notwithstanding the
10 number of years that the eligible claimant receives a Stay NJ
11 property tax credit instead of a homestead property tax
12 reimbursement.

13 d. The director shall determine the amount of the Stay NJ
14 property tax credit that shall be provided for each eligible claimant
15 pursuant to P.L. , c. (C.) (pending before the Legislature as
16 this bill) based upon the information provided by the eligible
17 claimant in the application or from any other information as may be
18 available to the director and shall notify the applicant of the
19 determined amount in such manner as the director may deem
20 appropriate. Subject to the provisions of the State Uniform Tax
21 Procedure Law, R.S.54:48-1 et seq., such notification shall finally
22 and irrevocably fix the amount of the Stay NJ property tax credit
23 unless the applicant, within 90 days after having been given notice
24 of such determination, shall apply to the director for a hearing, or
25 unless the director shall redetermine the same. After such hearing
26 the director shall give notice of the final determination to the
27 applicant.

28 e. An eligible claimant for Stay NJ property tax credit
29 authorized under this act who is aggrieved by any decision, order,
30 finding, or denial by the director of all or part of that eligible
31 claimant's Keep Senior New Jersey property tax credit may appeal
32 therefrom to the New Jersey Tax Court in accordance with the
33 provisions of the State Uniform Tax Procedure Law, R.S.54:48-1 et
34 seq. The appeal provided by this section shall be the exclusive
35 remedy available to an applicant for review of a decision of a
36 director in respect to the determination of all or a part of a Stay NJ
37 property tax credit authorized under this act.

38
39 5. (New section) a. The State Treasurer, upon certification of
40 the director and upon warrant of the Director of the Division of
41 Budget and Accounting, shall pay and distribute the amount of a
42 Stay NJ property tax credit payable under this act that is claimed for
43 the tax year to each eligible claimant whose credit is approved by
44 the director. A Stay NJ property tax credit allowed by the director
45 to an eligible claimant who claimed a Stay NJ property tax credit
46 pursuant to section 3 of P.L. , c. (C.) (pending before the
47 Legislature as this bill), and whose homestead is not a unit in a
48 cooperative, mutual housing corporation, or continuing care

1 retirement community, shall be paid by the State Treasurer through
2 electronic funds transfer made by the director to the local property
3 tax account maintained by the local property tax collector for the
4 homestead of an eligible claimant as the eligible claimant shall
5 identify, in four equal installments after the application for the
6 credit has been approved. The State Treasurer shall pay and
7 distribute Stay NJ property tax credit payments to each municipal
8 tax collector, as applicable, on a quarterly basis at least 10 days
9 prior to the statutory due date for each property tax year quarter
10 payment. Notice of payments of Stay NJ credit installments shall
11 be provided to the eligible claimant and the appropriate local tax
12 collector.

13 b. Each municipal tax collector who applies a Stay NJ property
14 tax credit to the property tax account of the homestead of an eligible
15 claimant pursuant to this section shall provide timely notice thereof
16 to the eligible claimant and to any mortgagee or servicing
17 organization noted on the property tax account that requires a
18 mortgagor to make property tax payments to an escrow account, for
19 the purpose of encouraging the escrow account property tax
20 requirements to be promptly adjusted to the benefit of the property
21 tax taxpayer on account of Stay NJ property tax credit payments.
22

23 6. (New section) a. Notwithstanding the provisions of section 6
24 of P.L.1990, c.61 (C.54:4-8.62) and section 3 of P.L.1997, c.348
25 (C.54:4-8.70) concerning the form and deadline of applications for
26 the ANCHOR rebate program and the homestead property tax
27 reimbursement, the director shall promulgate a single combined
28 application form to be used by State residents to apply for the
29 ANCHOR rebate program, the homestead property tax
30 reimbursement program, and the Stay NJ property tax credit. The
31 combined application form shall require the applicant to submit
32 information about his or her age, annual income, homestead
33 property address, as well as any other information determined
34 necessary by the director in order to approve or disapprove the
35 applicant's participation in those programs. The combined
36 application form shall also advise the applicant that the director
37 shall determine the eligibility of an applicant to receive an
38 ANCHOR rebate, homestead property tax reimbursement, or a Stay
39 NJ property tax credit. The director shall, for good cause shown,
40 extend the time of any applicant to file an application for a
41 reasonable period, and in such case, the application shall be
42 processed and payment of an ANCHOR rebate, homestead property
43 tax reimbursement, or a Stay NJ property tax credit made in
44 accordance with the procedures established in the case of
45 applications timely filed, except the date for the payment may be
46 delayed for a reasonable period. If an applicant or an applicant's
47 spouse has filed an application for an extension of time to file a
48 gross income tax return, the date by which the applicant shall file an

1 application may, in the discretion of the director, be extended for a
2 reasonable period, and the date for the payment of payment of an
3 ANCHOR rebate, homestead property tax reimbursement, or a Stay
4 NJ property tax credit may be delayed for a reasonable period. A
5 State resident seeking property tax benefits under any of those
6 programs shall accurately complete the entire application and file it
7 with the director.

8 For purposes of this subsection, in order to establish good cause
9 to extend the time of an eligible claimant to file an application, the
10 eligible claimant shall provide to the director either medical
11 evidence, such as a doctor's certification, that the claimant was
12 unable to file the claim by the date prescribed by the director
13 because of illness or hospitalization, or evidence that the applicant
14 attempted to file a timely application. Except as may be established
15 by medical evidence or inability to file a claim, good cause shall not
16 be established due to a claimant not having received an application
17 from the director.

18 b. Upon the approval of applications by the director, the director
19 shall prepare lists of individuals entitled to receive a Stay NJ
20 credit, together with the respective amounts due each claimant and
21 shall forward such lists to the State Treasurer, the Director of the
22 Division of Budget and Accounting, and any other officials as the
23 director deems appropriate on or before the earliest of such date or
24 dates as may be convenient for the director to compile such lists.
25 The director may inspect all records in the office of the tax collector
26 and tax assessor of a municipality with respect to applications,
27 claims, and allowances for Stay NJ property tax credits.

28 c. If an application contains a claim for a Stay NJ property tax
29 credit that is incorrectly determined by the eligible claimant or is
30 based upon incorrect or insufficient information from which the
31 director is to approve the claim, the director may determine the
32 eligibility of the claimant for a Stay NJ property tax credit and the
33 correct amount of a Stay NJ property tax credit from such other
34 information as may be available to the director.

35 d. In the case of an eligible claimant whose homestead is a unit
36 in a cooperative, mutual housing corporation, or continuing care
37 retirement community, the director may provide that the application
38 shall include the name and address of the location of the property
39 and the amount of real property taxes attributed to the cooperative,
40 mutual housing residential unit or continuing care retirement
41 community residential unit, as shall be indicated in an official
42 notice which shall be furnished by the cooperative, mutual housing
43 corporation, or continuing care retirement community for the tax
44 year.

45
46 7. (New section) When title to a homestead for which a Stay NJ
47 property tax credit is claimed, is held by an eligible claimant and
48 another or others, either as tenants in common or as joint tenants,

1 the eligible claimant shall not be allowed a Stay NJ property tax
2 credit in an amount in excess of the eligible claimant's
3 proportionate share of the taxes assessed against the homestead,
4 which proportionate share, for the purposes of
5 P.L. , c. (C.) (pending before the Legislature as this
6 bill), shall be deemed to be equal to that of each of the other
7 tenants, unless it is shown that the interests in question are not
8 equal, in which event the eligible claimant's proportionate share
9 shall be as shown. Nothing herein shall preclude more than one
10 tenant, whether title be held in common or joint tenancy, from
11 claiming a Stay NJ property tax credit from the taxes assessed
12 against the property so held, but no more than the equivalent of one
13 full Stay NJ property tax credit in regard to such homestead shall be
14 allowed in any year. In any case in which the eligible claimants
15 cannot agree as to the apportionment thereof, such Stay NJ property
16 tax credit shall be apportioned between or among them in
17 proportion to their interest. Property held by husband and wife, as
18 tenants by the entirety, shall be deemed wholly owned by each
19 tenant, but no more than one full Stay NJ property tax credit in
20 regard to such homestead shall be allowed in any year. Right to
21 claim a Stay NJ property tax credit hereunder shall extend to a
22 homestead the title to which is held by a partnership, to the extent
23 of the eligible claimant's interest as a partner therein, and by a
24 guardian, trustee, committee, conservator or other fiduciary for any
25 person who would otherwise be entitled to claim such Stay NJ
26 property tax credit hereunder, but not to a homestead the title to
27 which is held by a corporation; except that a residential shareholder
28 in a cooperative or mutual housing corporation shall be entitled to
29 claim a Stay NJ property tax credit if the residential shareholder is
30 otherwise eligible to receive it, to the extent of the proportionate
31 share of the taxes assessed against the homestead of the
32 corporation, or any other entity holding title, attributable to the
33 residential shareholder's unit therein.

34

35 8. (New section) In the case of a delinquency in the payment of
36 property taxes by a cooperative, mutual housing corporation or
37 continuing care retirement community, a Stay NJ property tax
38 credit that may be due an individual shall be paid by the State
39 Treasurer to the tax collector of the municipality. The tax collector
40 shall credit the cooperative, mutual housing corporation or
41 continuing care retirement community with such payment and the
42 cooperative, mutual housing corporation or continuing care
43 retirement community shall, in turn, credit the individual unit owner
44 to the extent of the Stay NJ property tax credit and notify the
45 eligible claimant of the amount to be credited.

46

47 9. (New section) Any individual who receives a Stay NJ
48 property tax credit otherwise authorized under this act but as a

1 result of an intentional misrepresentation of a material fact shall be
2 required to repay to the director the amount of the credit and shall
3 be liable to a penalty equal to 150 percent of the amount of the Stay
4 NJ property tax credit paid as a result of that misrepresentation.

5
6 10. a. (New section) Except as provided in subsection b. of this
7 section, a person who receives a Stay NJ property tax credit
8 otherwise authorized under this act but which has been paid in error
9 and which is recoverable by the director, and fails to return the
10 payment within 45 days of receiving notice from the director that
11 such payment was erroneous, shall pay, in addition to the amount of
12 the erroneous credit, interest at the rate prescribed in R.S.54:49-3,
13 assessed for each month or fraction thereof, compounded annually
14 at the end of each year, from the date next following the 45th day
15 after receiving the notice from the director that such payment was
16 erroneous until the date of the return of the erroneous payment.

17 b. A person who is 65 years of age or older at the close of the
18 tax year, or who is allowed to claim a personal deduction as a blind
19 or disabled taxpayer pursuant to subsection b. of N.J.S.54A:3-1,
20 who receives notice from the director pursuant to this section, shall
21 within 45 days after receiving that notice, be permitted enter into an
22 installment payment agreement for a reasonable period of time that
23 will enable the person to completely satisfy the amount paid in
24 effort and without the assessment of interest thereon.

25 c. Except as an installment payment agreement permitted
26 pursuant to subsection b. of this section, a Stay NJ Property Tax
27 Credit paid as a result of misrepresentation or paid in error and any
28 penalties and interest imposed thereon by this act, shall be payable
29 to and recoverable by the director in the same manner as a
30 deficiency with respect to the payment of State tax in accordance
31 with the State Uniform Tax Procedure Law, R.S.54:48-1 et seq.

32
33 11. (New section) Notwithstanding the provisions of the
34 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
35 seq.) to the contrary, the Director of the Division of Taxation in the
36 Department of the Treasury may adopt immediately upon filing
37 with the Office of Administrative Law, such regulations as the
38 director deems necessary to implement the provisions of
39 P.L. , c. (C.) (pending before the Legislature as this bill) as
40 may be necessary to meet the requirements of P.L. , c. (C.)
41 (pending before the Legislature as this bill), which regulations shall
42 be effective for a period not to exceed 180 days from the date of the
43 filing. The regulations may thereafter be amended, adopted, or
44 readopted by the director as the director deems necessary in
45 accordance with P.L.1968, c.410. The director shall also
46 promulgate such forms as the director shall deem necessary to
47 implement the provisions of P.L. , c. (C.) (pending before
48 the Legislature as this bill).

1 12. (New section) There shall be annually appropriated to the
2 Department of the Treasury such amount as the Director of the
3 Division of Budget and Accounting in the Department of the
4 Treasury shall determine is necessary for the administrative costs,
5 including to reimburse additional costs incurred by local tax
6 collectors, of implementing the provisions of P.L. , c. (C.)
7 (pending before the Legislature as this bill).

8
9 13. Section 1 of P.L.1997, c.348 (C.54:4-8.67) is amended to
10 read as follows:

11 1. As used in this act:

12 "Base year" means, in the case of a person who is an eligible
13 claimant on or before December 31, 1997, the tax year 1997; and in
14 the case of a person who first becomes an eligible claimant after
15 December 31, 1997, the tax year in which the person first becomes
16 an eligible claimant. In the case of an eligible claimant who
17 subsequently moves from the homestead for which the initial
18 eligibility was established, the base year shall be the first full tax
19 year during which the person resides in the new homestead.
20 Provided however, a base year for an eligible claimant after such a
21 move shall not apply to tax years commencing prior to January 1,
22 2009. In the case of an eligible claimant who receives a Stay NJ
23 property tax credit in lieu of a homestead property tax
24 reimbursement pursuant to section 4 of P.L. , c. (C.) (pending
25 before the Legislature as this bill), the base year of that eligible
26 claimant shall remain unchanged.

27 "Commissioner" means the Commissioner of Community
28 Affairs.

29 "Director" means the Director of the Division of Taxation.

30 "Condominium" means the form of real property ownership
31 provided for under the "Condominium Act," P.L.1969, c.257
32 (C.46:8B-1 et seq.).

33 "Cooperative" means a housing corporation or association which
34 entitles the holder of a share or membership interest thereof to
35 possess and occupy for dwelling purposes a house, apartment or
36 other unit of housing owned or leased by the corporation or
37 association, or to lease or purchase a unit of housing constructed or
38 to be constructed by the corporation or association.

39 "Disabled person" means an individual receiving monetary
40 payments pursuant to Title II of the federal Social Security Act (42
41 U.S.C. s.401 et seq.) on December 31, 1998, or on December 31 in
42 all or any part of the year for which a homestead property tax
43 reimbursement under this act is claimed.

44 "Dwelling house" means any residential property assessed as real
45 property which consists of not more than four units, of which not
46 more than one may be used for commercial purposes, but shall not
47 include a unit in a condominium, cooperative, horizontal property
48 regime or mutual housing corporation.

1 "Eligible claimant" means a person who:
2 is 65 or more years of age, or who is a disabled person;
3 is an owner of a homestead, or the lessee of a site in a mobile
4 home park on which site the applicant owns a manufactured or
5 mobile home;
6 has an annual income of less than \$17,918 in tax year 1998, less
7 than \$18,151 in tax year 1999, or less than \$37,174 in tax year
8 2000, if single, or, if married, whose annual income combined with
9 that of the spouse is less than \$21,970 in tax year 1998, less than
10 \$22,256 in tax year 1999, or less than \$45,582 in tax year 2000,
11 which income eligibility limits for single and married persons shall
12 be subject to adjustments in tax years 2001 through 2006 pursuant
13 to section 9 of P.L.1997, c.348 (C.54:4-8.68);
14 has an annual income of \$60,000 or less in tax year 2007,
15 \$70,000 or less in tax year 2008, or \$80,000 or less in tax year
16 2009, if single or married, which income eligibility limits shall be
17 subject to adjustments in subsequent tax years pursuant to section 9
18 of P.L.1997, c.348 (C.54:4-8.68);
19 as a renter or homeowner, has made a long-term contribution to
20 the fabric, social structure and finances of one or more communities
21 in this State, as demonstrated through the payment of property taxes
22 directly, or through rent, on any homestead or rental unit used as a
23 principal residence in this State for at least 10 consecutive years at
24 least three of which as owner of the homestead for which a
25 homestead property tax reimbursement is sought prior to the date
26 that an initial application for a homestead property tax
27 reimbursement is filed. A person who has been an eligible claimant
28 for a previous tax year shall qualify as an eligible claimant
29 beginning the second full tax year following a move to another
30 homestead in New Jersey, despite not meeting the three-year
31 minimum residency and ownership requirement required for initial
32 claimants under this paragraph; provided that the person satisfies
33 the income eligibility limits for the tax year. Provided however,
34 eligibility beginning in a second full tax year after such a move
35 shall not apply to tax years commencing prior to January 1, 2010.
36 "Homestead" means:
37 a dwelling house and the land on which that dwelling house is
38 located which constitutes the place of the eligible claimant's
39 domicile and is owned and used by the eligible claimant as the
40 eligible claimant's principal residence;
41 a site in a mobile home park equipped for the installation of
42 manufactured or mobile homes, where these sites are under
43 common ownership and control for the purpose of leasing each site
44 to the owner of a manufactured or mobile home for the installation
45 thereof and such site is used by the eligible claimant as the eligible
46 claimant's principal residence;
47 a dwelling house situated on land owned by a person other than
48 the eligible claimant which constitutes the place of the eligible

1 claimant's domicile and is owned and used by the eligible claimant
2 as the eligible claimant's principal residence;

3 a condominium unit or a unit in a horizontal property regime or
4 continuing care retirement community which constitutes the place
5 of the eligible claimant's domicile and is owned and used by the
6 eligible claimant as the eligible claimant's principal residence.

7 In addition to the generally accepted meaning of "owned" or
8 "ownership," a homestead shall be deemed to be owned by a person
9 if that person is a tenant for life or a tenant under a lease for 99
10 years or more, is entitled to and actually takes possession of the
11 homestead under an executory contract for the sale thereof or under
12 an agreement with a lending institution which holds title as security
13 for a loan, or is a resident of a continuing care retirement
14 community pursuant to a contract for continuing care for the life of
15 that person which requires the resident to bear, separately from any
16 other charges, the proportionate share of property taxes attributable
17 to the unit that the resident occupies;

18 a unit in a cooperative or mutual housing corporation which
19 constitutes the place of domicile of a residential shareholder or
20 lessee therein, or of a lessee or shareholder who is not a residential
21 shareholder therein, which is used by the eligible claimant as the
22 eligible claimant's principal residence.

23 "Homestead property tax reimbursement" means payment of the
24 difference between the amount of property tax or site fee
25 constituting property tax due and paid in any year on any
26 homestead, exclusive of improvements not included in the
27 assessment on the real property for the base year, and the amount of
28 property tax or site fee constituting property tax due and paid in the
29 base year, when the amount paid in the base year is the lower
30 amount; but such calculations shall be reduced by any current year
31 property tax reductions or reductions in site fees constituting
32 property taxes resulting from judgments entered by county boards
33 of taxation or the State Tax Court.

34 "Horizontal property regime" means the form of real property
35 ownership provided for under the "Horizontal Property Act,"
36 P.L.1963, c.168 (C.46:8A-1 et seq.).

37 "Manufactured home" or "mobile home" means a unit of housing
38 which:

39 (1) Consists of one or more transportable sections which are
40 substantially constructed off site and, if more than one section, are
41 joined together on site;

42 (2) Is built on a permanent chassis;

43 (3) Is designed to be used, when connected to utilities, as a
44 dwelling on a permanent or nonpermanent foundation; and

45 (4) Is manufactured in accordance with the standards
46 promulgated for a manufactured home by the Secretary of the
47 United States Department of Housing and Urban Development
48 pursuant to the "National Manufactured Housing Construction and

1 Safety Standards Act of 1974," Pub.L.93-383 (42 U.S.C. s.5401 et
2 seq.) and the standards promulgated for a manufactured or mobile
3 home by the commissioner pursuant to the "State Uniform
4 Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.).

5 "Mobile home park" means a parcel of land, or two or more
6 parcels of land, containing no fewer than 10 sites equipped for the
7 installation of manufactured or mobile homes, where these sites are
8 under common ownership and control for the purpose of leasing
9 each site to the owner of a manufactured or mobile home for the
10 installation thereof, and where the owner or owners provide
11 services, which are provided by the municipality in which the park
12 is located for property owners outside the park, which services may
13 include but shall not be limited to:

- 14 (1) The construction and maintenance of streets;
- 15 (2) Lighting of streets and other common areas;
- 16 (3) Garbage removal;
- 17 (4) Snow removal; and
- 18 (5) Provisions for the drainage of surface water from home sites
19 and common areas.

20 "Mutual housing corporation" means a corporation not-for-profit,
21 incorporated under the laws of this State on a mutual or cooperative
22 basis within the scope of section 607 of the Lanham Act (National
23 Defense Housing), Pub.L.849, (42 U.S.C. s.1521 et seq.), as
24 amended, which acquired a National Defense Housing Project
25 pursuant to that act.

26 "Income" means income as determined pursuant to P.L.1975,
27 c.194 (C.30:4D-20 et seq.).

28 "Principal residence" means a homestead actually and
29 continually occupied by an eligible claimant as his or her permanent
30 residence, as distinguished from a vacation home, property owned
31 and rented or offered for rent by the claimant, and other secondary
32 real property holdings.

33 "Property tax" means the general property tax due and paid as set
34 forth in this section, and shall include the amount of property tax
35 credit as defined in section 1 of P.L.2018, c.11 (C.54:4-66.6), on a
36 homestead, but does not include special assessments and interest
37 and penalties for delinquent taxes. For the sole purpose of
38 qualifying for a benefit under P.L.1997, c.348 (C.54:4-8.67 et seq.),
39 property taxes paid by June 1 of the year following the year for
40 which the benefit is claimed will be deemed to be timely paid.

41 "Site fee constituting property tax" means 18 percent of the
42 annual site fee paid or payable to the owner of a mobile home park.

43 "Tax year" means the calendar year in which a homestead is
44 assessed and the property tax is levied thereon and it means the
45 calendar year in which income is received or accrued.

46 (cf: P.L.2018, c.11, s.11)

1 14. Section 7 of P.L.1997, c.348 (C.54:4-8.74) is amended to
2 read as follows:

3 7. In the event that a previously eligible claimant ceases to be an
4 eligible claimant for any tax year, the base year for that claimant
5 shall be the year prior to which the claimant again becomes an
6 eligible claimant.

7 In the case of an eligible claimant who receives a Stay NJ
8 property tax credit in lieu of a homestead property tax
9 reimbursement pursuant to section 4 of P.L. , c. (C.) (pending
10 before the Legislature as this bill), the eligible claimant shall remain
11 an eligible claimant for the purposes of P.L.1997, c.348 (C.54:4-
12 8.67 et seq.), and the base year of that eligible claimant shall remain
13 unchanged as long as the eligible claimant meets all of the other
14 eligibility requirements of P.L.1997, c.348 (C.54:4-8.67 et seq.).
15 (cf: P.L.1997, c.348, s.7)

16

17 15. a. The Department of the Treasury shall establish a
18 dedicated nonlapsing account known as the Stay NJ account. All
19 moneys deposited into the fund shall be used for the payment of
20 Stay NJ property tax credits and for the administration of the Stay
21 NJ property tax credit program.

22 b. There is appropriated to the Stay NJ account an amount not in
23 excess of \$300,000,000 for the Stay NJ program, subject to the
24 approval of the Director of the Division of Budget and Accounting
25 in the Department of the Treasury.

26 c. In State Fiscal Year 2024, there shall be appropriated to the
27 Stay NJ account an amount not in excess of \$300,000,000 for the
28 Stay NJ program, subject to the approval of the Director of the
29 Division of Budget and Accounting in the Department of the
30 Treasury.

31 d. In State Fiscal Year 2025, there shall be appropriated to the
32 Stay NJ account an amount not in excess of \$600,000,000 for the
33 Stay NJ program, subject to the approval of the Director of the
34 Division of Budget and Accounting in the Department of the
35 Treasury.

36 e. In State Fiscal Year 2026, there shall be appropriated to the
37 Stay NJ account an amount not in excess of \$800,000,000 for the
38 Stay NJ program, subject to the approval of the Director of the
39 Division of Budget and Accounting in the Department of the
40 Treasury.

41 f. In State Fiscal Year 2027, there shall be appropriated to the
42 Stay NJ account an amount not in excess of \$1,000,000,000 for the
43 Stay NJ program, subject to the approval of the Director of the
44 Division of Budget and Accounting in the Department of the
45 Treasury.

46 g. In State Fiscal Year 2028, and each fiscal year thereafter,
47 there shall be appropriated to the Stay NJ account an amount not in
48 excess of \$1,200,000,000 for the Stay NJ program, subject to the

1 approval of the Director of the Division of Budget and Accounting
2 in the Department of the Treasury.

3

4 16. This act shall take effect July 1, 2023 and first apply to
5 property tax credits for the tax year quarter beginning January 1,
6 2025.

7

8

9

STATEMENT

10

11 This bill establishes a property tax credit program, which will be
12 known and may be cited as the “Stay NJ Act.”

13 This program would provide to an eligible claimant a property
14 tax credit in the amount of 50 percent of the property tax due and
15 owing for the eligible claimant’s principal residence. The bill
16 defines “eligible claimant” as a person who is 65 or more years of
17 age and the owner of a homestead in this State that is the person’s
18 primary residence. There is no income limit for eligibility to
19 receive a property tax credit under the program. The purpose of the
20 program is to make property taxes more affordable for senior
21 citizens, so that they are able to stay in their homes. The program
22 will provide an eligible claimant with a property tax credit in an
23 amount equal to 50 percent of property taxes due and owed;
24 however, the bill provides that the maximum amount to be credited
25 to an eligible claimant under the program is \$10,000 per tax year.

26 Under the bill, a property taxpayer who may be eligible to apply
27 for an ANCHOR property tax rebate and a homestead property tax
28 reimbursement shall only be entitled to the greater of the Stay NJ
29 credit, or the combined amount of the ANCHOR property tax rebate
30 and the homestead property tax reimbursement.

31 The bill requires the director to promulgate a single combined
32 application form to be used by State residents to apply for the
33 ANCHOR rebate program, the homestead property tax
34 reimbursement program, and the Stay NJ property tax credit. State
35 residents seeking property tax benefits under each of those
36 programs would be required to fill out the entire application and file
37 it with the director, who would determine which property tax
38 program provides the greatest benefit for the applicant.

39 With respect to the homestead property tax reimbursement
40 program, the base year of an eligible claimant who receives a Stay
41 NJ property tax credit instead of a homestead property tax
42 reimbursement would remain unchanged, notwithstanding the
43 number of years that the taxpayer would receive a Stay NJ property
44 tax credit instead of a homestead property tax reimbursement.

45 The amount of an eligible claimant’s Stay NJ property tax credit
46 would be divided into four tax year quarter credits that will be
47 applied by the municipality on each of the property tax quarter
48 payments due and owing on the eligible claimant’s homestead. The

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16

1 State Treasurer is required to forward Stay NJ property tax credit
2 payments to each municipal tax collector, as applicable, on a
3 quarterly basis at least 10 days prior to the statutory due date for
4 each property tax year quarter payment (February 1, May 1, August
5 1, and November 1) to be applied against the property tax account
6 of the homestead of the eligible claimant.

7 The bill establishes a dedicated nonlapsing account known as the
8 Stay NJ account. All moneys deposited into the fund will be used
9 for the payment of Stay NJ property tax credits and for the
10 administration of the Stay NJ property tax credit program. The bill
11 appropriates not more than \$300 million in State Fiscal Year 2023
12 to be used for the payment of Stay NJ property tax credits and for
13 the administration of the Stay NJ property tax credit program. The
14 bill also provides for appropriations to the program of \$300 million
15 in Fiscal Year 2024, \$600 million in Fiscal Year 2025, \$800 million
16 in Fiscal Year 2026, \$1 billion in Fiscal Year 2027, and \$1.2 billion
17 in Fiscal Year 2028 and each fiscal year thereafter.

18 Under the bill, the Stay NJ property tax credits will first be
19 provided in the tax year quarter beginning January 1, 2025.

Governor Murphy Signs Fiscal Year 2024 Budget into Law

06/30/2023

*Budget Provides Historic Levels of Property Tax Relief, Another Record Investment in School Funding
Increases Investments in Affordable Housing, Higher Education, and Economic Growth
Continues Path of Fiscal Responsibility with Another Full Pension Payment of \$7.1 Billion and Surplus of over \$8 Billion*

TRENTON – Governor Phil Murphy signed the Fiscal Year 2024 Appropriations Act into Law on Friday, building on the historic progress made over the last five years with new investments centered around increasing affordability, promoting fiscal responsibility, and creating world-class opportunities for everyone to succeed.

The budget approved by the Legislature earlier in the day provides record levels of direct property tax relief with additional aid for seniors and renters while once again providing the highest level of school funding in history; making a third consecutive full pension payment; and supporting significant investments in the economy, workforce development, and affordable housing.

The Governor signed the budget in the rotunda of the newly renovated New Jersey State House where he was joined by Senate President Nicholas Scutari, Assembly Speaker Craig Coughlin, Senate Majority Leader M. Teresa Ruiz, Assembly Majority Leader Louis D. Greenwald, Senate Budget Chair Paul Sarlo, Assembly Budget Chair Eliana Pintor Marin, and State Treasurer Elizabeth Maher Muoio.

“When I first proposed this budget, I said it was a budget designed with a singular purpose – to continue building an economy where every family can afford to make their America Dream come true. Today we are delivering on that promise,” said **Governor Murphy**. “Over the last two years we have committed over \$6 billion in direct property tax relief, tackling of the single greatest and longest standing affordability challenges our state faces. This budget will also lower prescription-drug costs for seniors, help hardworking families by expanding free pre-K for kids, create good-paying jobs and fight climate change by building a green economy, expand mental health services for our kids, build and preserve affordable housing so everyone has a place they can call home, help first-generation homebuyers achieve the safety and security of owning a home, and so much more. We are accomplishing all of this in a fiscally responsible way. This budget continues to fully deliver on our commitments to our pension payments and school funding, while also maintaining a healthy surplus.”

“The budget signed into law today will help make New Jersey more affordable for hardworking residents and families by boosting tax relief and investing in affordable housing, social services, and education,” said **Lt. Governor Sheila Y. Oliver, who serves as Commissioner of the Department of Community Affairs**. “This budget demonstrates that we remain steadfast in our commitment to providing New Jerseyans of all walks of life the opportunity and resources to thrive.”

“This is a great budget for the people of New Jersey. It will help make their lives more affordable with an historic amount of property tax relief, including increased rebates, an expansion of Senior Freeze and a down payment on StayNJ, which will provide additional tax relief for senior citizens,” said **Senate President Nicholas Scutari**. “We are also distributing \$150 million in energy tax receipts to municipalities to further hold down property taxes. This is a fiscally-responsible spending plan that includes a record level of school funding, a full pension payment and a surplus of more than \$10 billion. This budget will help improve the lives and livelihoods of New Jersey’s residents in meaningful ways.”

“This budget ensures our state will be more affordable for everyone,” said **Assembly Speaker Craig Coughlin**. “It also meets our obligations with yet another full pension payment, increases in school aid, support for our most vulnerable neighbors, and a healthy surplus for any future economic uncertainty. I am especially proud of what we’ve done for New Jersey seniors, with the StayNJ program set to deliver historic property tax relief. I proposed StayNJ because seniors deserve the dignity of remaining in their homes, enjoying their later years near their families. Thanks to Governor Murphy, Senate President Scutari, and all our partners in the legislature for their work on this. We have demonstrated that we can do big, bold things for New Jersey while being fiscally responsible.”

“The budget signed today represents the culmination of months of long meetings and thoughtful deliberations and includes significant investments in our communities, our families and our future,” said **Senate Majority Leader M. Teresa Ruiz**. “We are doubling the child tax credit, continuing on the pathway towards universal Pre-K and once again increasing social funding. We are continuing to fund the postpartum home visitation program and lifesaving mental health initiatives. This budget represents our continued effort to make New Jersey more affordable for all of our residents while making lasting investments in our children and the institutions and programs which will nourish their growth and success.”

“The FY24 State Budget reflects our shared priorities, spending on programs that will make a difference in the lives of New Jersey residents while maintaining a healthy surplus,” said **Assembly Majority Leader Louis D. Greenwald**. “New Jersey residents will benefit from new and expanded property tax relief programs and an expanded child tax credit. We are funding programs to support education, affordable housing and healthcare, which will have a meaningful impact.”

“This is a responsive and responsible budget that meets the economic challenges of our time,” said **Senate Budget Committee Chairman Paul Sarlo**. “It will provide significant tax relief, install economic safeguards and help fuel economic growth. It addresses our top priority of making the lives of New Jersey’s residents more affordable. It includes a full pension payment, a record amount of school aid, a robust surplus to protect against economic uncertainty and a debt defeasance fund to drive down debt. We need to continue to be fiscally responsible with the use of our resources at the same time we expand economic opportunities that build a better future for New Jersey and our residents.”

“This budget highlights the priorities of a New Jersey that values its residents, promotes inclusivity, and invests in our future,” said **Assembly Budget Committee Chairwoman Eliana Pintor Marin**. “Together, we are ensuring that hardworking families receive the retirement security they deserve, access to safe and affordable homes, relief from property taxes, and quality education that empowers our children to thrive.”

“I would like to thank my staff at the Department of the Treasury, particularly the hardworking folks at the Office of Management and Budget and the Office of Revenue and Economic Analysis for their tireless dedication and professionalism. The budget signed by the governor today continues our commitment to making the state a more affordable place to live, raise a family, and retire,” said **State Treasurer Elizabeth Maher Muoio**. “With unprecedented tax relief for our seniors and middle-class families, a third full pension payment in as many years, record funding of our best-in-the-nation schools and a budget surplus of approximately 15 percent, this budget maintains sound fiscal management that helps prepare for the Next New Jersey.”

The \$54.5 billion budget for Fiscal Year (FY2024) includes a historic surplus of \$8.3 billion, which is more than 15 percent of budgeted appropriations, dwarfing the surplus inherited from previous years ago.

Increasing Affordability

With the FY2024 budget, a total of 20 tax cuts for working and middle-class families and seniors have been enacted under the Murphy Administration, including more than \$2 billion in direct property tax relief for the second year of the ANCHOR property tax relief program. As the State begins to phase-in the newly enacted StayNJ property tax relief program championed by Assembly Speaker Coughlin, ANCHOR will provide a \$250 boost in relief for senior homeowners and renters this year. Eligible senior tenants will now see their relief boosted by more than 55 percent to \$700 in the coming year and homeowners will receive \$1,250 or \$1,750, depending on their income.

The StayNJ senior property tax credit affordability program expands income limits and modifies ownership requirements with the aim of cutting property taxes in half for many eligible New Jersey seniors by providing a direct credit of up to \$6,500 on property tax bills when fully implemented.

Additional relief for seniors was also enacted alongside the budget, which will expand eligibility for the Senior Freeze property tax relief program next year for those with incomes up to \$150,000, up from roughly \$100,000. To further help boost affordability for seniors, the budget and legislation signed alongside it (S3/A3), sponsored by Senator Joseph Vitale and Assemblyman Chris Tully, also increases eligibility for the State’s senior prescription drug and hearing aid programs to help make New Jersey more affordable for individuals of all ages.

In addition to raising the income eligibility limits for the Pharmaceutical Assistance to the Aged and Disabled Program (PAAD) to benefit more seniors, the new law includes a number of directives to encourage enrollment in both PAAD and the Senior Gold Prescription Program, including establishing a grant program in the Department of Human Services to support

hiring and training of Senior Save Navigators to assist residents in applying for programs such as PAAD and Senior Gold.

For working- and middle-class families, the budget delivers significant relief by including the Governor's proposal to double the Child Tax Credit that was enacted last year. The program will now provide up to \$1,000 per child under age six for families earning under \$30,000.

For the second year in a row, the budget includes a back-to-school sales tax holiday and waives the fee for entrance into all State parks for another year, including Island Beach State Park. To help boost the ranks of teachers in New Jersey the budget also waives the fee for teacher certification, as proposed by the Governor this year.

For the sixth straight year, the Governor has also promised no fare increases for NJ TRANSIT commuters.

Additionally, the budget continues to increase indirect property tax relief by providing \$150 million in Energy Tax Receipts-related payments to extend the Municipal Relief Fund for an additional year, doubling last year's funding, which is designed to offset the burden on local property taxpayers by providing additional aid to municipalities.

Expanding Educational Opportunity

The budget also supports the Governor's commitment to supporting New Jersey's best-in-the-nation public education system by providing another record total of \$11 billion in direct aid for public schools, including an increase of \$832 million, as well as \$103 million in supplemental stabilization aid enacted in April for school districts adjusting to changes in enrollment. With this latest budget, the State has now increased overall K-12 support to New Jersey's public schools by more than \$2.6 billion over six years, a more than 50 percent increase, all of which helps offset local property taxes.

Advancing the Governor's goal of universal pre-K, the budget includes an additional \$116 million for pre-school education aid, \$40 million of which will go towards expanding programs in new districts as well as other critical needs for further expansion.

Additionally, the Governor is working to shore up the ranks of teachers, budgeting over \$20 million in new investments and other supports to help ensure New Jersey has the trained and dedicated workforce to provide a top-quality education for public school students years into the future. This includes \$10 million for student teacher stipends to help future educators meet the costs of living while working and studying for their credentials, \$5 million to waive teacher certification fees, \$2 million for Culture and Climate Innovation Grants to help improve educator quality of life, \$1 million for the Teachers Loan Redemption Program, \$1 million to develop local partnerships for para-professional training, \$800,000 for a teaching apprenticeship program, and \$500,000 to expand the Teacher Leader Network. The proposed budget also maintains funding for Men of Color Hope Achievers (MOCHA) and the Mid-Career Teacher Development Programs to support a diverse educator workforce.

To accelerate learning outcomes, the State will also dedicate nearly \$55 million this year in federal funds for learning acceleration and other recovery programs, as proposed by the Governor.

The budget also strengthens the Governor's "College Promise" programs by increasing the eligibility threshold for both the Community College Opportunity Grant and the Garden State Guarantee so that students with family incomes up to \$100,000 can benefit. Additionally, the budget increases the value of Tuition Aid Grants for over 20,000 students and expands the Some College, No Degree program, so that former students with some credit receive the support they need to complete school.

The budget also provides over \$150 million in the Outcomes-Based Allocation this year for State colleges and universities, compared to \$55 million in FY2023, to help keep tuition affordable and support the next generation of New Jersey's educated workforce. Additionally, it includes \$70 million to help cover fringe benefit costs at public research universities, \$20 million for community colleges, and an additional \$5 million for independent colleges and universities.

Promoting Fiscal Responsibility

In addition to a record projected ending surplus of \$8.3 billion – 20 times larger than the surplus the Murphy Administration inherited – the FY2024 budget also makes good on the Administration's commitment to public sector employees by including the third consecutive full pension payment. The \$7.1 billion payment, which includes contributions from the State Lottery, brings the total contribution to the pension fund under the Murphy Administration to \$32.6 billion, nearly triple the \$12.2 billion paid under the previous six administrations combined. The FY2024 payment will mark the first time in a quarter of a century that the State has contributed 100 percent of the Actuarially Determined Contribution three years in a row.

The budget also puts additional money in the Debt Defeasance and Prevention Fund, bringing the current available balance to \$2 billion to support important State infrastructure projects and avoid incurring new debt in the future. The FY2024 deposit brings the total allocation to the fund to \$9.25 billion over the last two years, which has been used to retire existing debt while setting aside money to pay for upcoming projects that might otherwise be bonded. Over a two-year period, \$3.5 billion from the fund has already been used to defease \$4.7 billion in State debt service through FY2042, saving the State's taxpayers \$1.2 billion.

The continued commitment by the Governor and the Legislature to bolster the pension system, reduce debt, and build up the State's surplus has saved taxpayers money and garnered a total of seven credit rating upgrades from the four major rating agencies over the last 16 months.

The budget also includes substantial funding to continue upgrading the State's service-based infrastructure to ensure a more efficient delivery of essential services to taxpayers, including more than \$40 million to continue improving the unemployment insurance system, digitizing more services at the Motor Vehicle Commission, and expanding the Division of Taxation's property tax relief call center.

Expanding Opportunity and Promoting Economic Growth

The budget also places a concerted focus on expanding opportunities for every New Jersey resident in tandem with supporting economic growth, a hallmark of Governor Murphy's time in office.

An \$80 million allocation of federal American Rescue Plan (ARP) funds will be used to create an Urban Investment Fund and Atlantic City Economic Foundations Fund to work alongside current and proposed business incentive programs. The funds will aid in the revitalization of urban areas and catalyze new economic and community activity where shifting patterns of work and commuting since the pandemic have reduced foot traffic and created ongoing challenges to community vitality.

Grants from the fund would be flexible and responsive to the needs of cities and could include funding to reimagine the use of now-underutilized office space, support capital construction projects that renovate or restore vacant buildings, or build new destinations and spaces for urban communities. As proposed by the Governor in February, the budget includes a specific set-aside for Atlantic City to improve public safety, rebuild distressed housing, and diversify economic development in the city.

The FY2024 budget also allocates \$50 million in continued support for the Main Street Recovery Program, which funds multiple financial assistance products aimed at supporting the growth and success of small businesses in New Jersey.

The budget continues to expand job opportunities for New Jerseyans, increasing the allocation for the Workforce Development Partnership Fund (WDPF) by \$5 million, to \$27.5 million to invest in apprenticeships, pre-apprenticeships, on-the-job training, and other programs that develop skills while bringing more women and minorities into job training opportunities. The State has invested a total of \$50 million through grant programs since the Governor took office to create and develop work-based learning, pre-apprenticeship and apprenticeship programs across the state.

The budget also includes significant investments to grow New Jersey's green economy and combat climate change, including \$12 million more for the Clean Energy Program, which previously went to NJ TRANSIT, a \$40 million Green Fund to leverage both private capital and federal funds, \$20 million for the Resilience and Stormwater Planning and Infrastructure program, and an additional \$10 million to support the continued installation of EV charging infrastructure throughout the State.

Additionally, the budget agreement includes \$20 million to support the creation of a Social Impact Investment Fund, an innovative new financing tool to provide below-market loans

socially conscious projects in distressed municipalities.

The budget agreement also includes the \$100 million Boardwalk Fund Governor Murphy initially proposed in February, which will support repairs and renovations to boardwalks up down the Jersey shore that support the State's tourism industry and provide a crucial economic engine.

The budget also includes an additional \$20 million for continued development of the ambitious, new, nine-mile Greenway that will convert a former rail line into a new State park connecting eight Essex and Hudson County communities.

The budget agreement not only reduces NJ TRANSIT's capital-to-operating transfer to its lowest level in 21 years, it also includes \$137 million in new funding from the Debt Defeasance and Prevention Fund to match federal funding earmarked for transportation-related capital investments. Additionally, the budget will expand the Department of Transportation's innovative Simple Fix Safety program.

The FY2024 budget also funds substantial investments to improve public health and social outcomes and reduce long-standing disparities.

To that end, the budget includes nearly \$300 million for a host of housing affordability initiatives, including over \$100 million in federal ARP funds to build upon last year's \$300 million landmark creation of the Affordable Housing Production Fund. A new Urban Preservation Fund will provide \$80 million to maintain affordability of existing units in New Jersey cities and additional funds will be used to develop new workforce housing units to improve affordability in transit-served areas, enhance urban vitality, and launch a Resilient Homes Construction Pilot program to expand building stock and affordable homeownership across the state. All told, the Murphy Administration will have committed over \$1.3 billion in federal ARP funds to housing programs over the last three fiscal years.

Drawing on the work of the Wealth Disparity Task Force, the budget also includes an additional \$15 million to enhance the existing [Down Payment Assistance Program](#) to provide changing assistance for first-generation homebuyers and help families who have been excluded from homeownership for generations.

The budget also includes over \$300 million more than last year in ARP and State funding to support hospital capital investments to bolster New Jersey's public health infrastructure. This includes \$30 million to create the City of Newark Access to Health Care Partnership, and \$60 million in additional funding for University Hospital to expand and improve its emergency and maternity departments.

Additionally, the budget includes \$86 million that was initially proposed by the Governor in February to support a one-time program through the Department of Human Services to subsidize training and recruitment for mental health, substance use, and developmental disabilities service providers to help address what has become a national crisis.

As part of Governor Murphy's national leadership on youth mental health, the budget also includes \$43 million to launch the New Jersey Statewide Student Support Services (NJ4S) network, which will deliver wellness and prevention supports from regional hubs. An additional \$40 million will support providers across multiple divisions in the Department of Children and Families, including the Children's System of Care.

The budget also continues to invest in improving maternal and infant health and mortality rates throughout New Jersey. As part of First Lady Tammy Murphy's Nurture NJ initiative proposed budget includes new funds for a maternal health data center and to train community health workers and doulas. Additionally, \$15.6 million in State funding will support the continued expansion of the landmark, statewide Universal Newborn Home Nurse Visitation Program, putting New Jersey further along the path to being one of the first states in the nation to provide this critical care for all mothers and newborns within the first two weeks of birth.

The budget also continues to provide crucial investments to make health care more affordable and accessible for every New Jerseyan, leveraging State and federal funding through Get Covered New Jersey exchange, while also supporting [Cover All Kids](#) and funding a \$10 million pilot program to eliminate personal medical debt.

To address the disparate, long-term impact that many justice system fees and fines can have on people of limited means, the budget includes Governor Murphy's proposal to eliminate public defender fees, which are currently assessed on indigent clients regardless of whether they are ultimately found guilty. Additionally, the budget provides funding for the Parol Revocation Defense Unit and to increase the rates paid to attorneys assisting the Office of the Public Defender to help ensure that residents of limited means have access to an effective legal defense.

The budget also includes the Governor's proposal to provide over \$8 million in increased State funds to support the first-in-the-nation statewide expansion of the ARRIVE Together program, which stands for Alternative Responses to Reduce Instances of Violence and Escalation and pairs police officers and State Troopers with mental health professionals when responding to a person who is experiencing a mental health crisis.

To ensure that the State's first responders and law enforcement professionals receive the training and equipment necessary to protect and serve New Jersey's nine million residents, the budget funds the Governor's proposed doubling of the successful Firefighters Grant Program, bringing the total to \$20 million. The budget also makes significant investments to strengthen the ranks of the New Jersey State Police, allocating \$120 million to begin building a new training center for the next generation of New Jersey State Police and including an additional \$5 million for the 166th State Trooper recruit class.

An additional one-page policy summary on the central commitments of the FY2024 budget can be found online [here](#).

In addition to the Appropriations Act, Governor Murphy also signed the following bills into law today:

A-1/S-1 (Coughlin, Greenwald, Freiman, Swain, Moriarty, Wimberly, Lopez, Tully/Scutari, Gopal, Lagana) - Establishes Stay NJ senior property tax credit affordability program; expands income limit and modifies ownership requirement for eligibility to receive homestead property tax reimbursement; appropriates not more than \$300 million

S-3980/A-5673 (Sarfo/Freiman) - Credits \$400 million to "New Jersey Debt Defeasance and Prevention Fund"; appropriates \$371 million to DOC, DLPS, South Jersey Port Corporation and DOT; establishes process for authorizing future appropriations for debt defeasance and capital projects

A-5668/S-3978 (Pintor Marin/Sarfo) - Makes FY 2023 supplemental appropriations of \$158,525,000 and modifies certain language provisions

A-5590/S-3941 (Lampitt, Carter, Jasey/Gopal) - Waives certain certification and credentialing fees for teachers for one year

S-3940/A-5672 (Ruiz, Singleton/Reynolds-Jackson, Speight, Spearman) - Increases child tax credit under gross income tax

A-3/S-3 (Tully, Moriarty, McKnight, Freiman, Quijano, Mukherji, Swain, Carter/Vitale, Lagana, Zwicker) - Revises income eligibility criteria for, and provides for promotion of, PAAD Senior Gold Prescription Discount Program; establishes "Senior Save Navigator Grant Program" to assist applicants with NJ Save applications.

A-590/S-405 (Spearman, McKnight, Haider/Johnson, Singer) - Codifies, and increases under certain circumstances, current minimum Medicaid per diem reimbursement rates for assisted living residences, comprehensive personal care homes, and assisted living programs; makes appropriation

A-5082/S-3587 (Greenwald, Mukherji, McKnight/Lagana, Gopal) - Establishes Medicaid per diem rate for pediatric medical day care services delivered by provider offering on-site services; appropriates \$3.6 million to DHS

A-5173/S-2362 (McKnight, Speight, Tully/Beach, Madden) - Requires hourly reimbursement rate for home health aide services provided through Statewide Respite Care Program Jersey Assistance for Community Caregiving Program to be no less than Medicaid fee-for-service rate for personal care services; makes appropriation

A-4674/S-3278 (Moriarty, Danielsen, McKnight/Stanfield, Bucco) - Concerns eligibility for senior freeze reimbursement if eligible claimant exceeds income limit

S-2857/A-4167 (Gopal, Ruiz/Benson, Sumter, Verrelli) - Establishes "Sustainable New Jersey Fund" in DEP to support certain sustainability initiatives; appropriates \$1 million

A-5209/S-3615 (Freiman/Sarlo, Zwicker) - Establishes Agritourism Fund; requires annual appropriation of \$2.5 million from General Fund; appropriates \$2.5 million

S-4052/A-5654 (Smith/Freiman, Reynolds-Jackson, Quijano) - Appropriates \$9,184,427 to DEP from constitutionally dedicated CBT revenues for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes, and for certain administrative expenses.

S-4018/A-5584 (Johnson, Turner/Jimenez, Freiman, Moriarty) - Revises New Jersey False Claims Act to comply with federal law for purposes of entitling State to enhanced recovery of Medicaid fraud cases

A-2190/S-3075 (Caputo, Chaparro, Greenwald/Beach, Polistina) - Extends authorization for Internet gaming law to 2028

A-5606/S-3953 (Haider, Moen/Sarlo) - Appropriates unexpended funds from "1999 Statewide Transportation and Local Bridge Fund"
[Revenue Certification](#)

S-2024/A-5669 (Sarlo/Pintor Marin) - LINE ITEM VETO - Appropriates \$54,357,547,000 in State funds and \$26,144,171,463 in federal funds for the State budget for fiscal year 2024.

[Line Item Veto Statement](#)

[Line Item Veto Message](#)

The Governor also conditionally vetoed the following bills earlier today and signed them later in the day upon concurrence by the Legislature:

A-4701/S-3144 (Pintor Marin, Speight, Schaer/Gopal, Ruiz, Singer) - Supplemental appropriation of \$3.6 million to DHS to increase adult medical day care Medicaid per diem rate \$86.10 to \$89.54

[Conditional Veto Message](#)

S-4053/A-5655 (Greenstein, Turner/Sumter, Tully) - Appropriates \$87,783,515 from constitutionally dedicated CBT revenues and various Green Acres funds to DEP for local government open space acquisition and park development projects, and for certain administrative expenses.

[Conditional Veto Message](#)