

COMMITTEE STATEMENT: **ASSEMBLY:** No
 SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes

VETO MESSAGE: No

GOVERNOR’S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Available Upon Request

Karin Price Mueller - For Hunterdon County Democrat, 'Lawmakers act to untangle senior tax break idea
Proposalmoves forward, but left unresolved is how to pay for Stay NJ.', *Hunterdon County Democrat* (online), 31 Oct
2024 001<<https://infoweb.newsbank.com/apps/news/document-view?p=NewsBank&docref=news/19C87800162A0E98>>

CL/MM

§11
C.54:4-8.75p1
& Note to
C.54:4-8.67
§15
C.54:4-8.63a
§19
C.54:4-8.75p2
& Note to
C.54:4-8.57 &
C.54:4-8.67

P.L. 2024, CHAPTER 88, *approved November 1, 2024*
Assembly, No. 4706 (*First Reprint*)

1 AN ACT concerning the Stay NJ property tax benefit program and
2 amending and supplementing various parts of the statutory law.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 2 of P.L.2023, c.75 (C.54:4-8.75b) is amended to read
8 as follows:

9 2. As used in this act:

10 "ANCHOR" means the Affordable New Jersey Communities for
11 Homeowners and Renters Property Tax Relief Program.

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

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

21 "Director" means the Director of the Division of Taxation in the
22 Department of the Treasury.

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

28 "Eligible claimant" means ¹**[an individual]** a State resident¹ who
29 is 65 or more years of age on or before December 31, 2024 or who is
30 65 or more years of age on or before December 31 of any subsequent

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:

¹Senate SBA committee amendments adopted October 7, 2024.

1 benefit year, who is the owner for at least one full tax year of a
2 homestead in this State on or after [July 1, 2024] December 31, 2023
3 and any subsequent benefit year, and who has [gross] income for the
4 prior tax year that is less than \$500,000.

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

11 "Homestead" means:

12 a. a dwelling house and the land on which that dwelling house is
13 located which constitutes the place of the eligible claimant's domicile
14 and is owned and used by the eligible claimant as the eligible
15 claimant's principal residence;

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

30 c. a unit in a cooperative or mutual housing corporation which
31 constitutes the place of domicile of a residential shareholder or lessee
32 therein, or of a lessee or shareholder who is not a residential
33 shareholder therein, which is used by the eligible claimant as the
34 eligible claimant's principal residence; or a mutual housing
35 corporation.

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

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

41 "Income" means all New Jersey gross income required to be
42 reported pursuant to the "New Jersey Gross Income Tax Act,"
43 N.J.S.54A:1-1 et seq., before the application of any authorized
44 exclusion or deduction, except also including: interest income
45 excluded from taxation pursuant to N.J.S.54A:6-14; pension and
46 annuity income excluded from taxation pursuant to N.J.S.54A:6-10;
47 income derived from distributions from or roll overs to a Roth IRA
48 excluded from taxation pursuant to N.J.S.54A:6-28; other retirement

1 income excluded from taxation pursuant to N.J.S.54A:6-15; and Social
2 Security income excluded from taxation pursuant to N.J.S.54A:6-2, as
3 self-reported by the homeowner.

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

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

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

21 "State resident" or "resident" means an individual:

22 a. who is domiciled in this State, unless the individual maintains
23 no permanent place of abode in this State, maintains a permanent place
24 of abode elsewhere, and spends in the aggregate no more than 30 days
25 of the tax year in this State; or

26 b. who is not domiciled in this State but maintains a permanent
27 place of abode in this State and spends in the aggregate more than 183
28 days of the tax year in this State, unless the individual is in the Armed
29 Forces of the United States.

30 "Stay NJ property tax credit" means a property tax credit [in the
31 amount of 50 percent of] applied to an eligible claimant's property tax
32 bill in accordance with the provisions of the "Stay NJ Act," P.L.2023,
33 c.75 (C.54:4-8.75a et al.).

34 "Task force" means the Stay NJ Task Force established pursuant to
35 section 18 of P.L.2023, c.75 (C.54:4-8.75o).

36 "Tax year" or "taxable year" means the prior calendar year,
37 January 1 through December 31, in which a homestead is assessed for
38 property taxation and the property tax is levied thereon, and paid.

39 "Tax year quarter" means a three-month period of a tax year
40 consisting of January 1 through March 31, April 1 through June 30,
41 July 1 through September 30, and October 1 through December 31.

42 (cf: P.L.2023, c.75, s.2)

43

44 2. Section 3 of P.L.2023, c.75 (C.54:4-8.75c) is amended to read
45 as follows:

46 3. a. (1) There is established the Stay NJ property tax credit
47 program. The director shall administer the Stay NJ property tax credit
48 that shall provide to an eligible claimant a property tax credit in the

1 amount of 50 percent of the property tax **【paid for】** billed to the
2 eligible claimant's principal residence in the prior tax year, except that
3 the amount of the credit ¹, together with the combined amount of the
4 ANCHOR rebate and the homestead property tax reimbursement
5 received by the eligible claimant for the tax year,¹ shall not exceed the
6 maximum amount allowable for the tax year pursuant to subsection c.
7 of this section ¹【, or the combined amount of the ANCHOR rebate and
8 the homestead property tax reimbursement received by the eligible
9 claimant for the tax year】¹.

10 (2) ¹Nothing in this section shall be deemed to limit the amount of
11 the homestead property tax reimbursement or ANCHOR rebate that
12 shall be paid to an eligible claimant for any tax year in which the
13 combined value of the homestead property tax reimbursement and
14 ANCHOR rebate exceeds the amount of the maximum allowable Stay
15 NJ property tax credit, as determined pursuant to subsection c. of this
16 section.

17 (3)¹ A Stay NJ property tax credit for an eligible claimant who is a
18 tenant shareholder in a cooperative, mutual housing organization, or
19 continuing care retirement community shall be based on the eligible
20 claimant's proportionate share of the property taxes assessed against
21 that real property that are attributable to the eligible claimant's unit.
22 Property tax credits shall be allowed pursuant to this section in relation
23 to the property taxes **【paid】** billed or allocable to an eligible claimant
24 who has more than one homestead in a tax year, but the aggregate
25 amount of the property taxes or property tax credits claimed shall not
26 exceed the total proportionate amounts of property taxes assessed and
27 levied against or allocable to each homestead for the proportion of the
28 tax year quarter to which the taxpayer occupies it as the taxpayer's
29 principle residence.

30 b. The amount of the Stay NJ property tax credit shall be
31 calculated for each eligible claimant by the director, and shall be paid
32 **【to the tax collector of the municipality in which the eligible**
33 **claimant's homestead is located pursuant to】** in accordance with the
34 provisions of 【subsection a. of】 section 5 of P.L.2023, c.75 (C.54:4-
35 8.75e).

36 c. **【Notwithstanding the provisions of P.L.2023, c.75 (C.54:4-**
37 **8.75a et al.) that require an annual property tax credit in the amount of**
38 **50 percent of the property tax paid on an eligible claimant's**
39 **homestead, the】** The maximum amount to be credited to an eligible
40 claimant shall be \$6,500 **【in】** for tax year 2026 **【, if there is no delay**
41 in implementation as may occur pursuant to section 19 of P.L.2023,
42 c.75 (C.54:4-8.75p). For every tax year after the year in which the
43 Stay NJ property tax credit program is first implemented,**】 ; and for**
44 each tax year thereafter, the maximum amount to be credited to an
45 eligible claimant shall be increased based on the annual percentage
46 increase in the average residential property tax bill as shall be

1 computed by the Director of the Division of Local Government
2 Services in the Department of Community Affairs.

3 **【An】** d. Except as otherwise provided in subsection a. of section
4 5 of P.L.2023, c.75 (C.54:4-8.75e), an eligible claimant shall be
5 entitled to a Stay NJ property tax credit annually, on proper claim
6 being made therefor to the director. Notwithstanding any provision of
7 P.L.2023, c.75 (C.54:4-8.75a et al.) to the contrary, the amount of
8 property taxes used to determine the amount of the Stay NJ property
9 tax credit shall not be reduced by the amount of the deductions taken
10 by an eligible claimant pursuant to P.L.1963, c.171 (C.54:4-8.10 to
11 54:4-8.23) and P.L.1964, c.255 (C.54:4-8.40 to 54:4-8.45 et al.). The
12 surviving spouse of a deceased resident of this State who during his or
13 her life received a Stay NJ property tax credit shall be entitled, so long
14 as the surviving spouse does not remarry, remains a resident in the
15 same homestead with respect to which the Stay NJ property tax credit
16 was granted, and is an eligible claimant, to the same Stay NJ property
17 tax credit, upon the same conditions, with respect to the same
18 homestead.

19 (cf: P.L.2023, c.75, s.3)

20

21 3. Section 4 of P.L.2023, c.75 (C.54:4-8.75d) is amended to read
22 as follows:

23 4. a. Not later than **【July】** February 1, 2025, 【if there is no delay
24 in implementation as may occur pursuant to section 19 of P.L.2023,
25 c.75 (C.54:4-8.75p),】 the director shall promulgate a combined single
26 application form consistent with the requirements of section 6 of
27 P.L.2023, c.75 (C.54:4-8.75f) and the recommendations of the Stay NJ
28 Task Force established pursuant to section 18 of P.L.2023, c.75
29 (C.54:4-8.75o) 【,】 that shall be available on and after that date to be
30 used by State residents to apply for the Stay NJ property tax credit, the
31 ANCHOR property tax rebate, and the homestead property tax
32 reimbursement program. Applications shall be accepted by the
33 Director of the Division of Taxation from February 1 through October
34 31 of each year. State residents seeking property tax benefits under
35 those programs shall complete the entire application and file it with the
36 director. The director shall determine **【which property tax benefit**
37 **program or programs provide the greatest benefit for the applicant】** the
38 amount of the Stay NJ property tax credit, ANCHOR rebate, and
39 homestead property tax reimbursement, as applicable, provided to each
40 applicant pursuant to the requirements of subsection b. of this section.

41 b. **【Notwithstanding any provision of law, rule, or regulation to**
42 **the contrary, an applicant shall only be entitled to the greater of:**

43 (1) the amount of the Stay NJ property tax credit; or

44 (2) the combined amount of the ANCHOR property tax rebate and
45 the homestead property tax reimbursement.】 The director shall
46 calculate the amount of each property tax benefit provided to an
47 eligible claimant for each tax year in the following manner:

1 (1) if the eligible claimant qualifies for an ANCHOR rebate, the
2 director shall first determine the amount of the eligible claimant's
3 ANCHOR rebate for the tax year, the full amount of which shall be
4 paid to the eligible claimant;

5 (2) if the eligible claimant qualifies for a homestead property tax
6 reimbursement, the director shall next determine the amount of the
7 eligible claimant's homestead property tax reimbursement for the tax
8 year, the full amount of which shall be paid to the eligible claimant;

9 (3) if the eligible claimant qualifies for a Stay NJ property tax
10 credit, the director shall then determine the amount of the eligible
11 claimant's Stay NJ property tax credit for the tax year, of which the
12 eligible claimant shall be paid an amount equal to 50 percent of the
13 property taxes billed to the eligible claimant, up to the maximum
14 amount permitted under section 3 of P.L.2023, c.75 (C.54:4-8.75c),
15 less the amounts paid to the eligible claimant pursuant to paragraphs
16 (1) and (2) of this subsection.

17 c. **【**With respect to the homestead property tax reimbursement
18 program, the base year of an eligible claimant who receives a Stay NJ
19 property tax credit instead of a homestead property tax reimbursement
20 shall remain unchanged, notwithstanding the number of years that the
21 eligible claimant receives a Stay NJ property tax credit instead of a
22 homestead property tax reimbursement.**】** (Deleted by
23 amendment, P.L. , c. (C.) (pending before the Legislature as
24 this bill)

25 d. (1) The director shall determine the amount of the Stay NJ
26 property tax credit that shall be provided for each eligible claimant
27 pursuant to P.L.2023, c.75 (C.54:4-8.75a et al.) based upon the
28 information provided by the eligible claimant in the application or
29 from any other information as may be available to the director and
30 shall notify the applicant **‘【, not later than October 15 of each year,】’**
31 of the determined amount, in **【such manner as the director may deem**
32 **appropriate】** writing ¹and at such time as the director may deem
33 appropriate¹ , together with a detailed calculation of the amount that
34 the eligible claimant is entitled to receive pursuant to subsection b. of
35 this section.

36 (2) The format of the written information to be provided by the
37 director shall be determined by the director and shall, at a minimum,
38 display: (a) the amount of the eligible claimant's property tax bill for
39 the tax year; (b) the amount of the ANCHOR rebate, homestead
40 property tax reimbursement, and Stay NJ property tax credit, as
41 applicable, that the eligible claimant is entitled to receive; and (c) the
42 actual property taxes that the eligible claimant shall pay in the tax year
43 after any property tax credits are applied against the eligible claimant's
44 property tax bill.

45 (3) Subject to the provisions of the State Uniform Tax Procedure
46 Law, R.S.54:48-1 et seq., such notification shall finally and
47 irrevocably fix the amount of the Stay NJ property tax credit unless the

1 applicant, within 90 days after having been given notice of such
2 determination, shall apply to the director for a hearing, or unless the
3 director shall redetermine the same. After such hearing the director
4 shall give notice of the final determination to the applicant.

5 e. An eligible claimant for a Stay NJ property tax credit
6 authorized under P.L.2023, c.75 (C.54:4-8.75a et al.) who is aggrieved
7 by any decision, order, finding, or denial by the director of all or part
8 of that eligible claimant's Stay NJ property tax credit may appeal
9 therefrom to the New Jersey Tax Court in accordance with the
10 provisions of the State Uniform Tax Procedure Law, R.S.54:48-1 et
11 seq. The appeal provided by this section shall be the exclusive remedy
12 available to an applicant for review of a decision of a director in
13 respect to the determination of all or a part of a Stay NJ property tax
14 credit authorized under P.L.2023, c.75 (C.54:4-8.75a et al.).
15 (cf: P.L.2023, c.75, s.4)

16

17 4. Section 5 of P.L.2023, c.75 (C.54:4-8.75e) is amended to read
18 as follows:

19 5. a. (1) The State Treasurer, upon certification of the director
20 and upon warrant of the Director of the Division of Budget and
21 Accounting, shall pay and distribute, on a quarterly basis, beginning
22 February 1, 2026, the amount of a Stay NJ property tax credit
23 payable under P.L.2023, c.75 (C.54:4-8.75a et al.) that is claimed
24 for the tax year by check or direct deposit payable to the eligible
25 claimant, or by a credit against the property tax bill of the eligible
26 claimant payable to the tax collector of the municipality in which
27 each eligible claimant whose credit is approved by the director is
28 located; provided, however, a credit due to an eligible claimant who
29 claimed a Stay NJ property tax credit pursuant to section 3 of
30 P.L.2023, c.75 (C.54:4-8.75c), and whose homestead is a unit in a
31 cooperative, mutual housing corporation, or continuing care
32 retirement community, shall be paid directly to the eligible claimant
33 by the State Treasurer by check or direct deposit. **[A]** In any year
34 that the director determines that a Stay NJ payment shall be made as
35 a credit, a Stay NJ property tax credit allowed by the director to an
36 eligible claimant who claimed a Stay NJ property tax credit
37 pursuant to section 3 of P.L.2023, c.75 (C.54:4-8.75c), and whose
38 homestead is not a unit in a cooperative, mutual housing
39 corporation, or continuing care retirement community, shall be paid
40 by the State Treasurer through electronic funds transfer made by the
41 director to the local property tax account maintained by the local
42 property tax collector for the homestead of an eligible claimant as
43 the eligible claimant shall identify, in four equal installments after
44 the application for the credit has been approved. The State
45 Treasurer shall pay and distribute Stay NJ property tax credit
46 payments to each municipal tax collector or eligible claimant, as
47 applicable, on a quarterly basis at least 10 days prior to the statutory
48 due date for each property tax year quarter payment. Notice of

1 payments of Stay NJ credit installments shall be provided to the
2 eligible claimant and the appropriate local tax collector.

3 (2) Notwithstanding the provisions of this section to the
4 contrary, for the first year in which the Stay NJ property tax
5 program is implemented, each Stay NJ property tax credit awarded
6 an eligible claimant shall be paid and distributed by check or direct
7 deposit.

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

17 (cf: P.L.2023, c.75, s.5)

18

19 5. Section 6 of P.L.2023, c.75 (C.54:4-8.75f) is amended to read
20 as follows:

21 6. a. (1) Notwithstanding the provisions of section 6 of
22 P.L.1990, c.61 (C.54:4-8.62) and section 3 of P.L.1997, c.348
23 (C.54:4-8.70) concerning the form and deadline of applications for
24 the ANCHOR rebate program and the homestead property tax
25 reimbursement, the director shall promulgate, not later than
26 February 1, 2025, a single combined application form to be used by
27 State residents to apply for the ANCHOR rebate program, the
28 homestead property tax reimbursement program, and the Stay NJ
29 property tax credit in accordance with the recommendations of the
30 Stay NJ Task Force established pursuant to section 18 of P.L.2023,
31 c.75 (C.54:4-8.75o).

32 **【The】** (2) To the extent practicable, the single combined
33 application shall resemble the form and manner of the application
34 for the homestead property tax reimbursement program, as created
35 pursuant to section 3 of P.L.1997, c.348 (C.54:4-8.70), except that
36 the single combined application form shall, at a minimum, require
37 the applicant to submit information about his or her age, annual
38 income, including the amount of Social Security payments received
39 by the applicant, homestead property address, as well as any other
40 information determined necessary by the director in order to
41 approve or disapprove the applicant's participation in those
42 programs.

43 (3) The combined application form shall also advise the
44 applicant that the director shall determine the eligibility of an
45 applicant to receive an ANCHOR rebate, a homestead property tax
46 reimbursement, or a Stay NJ property tax credit, or any combination
47 thereof. The director shall, for good cause shown, extend the time
48 of any applicant to file an application for a reasonable period, and

1 in such case, the application shall be processed and payment of an
2 ANCHOR rebate, homestead property tax reimbursement, or a Stay
3 NJ property tax credit, or any combination thereof, made in
4 accordance with the procedures established in the case of
5 applications timely filed, except the date for the payment may be
6 delayed for a reasonable period. If an applicant or an applicant's
7 spouse has filed an application for an extension of time to file a
8 gross income tax return, the date by which the applicant shall file an
9 application may, in the discretion of the director, be extended for a
10 reasonable period, and the date for the payment of an ANCHOR
11 rebate, homestead property tax reimbursement, or a Stay NJ
12 property tax credit, or any combination thereof, may be delayed for
13 a reasonable period. A State resident seeking property tax benefits
14 under any of those programs shall accurately complete the entire
15 application and file it with the director.

16 (4) For purposes of this subsection, in order to establish good
17 cause to extend the time of an eligible claimant to file an
18 application, the eligible claimant shall provide to the director either
19 medical evidence, such as a doctor's certification, that the claimant
20 was unable to file the claim by the date prescribed by the director
21 because of illness or hospitalization, or evidence that the applicant
22 attempted to file a timely application. Except as may be established
23 by medical evidence or inability to file a claim, good cause shall not
24 be established due to a claimant not having received an application
25 from the director.

26 b. Upon the approval of applications by the director, the
27 director shall prepare lists of individuals entitled to receive a Stay
28 NJ property tax credit, together with the respective amounts due
29 each eligible claimant and shall forward such lists to the State
30 Treasurer, the Director of the Division of Budget and Accounting,
31 and any other officials as the director deems appropriate on or
32 before the earliest of such date or dates as may be convenient for
33 the director to compile such lists. The director may inspect all
34 records in the office of the tax collector and tax assessor of a
35 municipality with respect to applications, claims, and allowances
36 for Stay NJ property tax credits.

37 c. If an application contains a claim for a Stay NJ property tax
38 credit that contains incorrect information from the claimant or is
39 based upon incorrect or insufficient information from which the
40 director is to determine and approve the claim, the director may
41 determine the eligibility of the claimant for a Stay NJ property tax
42 credit and the correct amount of a Stay NJ property tax credit from
43 such other information as may be available to the director.

44 d. In the case of an eligible claimant whose homestead is a unit
45 in a cooperative, mutual housing corporation, or continuing care
46 retirement community, the director may provide that the application
47 shall include the name and address of the location of the property
48 and the amount of real property taxes attributed to the cooperative,

1 mutual housing residential unit, or continuing care retirement
2 community residential unit, as shall be indicated in an official
3 notice which shall be furnished by the cooperative, mutual housing
4 corporation, or continuing care retirement community for the tax
5 year.

6 (cf: P.L.2023, c.75, s.6)

7

8 6. Section 10 of P.L.2023, c.75 (C.54:4-8.75j) is amended to
9 read as follows:

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

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

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

37 (cf: P.L.2023, c.75, s.10)

38

39 7. Section 16 of P.L.2023, c.75 (C.54:4-8.75m) is amended to
40 read as follows:

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

1 b. (1) There is appropriated to the account established by
2 subsection a. of this section in State Fiscal Year 2024,
3 \$100,000,000 for the purpose of providing property tax benefits in
4 accordance with subsection c. of this section, subject to the
5 approval of the Director of the Division of Budgeting and
6 Accounting in the Department of the Treasury.

7 (2) The annual appropriations act for State Fiscal Year 2025
8 shall include an appropriation to the account established by
9 subsection a. of this section, in an amount not to exceed
10 \$200,000,000 for the purpose of providing property tax benefits in
11 accordance with subsection c. of this section.

12 (3) The annual appropriations act for State Fiscal Year 2026
13 shall include an appropriation to the account established by
14 subsection a. of this section, in an amount not to exceed
15 \$300,000,000 for the purpose of providing property tax benefits in
16 accordance with subsection c. of this section.

17 c. Beginning in State Fiscal Year 2026, moneys in the account
18 established by subsection a. of this section shall be appropriated
19 solely for the Stay NJ property tax credit program established
20 pursuant to section 3 of P.L.2023, c.75 (C.54:4-8.75c).

21 (cf: P.L.2023, c.75, s.16)

22
23 8. Section 17 of P.L.2023, c.75 (C.54:4-8.75n) is amended to
24 read as follows:

25 17. The **amendatory and supplementary provisions of**
26 appropriation of funds necessary to support the provision of
27 property tax relief under the Stay NJ property tax credit program as
28 provided under sections 1 through 16 of P.L.2023, c.75 (C.54:4-
29 8.75a et al.), as amended and supplemented by P.L. , c. (C.)
30 (pending before the Legislature as this bill), shall not supersede,
31 impact, or interfere with any of the following:

32 a. the full funding in each State fiscal year necessary to satisfy
33 the requirement in Article VIII, Section IV, paragraph 1 of the New
34 Jersey Constitution that the Legislature provide for the maintenance
35 and support of a thorough and efficient system of free public
36 schools for the instruction of children in the State between the ages
37 of five and 18 years;

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

41 c. the full funding of the senior citizens' and disabled persons'
42 \$250 property tax deduction authorized by Article VIII, Section I,
43 paragraph 4 of the New Jersey Constitution;

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

46 e. the maintenance of a budgetary surplus target of no less than
47 12 percent of total **expenditures** appropriations from the General

1 Fund and the Property Tax Relief Fund in a given State fiscal year.
2 (cf: P.L.2023, c.75, s.17)

3

4 9. Section 18 of P.L.2023, c.75 (C.54:4-8.75o) is amended to
5 read as follows:

6 18. a. There is established in the Department of the Treasury
7 the Stay NJ Task Force. The purpose of the task force shall be to
8 develop recommendations for establishing and funding uniform
9 property tax relief to all senior citizen homeowners **[and tenants]**
10 making under \$500,000 per year. The task force shall review all of
11 the existing property tax relief programs and present, to the
12 Governor and the Legislature, no later than May 30, 2024, a report
13 containing recommendations about how to restructure, and
14 consolidate, the various property tax relief programs into one,
15 streamlined, property tax relief program that would deliver to senior
16 citizens having an annual gross income under \$500,000 an annual
17 property tax benefit, which for homeowners shall be in the amount
18 of 50 percent of the property tax bill on their principal residence,
19 beginning with the tax year 2026, which commences on January 1
20 of that year. The report shall include recommendations concerning
21 system improvements that both the State and local government units
22 would need to implement the Stay NJ property tax credit program
23 and the funding required to establish and maintain such system
24 improvements. The task force shall provide recommendations that
25 have a target implementation date of January 1, 2026.

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

28 The State Treasurer, or the State Treasurer's designee, who shall
29 serve ex officio;

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

32 One public member, who shall be appointed by the Governor,
33 who may be an employee of the Executive Branch of State
34 government;

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

37 One public member who shall be appointed by the Governor
38 upon the recommendation of the Speaker of the General Assembly;
39 and

40 One public member who shall be appointed by the Governor
41 upon the joint recommendation of the Senate President and the
42 Speaker of the General Assembly.

43 The task force shall have a chairperson and a vice chairperson
44 designated by the Governor. The Governor shall designate as the
45 chairperson one of the cabinet members of the task force, or their
46 designee, or the public member appointed by the Governor. The
47 Governor shall designate as the vice chairperson a public member
48 upon the joint recommendation of the Senate President and the

1 Speaker of the General Assembly. The Governor shall also appoint
2 a secretary. There shall be required affirmative vote of four out of
3 the six members of the task force for an action to be taken or a
4 decision made.

5 The task force shall organize as expeditiously as practicable
6 following the appointment of all its public members. Appointments
7 to the task force shall be made in an expeditious manner to ensure
8 the task force has sufficient time to make the recommendations
9 required by this section in order to facilitate implementation of the
10 Stay NJ program on or before the dates set forth in P.L.2023, c.75
11 (C.54:4-8.75a et al.).

12 c. The Governor shall appoint an executive director, who shall
13 be employed by the task force and paid by the task force from funds
14 appropriated for its use pursuant to P.L.2023, c.75 (C.54:4-8.75a et
15 al.).

16 The Department of the Treasury shall provide staff support to the
17 task force. The task force shall be entitled to call to its assistance
18 and avail itself of the services of the employees of any State,
19 county, or municipal department, board, bureau, commission, or
20 agency as the task force may require and as may be available to the
21 task force for its purposes. The task force may consult with experts
22 or other knowledgeable individuals in the public or private sector
23 on any aspect of its mission outlined in this section; provided,
24 however, any services, professional or otherwise, that the task force
25 requires shall be procured by the Department of the Treasury.

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

32 d. Beginning September 1, 2023 and on the first day of each
33 calendar quarter thereafter, the executive director shall submit to
34 the presiding officer of each House of the Legislature, and to the
35 chairs of the Senate Budget and Appropriations Committee and the
36 Assembly Budget Committee, a status update on the work
37 undertaken by the task force during the previous calendar quarter.
38 The presiding officer of each House of the Legislature, and the
39 chairs of the Senate Budget and Appropriations Committee and the
40 Assembly Budget Committee, may request that specific information
41 be included in the quarterly status updates required by this
42 subsection concerning the work of the task force and the
43 formulation of any recommendations it may make for the
44 streamlining of the various property tax relief programs for senior
45 citizens provided by the State into one, uniform program.

46 e. **【The】** Following the issuance of its report, the task force
47 shall **【disband on the 30th day after the enactment of legislation in**
48 response to the Stay NJ Task Force pursuant to section 19 of

1 P.L.2023, c.75 (C.54:4-8.75p)] continue to meet not less than once
2 per calendar quarter for the purpose of assisting the Director of the
3 Division of Taxation in the Department of the Treasury in
4 developing a process to implement a property tax credit for the
5 payment of benefits under the homestead property tax
6 reimbursement program and the Stay NJ property tax credit
7 program, and collecting information from local officials regarding
8 how to effectively implement property tax credits in future years for
9 those programs, as required pursuant to the provisions of section 11
10 of P.L. , c. (C.) (pending before the Legislature as this bill).
11 (cf: P.L.2023, c.75, s.18)

12
13 10. Section 19 of P.L.2023, c.75 (C.54:4-8.75p) is amended to
14 read as follows:

15 19. After the Legislature and the Governor review the Stay NJ
16 Task Force's recommendations and determine such
17 recommendations are appropriate, the Legislature shall consider and
18 approve, and the Governor shall enact, the legislation recommended
19 by the Stay NJ Task Force, or legislation substantially similar to the
20 legislation recommended by the task force, regarding the objectives
21 set forth in section 18 of P.L.2023, c.75 (C.54:4-8.75o) not later
22 than 90 days prior to **July** February 1, 2025, the date by which the
23 State Treasurer shall be required to produce the application for the
24 Stay NJ program in **2026** 2025 pursuant to section 4 of P.L.2023,
25 c.75 (C.54:4-8.75d). **Notwithstanding** the provisions of this act or
26 any law to the contrary, if the Legislature and the Governor fail: (1)
27 to enact legislation following the release of the task force's report or
28 (2) to enact legislation that the Governor and Legislature deem
29 appropriate which otherwise addresses the issues the task force is
30 required to consider pursuant to section 18 of P.L.2023, c.75
31 (C.54:4-8.75o), then promulgation of a combined single application
32 form shall not be required on or before the date set forth in section
33 4 of P.L.2023, c.75 (C.54:4-8.75d) and the implementation of the
34 Stay NJ property tax credit program shall be delayed until the
35 enactment of such legislation. **If** legislation is enacted after the
36 90th day preceding **July** February 1, 2025, then promulgation of a
37 combined single application form shall be required no earlier than
38 the 91st day next following the enactment of such legislation and
39 the implementation of the Stay NJ property tax credit program shall
40 begin no earlier than the first tax year quarter beginning no less
41 than six months following the promulgation of the combined single
42 application form.

43 (cf: P.L.2023, c.75, s.19)

44
45 11. (New section) a. After the effective date of
46 P.L. , c. (C.) (pending before the Legislature as this bill), the
47 Director of the Division of Taxation in the Department of the

1 Treasury, in consultation with the Director of the Division of Local
2 Government Services in the Department of Community Affairs and
3 local officials, shall develop a process to implement a property tax
4 credit for the payment of benefits under the homestead property tax
5 reimbursement program and the Stay NJ property tax credit
6 program. As a part of that process, the Director of the Division of
7 Taxation shall collect information from local officials regarding
8 how to effectively implement property tax credits in future years for
9 those programs. The collection of such information may include,
10 but shall not be limited to, the administration of a standardized
11 survey data collection instrument.

12 b. Notwithstanding the provisions of subsection a. of this section
13 regarding the development of a process for implementing property
14 tax credits, the Director of the Division of Taxation shall also
15 determine the feasibility of allowing eligible claimants for
16 homestead property tax reimbursement and Stay NJ property tax
17 credits to choose to continue to receive annual checks or direct
18 deposits into a bank account instead of a property tax credit.

19

20 12. Section 1 of P.L.1990, c.61 (C.54:4-8.57) is amended to read
21 as follows:

22 1. Sections 1 through 10 of P.L.1990, c.61 (C.54:4-8.57 through
23 54:4-8.66) and sections 3, 14 through 16, 18 and 19 of P.L.1999,
24 c.63 (C.54:4-8.58a and C.54:4-8.66a through C.54:4-8.66e) shall be
25 known and may be cited as the "ANCHOR Homestead Property Tax
26 Credit Act" **■**; provided, however, that on and after the first day of
27 the first tax year quarter in which the Stay NJ property tax credit
28 program is implemented, those sections shall be known and may be
29 cited as the "Stay NJ Act." **■**.

30 (cf: P.L.2023, c.75, s.20)

31

32 13. Section 2 of P.L.1990, c.61 (C.54:4-8.58) is amended to read
33 as follows:

34 2. As used in sections 2 through 10 of P.L.1990, c.61 (C.54:4-
35 8.58 through 54:4-8.66) and sections 3 and 14 through 16 of
36 P.L.1999, c.63 (C.54:4-8.58a and 54:4-8.66a through C.54:4-8.66c),
37 and where the context requires, as may be applicable to the
38 Affordable New Jersey Communities for Homeowners and Renters
39 (ANCHOR) Property Tax Relief Program:

40 "Annualized rent" means, for tax years 2004 and thereafter, the
41 rent paid by the claimant during the tax year for which the
42 homestead rebate is being claimed, and if paid for a lease term
43 covering less than the full tax year, the actual rent paid for the days
44 during the term of the lease of the homestead proportionalized as if
45 the term of the lease had been for 365 days of the tax year;

46 "Arm's-length transaction" means a transaction in which the
47 parties are dealing from equal bargaining positions, neither party is
48 subject to the other's control or dominant influence, and the

1 transaction is entirely legal in all respects and is treated with
2 fairness and integrity;

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

6 "Continuing care retirement community" means a residential
7 facility primarily for retired persons where lodging and nursing,
8 medical or other health related services at the same or another
9 location are provided as continuing care to an individual pursuant to
10 an agreement effective for the life of the individual or for a period
11 greater than one year, including mutually terminable contracts, and
12 in consideration of the payment of an entrance fee with or without
13 other periodic charges;

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

21 "Director" means the Director of the Division of Taxation in the
22 Department of the Treasury;

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

28 "Homestead" means:

29 a. (1) a dwelling house and the land on which that dwelling
30 house is located which constitutes the place of the claimant's
31 domicile and is owned and used by the claimant as the claimant's
32 principal residence;

33 (2) a dwelling house situated on land owned by a person other
34 than the claimant which constitutes the place of the claimant's
35 domicile and is owned and used by the claimant as the claimant's
36 principal residence;

37 (3) a condominium unit or a unit in a horizontal property regime
38 which constitutes the place of the claimant's domicile and is owned
39 and used by the claimant as the claimant's principal residence;

40 (4) for purposes of this definition as provided in this subsection,
41 in addition to the generally accepted meaning of owned or
42 ownership, a homestead shall be deemed to be owned by a person if
43 that person is a tenant for life or a tenant under a lease for 99 years
44 or more and is entitled to and actually takes possession of the
45 homestead under an executory contract for the sale thereof or under
46 an agreement with a lending institution which holds title as security
47 for a loan, or is a resident of a continuing care retirement
48 community pursuant to a contract for continuing care for the life of

1 that person which requires the resident to bear a share of the
2 property taxes that are assessed upon the continuing care retirement
3 community, if a share is attributable to the unit that the resident
4 occupies;

5 b. a unit in a cooperative or mutual housing corporation which
6 constitutes the place of domicile of a residential shareholder or
7 lessee therein, or of a lessee, or shareholder who is not a residential
8 shareholder therein, and which is used by the claimant as the
9 claimant's principal residence; and

10 c. a unit of residential rental property which unit constitutes the
11 place of the claimant's domicile and is used by the claimant as the
12 claimant's principal residence;

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

16 "Gross income" means all New Jersey gross income required to
17 be reported pursuant to the "New Jersey Gross Income Tax Act,"
18 N.J.S.54A:1-1 et seq., other than income excludable from the gross
19 income tax return, but before reduction thereof by any applicable
20 exemptions, deductions and credits, received during the taxable
21 year by the owner or residential shareholder in, or lessee of, a
22 homestead;

23 "Manufactured home" or "mobile home" means a unit of housing
24 which:

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

28 (2) Is built on a permanent chassis;

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

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

39 "Mobile home park" means a parcel of land, or two or more
40 parcels of land, containing no fewer than 10 sites equipped for the
41 installation of manufactured or mobile homes, where these sites are
42 under common ownership and control for the purpose of leasing
43 each site to the owner of a manufactured or mobile home for the
44 installation thereof, and where the owner or owners provide
45 services, which are provided by the municipality in which the park
46 is located for property owners outside the park, which services may
47 include but shall not be limited to:

48 (1) The construction and maintenance of streets;

- 1 (2) Lighting of streets and other common areas;
- 2 (3) Garbage removal;
- 3 (4) Snow removal; and
- 4 (5) Provisions for the drainage of surface water from home sites
- 5 and common areas;

6 "Mutual housing corporation" means a corporation not-for-profit,
7 incorporated under the laws of this State on a mutual or cooperative
8 basis within the scope of section 607 of the Lanham Act (National
9 Defense Housing), Pub.L.849, 76th Congress (42 U.S.C. s.1521 et
10 seq.), as amended, which acquired a National Defense Housing
11 Project pursuant to that act;

12 "Principal residence" means a homestead actually and
13 continually occupied by a claimant as the claimant's permanent
14 residence, as distinguished from a vacation home, property owned
15 and rented or offered for rent by the claimant, and other secondary
16 real property holdings;

17 "Property tax" means payments to a municipality based upon an
18 assessment made by the municipality upon real property on an ad
19 valorem basis on land and improvements, and shall include the
20 amount of property tax credit as defined in section 1 of P.L.2018,
21 c.11 (C.54:4-66.6), but shall not include payments made in lieu of
22 taxes;

23 "Rent" means the amount due in an arm's-length transaction
24 solely for the right of occupancy of a homestead that is a unit of
25 residential rental property. Rent shall not include any amount paid
26 under the federal Housing Choice Voucher (Section 8) Program or
27 paid as a rental assistance grant under section 1 of P.L.2004, c.140
28 (C.52:27D-287.1). If the director finds that the parties in a rental
29 transaction have not dealt with each other in an arm's-length
30 transaction and that the rent due was excessive, the director may,
31 for purposes of the homestead rebate claim, adjust the rent claimed
32 in the homestead rebate application to a reasonable amount of rent;

33 "Rent constituting property taxes" means 18% of the rent paid by
34 the homestead rebate claimant during the tax year on a unit of
35 residential rental property which constitutes the claimant's
36 homestead, and in the case of a manufactured home or mobile home
37 in a mobile home park which constitutes the claimant's homestead
38 means 18% of the site fee paid by the claimant during the tax year
39 to the owner of the mobile home park. Provided however, that for
40 tax year 2004 and for each tax year thereafter, rent constituting
41 property taxes shall equal 18% of annualized rent, and in the case of
42 a manufactured home or mobile home in a mobile home park rent
43 constituting property taxes shall equal 18% of a similarly
44 annualized site fee;

45 "Resident" means an individual:

- 46 a. who is domiciled in this State, unless he maintains no
- 47 permanent place of abode in this State, maintains a permanent place

1 of abode elsewhere, and spends in the aggregate no more than 30
2 days of the tax year in this State; or

3 b. who is not domiciled in this State but maintains a permanent
4 place of abode in this State and spends in the aggregate more than
5 183 days of the tax year in this State, unless the individual is in the
6 Armed Forces of the United States;

7 "Residential rental property" means:

8 a. any building or structure or complex of buildings or
9 structures in which dwelling units are rented or leased or offered for
10 rental or lease for residential purposes;

11 b. a rooming house, hotel or motel, if the rooms constituting
12 the homestead are equipped with kitchen and bathroom facilities;

13 c. any building or structure or complex of buildings or
14 structures constructed under the following sections of the National
15 Housing Act (Pub.L.73-479) as amended and supplemented: section
16 202, Housing Act of 1959 (Pub.L.86-372) and as subsequently
17 amended, section 231, Housing Act of 1959; and

18 d. a site in a mobile home park equipped for the installation of
19 manufactured or mobile homes, where these sites are under
20 common ownership and control for the purpose of leasing each site
21 to the owner of a manufactured or mobile home for the installation
22 thereof;

23 "Residential shareholder in a cooperative or mutual housing
24 corporation" means a tenant or holder of a membership interest in
25 that cooperative or corporation, whose residential unit therein
26 constitutes the tenant or holder's domicile and principal residence,
27 and who may deduct real property taxes for purposes of federal
28 income tax pursuant to section 216 of the federal Internal Revenue
29 Code of 1986, 26 U.S.C. s.216; and

30 "Tax year" means the calendar year in which property taxes are
31 due and payable.

32 (cf: P.L.2018, c.11, s.10)

33

34 14. Section 3 of P.L.1999, c.63 (C.54:4-8.58a) is amended to
35 read as follows:

36 3. a. For tax year 2003, the director shall determine the amount
37 of the homestead rebate that shall be paid to each claimant pursuant
38 to P.L.1990, c.61 (C.54:4-8.57 et al.), and P.L.1999, c.63 (C.54:4-
39 8.58a et al.), as amended by P.L.2004, c.40, based upon the
40 information provided by the individual applicant in the application
41 for either a NJ SAVER rebate or for a homestead rebate, or from
42 any other information as may be available to the director in order
43 that each individual applicant shall be paid the homestead rebate
44 that may be allowed to the claimant pursuant to sections 3 through 5
45 of P.L.1990, c.61 (C.54:4-8.59 through 54:4-8.61), as the director
46 determines is appropriate.

47 b. (1) For tax year 2003, a resident of this State who has paid
48 property taxes for the tax year on a homestead that is owned as

1 such, who has filed an application for an NJ SAVER rebate
2 pursuant to the provisions of P.L.1999, c.63 (C.54:4-8.58a et al.), or
3 pursuant to that act as amended and supplemented by P.L.2004,
4 c.40, and who meets the prerequisites for an NJ SAVER rebate at
5 12:01 A.M. on October 1, 2003 for that tax year, shall be
6 considered to have applied for a homestead rebate and shall be
7 allowed a homestead rebate instead of an NJ SAVER rebate for that
8 tax year pursuant to P.L.1990, c.61 (C.54:4-8.57 et al.), and
9 P.L.1999, c.63 (C.54:4-8.58a et al.), as amended by P.L.2004, c.40.
10 An application for an NJ SAVER rebate shall be allowed as a
11 homestead rebate for a homestead the title to which is held by a
12 partnership, to the extent of the applicant's interest as a partner
13 therein, and by a guardian, trustee, committee, conservator or other
14 fiduciary for any individual who would otherwise be eligible for an
15 NJ SAVER rebate. An application for an NJ SAVER rebate shall
16 not be allowed for a homestead, the title to which is held partially
17 or entirely by a corporate entity of any type, except as otherwise
18 specifically allowed for applications from residents of properties
19 owned by continuing care retirement community, cooperative or
20 mutual housing corporations.

21 (2) For tax year 2004 and tax year 2005, any rebates applied for
22 and paid pursuant to P.L.1990, c.61 (C.54:4-8.57 et al.), and
23 P.L.1999, c.63 (C.54:4-8.58a et al.), as amended and supplemented
24 by P.L.2004, c.40, shall be homestead rebates.

25 (3) For tax year 2006 and for tax years thereafter, any
26 homestead benefit applied for and provided pursuant to this act
27 shall be a rebate or credit, as annually determined by the Director of
28 the Division of Taxation.

29 (4) After the effective date of P.L. , c (C.) (pending
30 before the Legislature as this bill), and with respect to the payment
31 of ANCHOR rebates to eligible claimants, payments to eligible
32 claimants in calendar year 2026 shall be based on property taxes
33 billed for tax year 2025. Thereafter, payments to eligible claimants
34 in any succeeding benefit year shall be based on the immediately
35 preceding tax year.

36 (cf: P.L.2007, c.62, s.22)

37

38 15. (New section) Notwithstanding the provisions of any other
39 law to the contrary, after the effective date of P.L. , c. (C.)
40 (pending before the Legislature as this bill), ANCHOR rebates shall
41 be paid to eligible claimants on or before September 15 of each tax
42 year annually, whether such rebates are to be paid by check, direct
43 deposit, or as a credit on the eligible claimant's property tax bill.

44

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

47 1. As used in **[this act]** P.L.1997, c.348 (C.54:4-8.67 et seq.):

1 "Base year" means, in the case of a person who is an eligible
2 claimant on or before December 31, 1997, the tax year 1997; and in
3 the case of a person who first becomes an eligible claimant after
4 December 31, 1997, the tax year in which the person first becomes
5 an eligible claimant. In the case of an eligible claimant who
6 subsequently moves from the homestead for which the initial
7 eligibility was established, the base year shall be the first full tax
8 year during which the person resides in the new homestead.
9 Provided however, a base year for an eligible claimant after such a
10 move shall not apply to tax years commencing prior to January 1,
11 2009. In the case of an eligible claimant who receives a Stay NJ
12 property tax credit in lieu of a homestead property tax
13 reimbursement pursuant to section 4 of P.L.2023, c.75 (C.54:4-
14 8.75d), the base year of that eligible claimant shall remain
15 unchanged.

16 "Commissioner" means the Commissioner of Community
17 Affairs.

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

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

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

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

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

38 "Eligible claimant" means a person who:

39 is 65 or more years of age on or before December 31 of any tax
40 year for which a homestead property tax reimbursement is sought,
41 or who is a disabled person;

42 is an owner of a homestead, or the lessee of a site in a mobile
43 home park on which site the applicant owns a manufactured or
44 mobile home for the entire tax year for which a homestead property
45 tax reimbursement is sought;

46 has an annual income of less than \$17,918 in tax year 1998, less
47 than \$18,151 in tax year 1999, or less than \$37,174 in tax year
48 2000, if single, or, if married, whose annual income combined with

1 that of the spouse is less than \$21,970 in tax year 1998, less than
2 \$22,256 in tax year 1999, or less than \$45,582 in tax year 2000,
3 which income eligibility limits for single and married persons shall
4 be subject to adjustments in tax years 2001 through 2006 pursuant
5 to section 9 of P.L.1997, c.348 (C.54:4-8.68);

6 has an annual income of \$60,000 or less in tax year 2007,
7 \$70,000 or less in tax year 2008, or \$80,000 or less in tax year
8 2009, if single or married, which income eligibility limits shall be
9 subject to adjustments in tax years 2010 through 2021 pursuant to
10 section 9 of P.L.1997, c.348 (C.54:4-8.68);

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

15 has, for at least three calendar years, including the entire tax year
16 for which a homestead property tax reimbursement is sought,
17 owned and resided in the homestead for which a homestead
18 property tax reimbursement is sought prior to the date that an initial
19 application for a homestead property tax reimbursement is filed. A
20 person who has been an eligible claimant for a previous tax year
21 shall qualify as an eligible claimant beginning the second full tax
22 year following a move to another homestead in New Jersey, despite
23 not meeting the three-year minimum residency and ownership
24 requirement required for initial claimants under this paragraph;
25 provided that the person satisfies the income eligibility limits for
26 the tax year. Provided however, eligibility beginning in a second
27 full tax year after such a move shall not apply to tax years
28 commencing prior to January 1, 2010.

29 "Homestead" means:

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

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

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

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

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

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

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

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

31 "Income" means all New Jersey gross income required to be
32 reported pursuant to the "New Jersey Gross Income Tax Act,"
33 N.J.S.54A:1-1 et seq., before the application of any authorized
34 exclusion or deduction, except also including: interest income
35 excluded from taxation pursuant to N.J.S.54A:6-14; pension and
36 annuity income excluded from taxation pursuant to N.J.S.54A:6-10;
37 income derived from distributions from, or roll over to, a Roth IRA
38 excluded from taxation pursuant to N.J.S.54A:6-28; other
39 retirement income excluded from taxation pursuant to N.J.S.54A:6-
40 15; and Social Security income excluded from taxation pursuant to
41 N.J.S.54A:6-2, as self-reported by the homeowner.

42 "Manufactured home" or "mobile home" means a unit of housing
43 which:

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

47 (2) Is built on a permanent chassis;

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

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

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

20 (1) The construction and maintenance of streets;

21 (2) Lighting of streets and other common areas;

22 (3) Garbage removal;

23 (4) Snow removal; and

24 (5) Provisions for the drainage of surface water from home sites
25 and common areas.

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

32 **["Income" means income as determined pursuant to P.L.1975,
33 c.194 (C.30:4D-20 et seq.).]**

34 "Principal residence" means a homestead actually and
35 continually occupied by an eligible claimant as his or her permanent
36 residence, as distinguished from a vacation home, property owned
37 and rented or offered for rent by the claimant, and other secondary
38 real property holdings.

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

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

1 "Tax year" means the calendar year in which a homestead is
2 assessed and the property tax is levied thereon and it means the
3 calendar year in which income is received or accrued.
4 (cf: P.L.2023, c.75, s.13)
5

6 17. Section 3 of P.L.1997, c.348 (C.54:4-8.70) is amended to
7 read as follows:

8 3. **【An】** a. For tax years before the implementation of the
9 single combined application required pursuant to section 6 of
10 P.L.2023, c.75 (C.54:4-8.75f), an application for a homestead
11 property tax reimbursement hereunder shall be filed with the
12 director annually beginning April 1 and ending October 31 of the
13 year following the year for which the claim is being made and shall
14 reflect the prerequisites for a homestead property tax
15 reimbursement on December 31 of the tax year for which the claim
16 is being made; provided, however, that the director may, by rule,
17 designate a later date as the date by which the application shall be
18 filed or waive the requirement for filing an annual application for
19 any year or years subject to any limitations and conditions the
20 director may deem appropriate. The application shall be on a form
21 prescribed by the director and provided for the use of applicants
22 hereunder. Each applicant making a claim for a homestead property
23 tax reimbursement under this act shall provide, if required by the
24 director, to the director a copy of his or her current year property
25 tax bill or current year site fee bill on the homestead constituting
26 that person's principal residence and a copy of his or her property
27 tax bill for the base year or site fee bill for the base year on the
28 same homestead, or other equivalent proof as permitted by the
29 director.

30 It shall be the duty of every eligible claimant to inform the
31 director of any change in his or her status or homestead which may
32 affect his or her right to continuance of the homestead property tax
33 reimbursement.

34 If an eligible claimant receives an additional homestead property
35 tax reimbursement to which the claimant was not entitled or greater
36 than the reimbursement to which the claimant was entitled, the
37 director shall permit the claimant to enter into an installment
38 payment agreement for a reasonable period of time that will enable
39 the claimant to completely satisfy the amount of the reimbursement
40 paid to which the claimant was not entitled. If the claimant does
41 not enter into an installment payment agreement, the director may,
42 in addition to all other available legal remedies, offset such amount
43 against a gross income tax refund or amount due pursuant to
44 P.L.1990, c.61.

45 b. For tax years on and after the implementation of the single
46 combined application required pursuant to section 6 of P.L.2023,
47 c.75 (C.54:4-8.75f), an application for a homestead property tax
48 reimbursement hereunder shall be filed with the director annually,

1 beginning February 1 and ending October 31 of the year following
2 the year for which the claim is being made, using the single
3 combined application and in accordance with the requirements of
4 section 6 of P.L.2023, c.75 (C.54:4-8.75f).

5 (cf: P.L.2017, c.370, s.1)

6
7 18. Section 4 of P.L.1997, c.348 (C.54:4-8.71) is amended to
8 read as follows:

9 4. a. The director shall administer the homestead property tax
10 reimbursement program. A payment for the homestead property tax
11 reimbursement amount, as calculated by the director, shall be
12 **【mailed】** paid, by check, direct deposit, or credit against the
13 eligible claimant's property tax bill, to each person determined by
14 the director to be an eligible claimant **【under this act】** pursuant to
15 P.L.1997, c.348 (C.54:4-8.67 et seq.) and shall be made according
16 to the following schedule: 【on or before July 15, 1999 and July 15
17 annually thereafter, except that the payment of any homestead
18 property tax reimbursement amount for an eligible claimant whose
19 application is filed during the period May 1 through June 1 shall be
20 mailed on or before September 1 annually. Provided further,
21 however, that the payment of any homestead property tax
22 reimbursement amount for an eligible claimant whose application is
23 filed during a period after June 1 pursuant to an extended
24 application deadline as may be designated by the director shall be
25 mailed on or before such latter mailing date as the director may
26 determine.】

27 (1) for applications received on or before May 1 of the tax year,
28 the reimbursement amount shall be paid on or before July 15 of that
29 tax year; and

30 (2) for applications received on or after May 1 of the tax year,
31 the reimbursement amount shall be made on a rolling monthly
32 basis.

33 b. All payments made pursuant to this section shall be
34 appropriated from receipts in the Casino Revenue Fund.

35 (cf: P.L.2003, c.30, s.2)

36
37 19. (New section) The Director of the Division of Taxation in
38 the Department of the Treasury is authorized to take any
39 administrative action with respect to the Stay NJ program,
40 P.L.2023, c.75 (C.54:4-8.75a et al.), the homestead property tax
41 reimbursement program, P.L.1997, c.348 (C.54:4-8.67 et seq.), or
42 the ANCHOR Property Tax Relief Program that may be necessary
43 to implement the provisions of P.L. , c. (C.) (pending
44 before the Legislature as this bill).

45
46 20. Section 3 of P.L.2021, c.371 (C.47:1B-3) is amended to read
47 as follows:

1 3. a. The following exceptions shall apply to the requirement to
2 redact, and the prohibition against the disclosure of, a home address
3 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2) in accordance
4 with section 2 of P.L.2015, c.226 (C.47:1-17), section 1 of
5 P.L.1995, c.23 (C.47:1A-1.1), or section 6 of P.L.2001, c.404
6 (C.47:1A-5):

7 (1) Copies of voter registration files maintained in the Statewide
8 voter registration system pursuant to section 2 of P.L.2005, c.145
9 (C.19:31-32) and maintained by the commissioner of registration in
10 each county pursuant to R.S.19:31-3 shall be provided as redacted
11 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2), except that
12 copies of the files as unredacted pursuant thereto shall be provided
13 to the following individuals, upon the individual's signing of an
14 affidavit attesting to the individual's qualifying status pursuant
15 hereto:

16 (a) the chairperson of the county or municipal committee of a
17 political party, as appropriate under R.S.19:7-1, or a designee
18 thereof, for distribution to any person authorized to serve as a
19 challenger pursuant to R.S.19:7-1 or section 2 of P.L.2021, c.40
20 (C.19:15A-2), subject to the limitations in section 1 of P.L.1960,
21 c.82 (C.19:7-6.1); and the unredacted copies may only be used for
22 the purpose specified in R.S.19:7-5;

23 (b) a candidate, or a designee thereof, for distribution to a
24 challenger appointed thereby pursuant to section 2 of P.L.2021, c.40
25 (C.19:15A-2) for the person's use in accordance with R.S.19:7-5;

26 (c) a candidate acting as a challenger pursuant to R.S.19:7-2 or
27 the other person appointed thereunder, for use in accordance with
28 R.S.19:7-5;

29 (d) any vendor, contractor, or organization carrying out a
30 function of a county or of the State concerning the administration or
31 conduct of elections; and

32 (e) upon order of a judge of the Superior Court after a finding
33 that the unredacted copy is necessary to determine the merits of a
34 petition filed in accordance with R.S.19:29-3, a person filing such
35 petition or the respondent or both.

36 This paragraph shall apply to registry lists as described in section
37 2 of P.L.1947, c.347 (C.19:31-18.1).

38 (2) Other than as provided in subparagraphs (d) and (e) of
39 paragraph (4) of this subsection, a document affecting the title to
40 real property, as defined by N.J.S.46:26A-2, recorded and indexed
41 by a county recording officer, or as otherwise held or maintained by
42 the Division of Taxation, a county board of taxation, a county tax
43 administrator, or a county or municipal tax assessor, that contains
44 an address subject to redaction or nondisclosure consistent with this
45 act, P.L.2021, c.371 (C.47:1B-1 et al.):

46 may instead or in addition include the redaction and
47 nondisclosure of the names or other information of approved
48 covered persons, as specified by the Director of the Division of

1 Taxation, which redaction and nondisclosure may include masking
2 of such names or other information, and

3 shall be provided as unredacted to the following persons when
4 requested in such person's ordinary course of business:

5 (a) a title insurance company, a title insurance agent, or an
6 approved attorney, as defined in section 1 of P.L.1975, c.106
7 (C.17:46B-1);

8 (b) a mortgage guarantee insurance company, as described in
9 section 4 of P.L.1968, c.248 (C.17:46A-4);

10 (c) a mortgage loan originator, as defined in section 3 of
11 P.L.2009, c.53 (C.17:11C-53);

12 (d) a registered title search business entity, as defined in section
13 4 of P.L.2021, c.371 (C.17:46B-1.1);

14 (e) a real estate broker, a real estate salesperson, a real estate
15 broker-salesperson, a real estate salesperson licensed with a real
16 estate referral company, or a real estate referral company, as such
17 terms are defined in R.S.45:15-3; and

18 (f) an individual or business that has made or received an offer
19 for the purchase of real estate and real property, or any portion
20 thereof, to or from a covered person whose address is subject to
21 redaction or nondisclosure pursuant to section 2 of P.L.2021, c.371
22 (C.47:1B-2).

23 This act shall not be construed to prohibit a county recording
24 officer from returning a document as unredacted to any person who
25 submitted the document for recordation.

26 (3) A home address as unredacted may be provided by a public
27 agency to the majority representative of such agency's employees.

28 (4) The following shall not be subject to redaction or
29 nondisclosure pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2):

30 (a) records and documents, including Uniform Commercial
31 Code filings and financing statements, maintained by the Division
32 of Revenue and Enterprise Services in the Department of the
33 Treasury;

34 (b) petitions naming candidates for office pursuant to R.S.19:13-
35 1 and R.S.19:13-4;

36 (c) petitions signed in accordance with R.S.19:13-6;

37 (d) records evidencing any lien, judgement, or other
38 encumbrance upon real or other property;

39 (e) assessment lists subject to inspection pursuant to R.S.54:4-
40 38 when inspected in person;

41 (f) the index of all recorded documents maintained by a county
42 recording officer as under N.J.S.46:26A-8 when inspected in
43 person; and

44 (g) property that is presumed abandoned under the "Uniform
45 Unclaimed Property Act," P.L.1989, c.58 (C.46:30B-1 et seq.).

46 (5) A public agency may share unredacted information with any
47 vendor, contractor, or organization to carry out the purposes for
48 which the public agency entered into an agreement with the vendor,

1 contractor, or organization. The vendor, contractor, or organization
2 shall not use such information in any manner other than as
3 necessary to carry out the purposes of the agreement.

4 (6) For a record or other document containing a home address
5 required to be redacted pursuant to section 2 of P.L.2021, c.371
6 (C.47:1B-2) that, because of the characteristics or properties of the
7 record or document, is only available to be viewed in person, a
8 custodian or other government official shall make every reasonable
9 effort to hide such address when allowing an individual without
10 authority to view such address as unredacted to view the record or
11 document.

12 (7) For the purposes of the calculation of property tax benefits
13 and the administration of property tax credits for eligible claimants
14 pursuant to the "Stay NJ Act," P.L.2021, c.75 (C.54:4-8.75a et al.),
15 municipalities may share unredacted property tax information with
16 the Director of the Division of Taxation in the Department of the
17 Treasury, and the director may provide to municipalities unredacted
18 amounts of property tax credits to be applied against property tax
19 bills of eligible claimants.

20 b. Nothing in this act shall be construed to require redaction or
21 nondisclosure of any information in any document, record,
22 information, or database shared with or otherwise provided to any
23 other government entity.

24 c. Information otherwise subject to redaction or nondisclosure
25 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2) may be
26 provided as unredacted upon order of a judge of the Superior Court
27 or of any other court of competent jurisdiction.

28 d. This section shall not be construed to require a record to be
29 made available that is not otherwise required to be made available
30 under any other law or regulation.

31 e. The Director of the Division of Taxation may issue any
32 guidance, guidelines, or rules and regulations necessary to
33 effectuate the purposes of this section. The rules and regulations
34 shall be effective immediately upon filing with the Office of
35 Administrative Law for a period not to exceed 18 months, and shall,
36 thereafter, be amended, adopted, or readopted in accordance with
37 the provisions of the "Administrative Procedure Act," P.L.1968,
38 c.410 (C.52:14B-1 et seq.).

39 (cf: P.L.2021, c.371, s.3)

40

41 21. R.S.54:50-8 is amended to read as follows:

42 54:50-8. a. The records and files of the director respecting the
43 administration of the State Uniform Tax Procedure Law or of any
44 State tax law, or respecting the administration of the Stay NJ
45 property tax credit, the ANCHOR Property Tax Relief Program, and
46 the homestead property tax reimbursement program, shall be
47 considered confidential and privileged and neither the director nor
48 any employee engaged in the administration thereof or charged with

1 the custody of any such records or files, nor any former officer or
2 employee, nor any person who may have secured information
3 therefrom under subsection d., e., f., g., p., q., r., or s. of R.S.54:50-
4 9 or any other provision of State law, shall divulge, disclose, use for
5 their own personal advantage, or examine for any reason other than
6 a reason necessitated by the performance of official duties any
7 information obtained from the said records or files or from any
8 examination or inspection of the premises or property of any
9 person. Neither the director nor any employee engaged in such
10 administration or charged with the custody of any such records or
11 files shall be required to produce any of them for the inspection of
12 any person or for use in any action or proceeding except when the
13 records or files or the facts shown thereby are directly involved in
14 an action or proceeding under the provisions of the State Uniform
15 Tax Procedure Law or of the State tax law affected, or where the
16 determination of the action or proceeding will affect the validity or
17 amount of the claim of the State under some State tax law, or in any
18 lawful proceeding for the investigation and prosecution of any
19 violation of the criminal provisions of the State Uniform Tax
20 Procedure Law or of any State tax law.

21 b. The prohibitions of this section, against unauthorized
22 disclosure, use or examination by any present or former officer or
23 employee of this State or any other individual having custody of
24 such information obtained pursuant to the explicit authority of State
25 law, shall specifically include, without limitation, violations
26 involving the divulgence or examination of any information from or
27 any copy of a federal return or federal return information required
28 by New Jersey law to be attached to or included in any New Jersey
29 return. Any person violating this section by divulging, disclosing or
30 using information shall be guilty of a crime of the fourth degree.
31 Any person violating this section by examining records or files for
32 any reason other than a reason necessitated by the performance of
33 official duties shall be guilty of a disorderly persons offense.

34 c. Whenever records and files are used in connection with the
35 prosecution of any person for violating the provisions of this section
36 by divulging, disclosing or using records or files or examining
37 records and files for any reason other than a reason necessitated by
38 the performance of official duties, the defendant shall be given
39 access to those records and files. The court shall review such
40 records and files in camera, and that portion of the court record
41 containing the records and files shall be sealed by the court.

42 (cf: P.L.2021, c.167, s.5)

43

44 22. Section 3 of P.L.1996, c.60 (C.54A:3A-17) is amended to
45 read as follows:

46 3. a. A resident taxpayer under the "New Jersey Gross Income
47 Tax Act," N.J.S.54A:1-1 et seq., shall be allowed a deduction from
48 gross income for the amount of property tax credit₂ as defined in

1 section 1 of P.L.2018, c.11 (C.54:4-66.6), plus property taxes paid
2 by the resident taxpayer, the total of which shall not exceed
3 \$15,000, subject to the limitations of subsection f. of this section.
4 Property taxes deductible under this section shall be due and paid
5 for the calendar year in which the taxes are due and payable on the
6 taxpayer's homestead.

7 b. A deduction for property taxes or property tax credits shall
8 be allowed pursuant to this section in relation to the amount of the
9 property taxes or property tax credits actually paid by **【**or allocable
10 **to】** a resident taxpayer who has more than one homestead, but the
11 aggregate amount of the property taxes or property tax credits
12 claimed shall not exceed the total of the proportionate amounts of
13 property taxes **【**assessed and levied against or allocable to**】** paid for
14 each homestead for the portion of the taxable year for which the
15 taxpayer occupied it as the taxpayer's principal residence.

16 c. If title to a homestead is held by more than one individual as
17 joint tenants or tenants in common, each individual shall be allowed
18 a deduction pursuant to this section only in relation to the
19 individual's proportionate share of the property taxes assessed and
20 levied against the homestead. The proportionate share shall be
21 equal to that of all other individuals who hold the title, but if the
22 conveyance under which the title is held provides for unequal
23 interests therein, a taxpayer's share of the property taxes shall be in
24 proportion to the taxpayer's interest in the title.

25 d. If title to a homestead is held by a husband and wife who
26 own the homestead as tenants by the entirety, or if that husband and
27 wife are both residential shareholders of a cooperative or mutual
28 housing corporation and occupy the same homestead therein, and
29 who elect to file separate income tax returns pursuant to the "New
30 Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq., that husband
31 and wife shall each be entitled to one-half of the deduction for
32 property taxes for which they may be jointly eligible pursuant to
33 this section.

34 e. If the homestead is a dwelling house consisting of more than
35 one unit, that taxpayer shall be allowed a deduction for property
36 taxes or property tax credits only in relation to the proportionate
37 share of the property taxes assessed and levied against the
38 residential unit occupied by the taxpayer, as determined by the local
39 tax assessor.

40 f. Notwithstanding the provisions of subsection a. of this
41 section to the contrary: (1) a resident taxpayer shall be allowed a
42 deduction for a taxpayer's taxable year beginning during 1996 based
43 on 50% of the property taxes not in excess of \$5,000 paid on the
44 taxpayer's homestead; and (2) a resident taxpayer shall be allowed a
45 deduction for a taxpayer's taxable year beginning during 1997 based
46 on 75% of the property taxes not in excess of \$7,500 paid on the
47 taxpayer's homestead.

1 g. Notwithstanding any other provision of this section, the
2 deduction allowed under this section to a resident taxpayer eligible
3 to receive a homestead property tax reimbursement pursuant to
4 P.L.1997, c.348 (C.54:4-8.67 et al.) shall not exceed that resident
5 taxpayer's base year property tax liability as determined pursuant to
6 P.L.1997, c.348 (C.54:4-8.67 et al.).

7 h. Notwithstanding any other provision of this section, for the
8 taxable year beginning January 1, 2009, a taxpayer who has gross
9 income for the taxable year of more than \$250,000 and is not:

10 (1) 65 years of age or older at the close of the taxable year; or

11 (2) allowed to claim a personal deduction as a blind or disabled
12 taxpayer pursuant to subsection (b) of N.J.S.54A:3-1, shall not be
13 allowed a deduction pursuant to this section;

14 provided however, the deduction for a taxpayer who has gross
15 income for the taxable year of more than \$150,000 but not
16 exceeding \$250,000 and is not:

17 (1) 65 years of age or older at the close of the taxable year; or

18 (2) allowed to claim a personal deduction as a blind or disabled
19 taxpayer pursuant to subsection (b) of N.J.S.54A:3-1, shall not
20 exceed \$5,000.

21 (cf: P.L.2018, c.45, s.1)

22
23 23. Section 5 of P.L.1996, c.60 (C.54A:3A-19) is amended to
24 read as follows:

25 5. a. If a taxpayer who is eligible for a deduction for property
26 taxes paid under section 3 of **[this act]** P.L.1996, c.60 (C.54A:3A-
27 17) for a part of the taxable year is also eligible for a deduction for
28 rent constituting property taxes under section 4 of this act for a part
29 of the taxable year, the taxpayer shall be allowed a deduction, not in
30 excess of \$15,000, subject to the limitations of subsection b. of this
31 section, the amount of which shall be equal to the sum of the
32 amount of property tax credit, as defined in section 1 of P.L.2018,
33 c.11 (C.54:4-66.6), plus the amount of property taxes due and paid
34 for the calendar year in which the property taxes are due and
35 payable on a homestead that is not a unit of residential rental
36 property and the amount of rent constituting property taxes due and
37 paid for the calendar year in which the rent constituting property
38 taxes is due and payable for the occupancy of a homestead that is a
39 unit of residential rental property, provided however, that the
40 amount of property taxes and property tax credits shall be subject to
41 the limitations set forth in subsections b. through e. of section 3 of
42 P.L.1996, c.60 (C.54A:3A-17) and the amount of rent constituting
43 property taxes shall be subject to the limitations set forth in
44 subsections b. and c. of section 4 of P.L.1996, c.60 (C.54A:3A-18)
45 as may be applicable.

46 b. Notwithstanding the provisions of subsection a. of this
47 section to the contrary: (1) a taxpayer who is eligible for a
48 deduction for property taxes paid under section 3 of **[this act]**

1 P.L.1996, c.60 (C.54A:3A-17) for a part of the taxable year and is
2 also eligible for a deduction for rent constituting property taxes
3 under section 4 of **【this act】** P.L.1996, c.60 (C.54A:3A-18) for a
4 part of the taxable year, shall be allowed a deduction for the
5 taxpayer's taxable year beginning during 1996 based on 50% of an
6 amount not in excess of \$5,000, the amount of which shall be equal
7 to the sum of the amount of property taxes paid on a homestead that
8 is not a unit of residential rental property and the amount of rent
9 constituting property taxes paid for the occupancy of a homestead
10 that is a unit of residential rental property; and (2) a taxpayer who is
11 eligible for a deduction for property taxes paid under section 3 of
12 **【this act】** P.L.1996, c.60 (C.54A:3A-17) for a part of the taxable
13 year and is also eligible for a deduction for rent constituting
14 property taxes under section 4 of **【this act】** P.L.1996, c.60
15 (C.54A:3A-18) for a part of the taxable year, shall be allowed a
16 deduction for the taxpayer's taxable year beginning during 1997
17 based on 75% of an amount not in excess of \$7,500, the amount of
18 which shall be equal to the sum of the amount of property taxes
19 paid on a homestead that is not a unit of residential rental property
20 and the amount of rent constituting property taxes paid for the
21 occupancy of a homestead that is a unit of residential rental
22 property.

23 (cf: P.L.2018, c.45, s.3)

24

25 24. This act shall take effect immediately.

26

27

28

29

30 _____
31 Revises statutes implementing certain property tax relief
32 programs pursuant to recommendations promulgated by Stay NJ
Task Force.

CHAPTER 88

AN ACT concerning the Stay NJ property tax benefit program and amending and supplementing various parts of the statutory law.

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

1. Section 2 of P.L.2023, c.75 (C.54:4-8.75b) is amended to read as follows:

C.54:4-8.75b Definitions.

2. As used in this act:

“ANCHOR” means the Affordable New Jersey Communities for Homeowners and Renters Property Tax Relief Program.

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

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

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

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

"Eligible claimant" means a State resident who is 65 or more years of age on or before December 31, 2024 or who is 65 or more years of age on or before December 31 of any subsequent benefit year, who is the owner for at least one full tax year of a homestead in this State on or after December 31, 2023 and any subsequent benefit year, and who has income for the prior tax year that is less than \$500,000.

"Homestead" means:

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

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

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

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

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

"Income" means all New Jersey gross income required to be reported pursuant to the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq., before the application of any authorized exclusion or deduction, except also including: interest income excluded from taxation pursuant to N.J.S.54A:6-14; pension and annuity income excluded from taxation pursuant to N.J.S.54A:6-10; income derived from distributions from or roll overs to a Roth IRA excluded from taxation pursuant to N.J.S.54A:6-28; other retirement income excluded from taxation pursuant to N.J.S.54A:6-15; and Social Security income excluded from taxation pursuant to N.J.S.54A:6-2, as self-reported by the homeowner.

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

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

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

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

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

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

"Stay NJ property tax credit" means a property tax credit applied to an eligible claimant's property tax bill in accordance with the provisions of the "Stay NJ Act," P.L.2023, c.75 (C.54:4-8.75a et al.).

"Task force" means the Stay NJ Task Force established pursuant to section 18 of P.L.2023, c.75 (C.54:4-8.75o).

"Tax year" or "taxable year" means the prior calendar year, January 1 through December 31, in which a homestead is assessed for property taxation and the property tax is levied thereon, and paid.

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

2. Section 3 of P.L.2023, c.75 (C.54:4-8.75c) is amended to read as follows:

C.54:4-8.75c Stay NJ property tax credit program, established.

3. a. (1) There is established the Stay NJ property tax credit program. The director shall administer the Stay NJ property tax credit that shall provide to an eligible claimant a property tax credit in the amount of 50 percent of the property tax billed to the eligible claimant's principal residence in the prior tax year, except that the amount of the credit, together with the

combined amount of the ANCHOR rebate and the homestead property tax reimbursement received by the eligible claimant for the tax year, shall not exceed the maximum amount allowable for the tax year pursuant to subsection c. of this section.

(2) Nothing in this section shall be deemed to limit the amount of the homestead property tax reimbursement or ANCHOR rebate that shall be paid to an eligible claimant for any tax year in which the combined value of the homestead property tax reimbursement and ANCHOR rebate exceeds the amount of the maximum allowable Stay NJ property tax credit, as determined pursuant to subsection c. of this section.

(3) A Stay NJ property tax credit for an eligible claimant who is a tenant shareholder in a cooperative, mutual housing organization, or continuing care retirement community shall be based on the eligible claimant's proportionate share of the property taxes assessed against that real property that are attributable to the eligible claimant's unit. Property tax credits shall be allowed pursuant to this section in relation to the property taxes billed or allocable to an eligible claimant who has more than one homestead in a tax year, but the aggregate amount of the property taxes or property tax credits claimed shall not exceed the total proportionate amounts of property taxes assessed and levied against or allocable to each homestead for the proportion of the tax year quarter to which the taxpayer occupies it as the taxpayer's principal residence.

b. The amount of the Stay NJ property tax credit shall be calculated for each eligible claimant by the director and shall be paid in accordance with the provisions of section 5 of P.L.2023, c.75 (C.54:4-8.75e).

c. The maximum amount to be credited to an eligible claimant shall be \$6,500 for tax year 2026 and for each tax year thereafter, the maximum amount to be credited to an eligible claimant shall be increased based on the annual percentage increase in the average residential property tax bill as shall be computed by the Director of the Division of Local Government Services in the Department of Community Affairs.

d. Except as otherwise provided in subsection a. of section 5 of P.L.2023, c.75 (C.54:4-8.75e), an eligible claimant shall be entitled to a Stay NJ property tax credit annually, on proper claim being made therefor to the director. Notwithstanding any provision of P.L.2023, c.75 (C.54:4-8.75a et al.) to the contrary, the amount of property taxes used to determine the amount of the Stay NJ property tax credit shall not be reduced by the amount of the deductions taken by an eligible claimant pursuant to P.L.1963, c.171 (C.54:4-8.10 to 54:4-8.23) and P.L.1964, c.255 (C.54:4-8.40 to 54:4-8.45 et al.). The surviving spouse of a deceased resident of this State who during his or her life received a Stay NJ property tax credit shall be entitled, so long as the surviving spouse does not remarry, remains a resident in the same homestead with respect to which the Stay NJ property tax credit was granted, and is an eligible claimant, to the same Stay NJ property tax credit, upon the same conditions, with respect to the same homestead.

3. Section 4 of P.L.2023, c.75 (C.54:4-8.75d) is amended to read as follows:

C.54:4-8.75d Combined single application form, promulgation.

4. a. Not later than February 1, 2025, the director shall promulgate a combined single application form consistent with the requirements of section 6 of P.L.2023, c.75 (C.54:4-8.75f) and the recommendations of the Stay NJ Task Force established pursuant to section 18 of P.L.2023, c.75 (C.54:4-8.75o) that shall be available on and after that date to be used by State residents to apply for the Stay NJ property tax credit, the ANCHOR property tax rebate, and the homestead property tax reimbursement program. Applications shall be accepted by the Director of the Division of Taxation from February 1 through October 31 of each year. State residents seeking property tax benefits under those programs shall complete the entire

application and file it with the director. The director shall determine the amount of the Stay NJ property tax credit, ANCHOR rebate, and homestead property tax reimbursement, as applicable, provided to each applicant pursuant to the requirements of subsection b. of this section.

b. The director shall calculate the amount of each property tax benefit provided to an eligible claimant for each tax year in the following manner:

(1) if the eligible claimant qualifies for an ANCHOR rebate, the director shall first determine the amount of the eligible claimant's ANCHOR rebate for the tax year, the full amount of which shall be paid to the eligible claimant;

(2) if the eligible claimant qualifies for a homestead property tax reimbursement, the director shall next determine the amount of the eligible claimant's homestead property tax reimbursement for the tax year, the full amount of which shall be paid to the eligible claimant;

(3) if the eligible claimant qualifies for a Stay NJ property tax credit, the director shall then determine the amount of the eligible claimant's Stay NJ property tax credit for the tax year, of which the eligible claimant shall be paid an amount equal to 50 percent of the property taxes billed to the eligible claimant, up to the maximum amount permitted under section 3 of P.L.2023, c.75 (C.54:4-8.75c), less the amounts paid to the eligible claimant pursuant to paragraphs (1) and (2) of this subsection.

c. (Deleted by amendment, P.L.2024, c.88)

d. (1) The director shall determine the amount of the Stay NJ property tax credit that shall be provided for each eligible claimant pursuant to P.L.2023, c.75 (C.54:4-8.75a et al.) based upon the information provided by the eligible claimant in the application or from any other information as may be available to the director and shall notify the applicant of the determined amount, in writing and at such time as the director may deem appropriate, together with a detailed calculation of the amount that the eligible claimant is entitled to receive pursuant to subsection b. of this section.

(2) The format of the written information to be provided by the director shall be determined by the director and shall, at a minimum, display: (a) the amount of the eligible claimant's property tax bill for the tax year; (b) the amount of the ANCHOR rebate, homestead property tax reimbursement, and Stay NJ property tax credit, as applicable, that the eligible claimant is entitled to receive; and (c) the actual property taxes that the eligible claimant shall pay in the tax year after any property tax credits are applied against the eligible claimant's property tax bill.

(3) Subject to the provisions of the State Uniform Tax Procedure Law, R.S.54:48-1 et seq., such notification shall finally and irrevocably fix the amount of the Stay NJ property tax credit unless the applicant, within 90 days after having been given notice of such determination, shall apply to the director for a hearing or unless the director shall redetermine the same. After such hearing, the director shall give notice of the final determination to the applicant.

e. An eligible claimant for a Stay NJ property tax credit authorized under P.L.2023, c.75 (C.54:4-8.75a et al.) who is aggrieved by any decision, order, finding, or denial by the director of all or part of that eligible claimant's Stay NJ property tax credit may appeal therefrom to the New Jersey Tax Court in accordance with the provisions of the State Uniform Tax Procedure Law, R.S.54:48-1 et seq. The appeal provided by this section shall be the exclusive remedy available to an applicant for review of a decision of a director in respect to the determination of all or a part of a Stay NJ property tax credit authorized under P.L.2023, c.75 (C.54:4-8.75a et al.).

4. Section 5 of P.L.2023, c.75 (C.54:4-8.75e) is amended to read as follows:

C.54:4-8.75e Stay NJ property tax credit, distribute, tax collector, eligible claimant, homestead, municipality.

5. a. (1) The State Treasurer, upon certification of the director and upon warrant of the Director of the Division of Budget and Accounting, shall pay and distribute, on a quarterly basis, beginning February 1, 2026, the amount of a Stay NJ property tax credit payable under P.L.2023, c.75 (C.54:4-8.75a et al.) that is claimed for the tax year by check or direct deposit payable to the eligible claimant or by a credit against the property tax bill of the eligible claimant payable to the tax collector of the municipality in which each eligible claimant whose credit is approved by the director is located, provided, however, a credit due to an eligible claimant who claimed a Stay NJ property tax credit pursuant to section 3 of P.L.2023, c.75 (C.54:4-8.75c), and whose homestead is a unit in a cooperative, mutual housing corporation, or continuing care retirement community, shall be paid directly to the eligible claimant by the State Treasurer by check or direct deposit. In any year that the director determines that a Stay NJ payment shall be made as a credit, a Stay NJ property tax credit allowed by the director to an eligible claimant who claimed a Stay NJ property tax credit pursuant to section 3 of P.L.2023, c.75 (C.54:4-8.75c), and whose homestead is not a unit in a cooperative, mutual housing corporation, or continuing care retirement community, shall be paid by the State Treasurer through electronic funds transfer made by the director to the local property tax account maintained by the local property tax collector for the homestead of an eligible claimant as the eligible claimant shall identify, in four equal installments after the application for the credit has been approved. The State Treasurer shall pay and distribute Stay NJ property tax credit payments to each municipal tax collector or eligible claimant, as applicable, on a quarterly basis at least 10 days prior to the statutory due date for each property tax year quarter payment. Notice of payments of Stay NJ credit installments shall be provided to the eligible claimant and the appropriate local tax collector.

(2) Notwithstanding the provisions of this section to the contrary, for the first year in which the Stay NJ property tax program is implemented, each Stay NJ property tax credit awarded an eligible claimant shall be paid and distributed by check or direct deposit.

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

5. Section 6 of P.L.2023, c.75 (C.54:4-8.75f) is amended to read as follows:

C.54:4-8.75f Combined single application form, applicant information required; extension, good cause; procedures.

6. a. (1) Notwithstanding the provisions of section 6 of P.L.1990, c.61 (C.54:4-8.62) and section 3 of P.L.1997, c.348 (C.54:4-8.70) concerning the form and deadline of applications for the ANCHOR rebate program and the homestead property tax reimbursement, the director shall promulgate, not later than February 1, 2025, 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 in accordance with the

recommendations of the Stay NJ Task Force established pursuant to section 18 of P.L.2023, c.75 (C.54:4-8.75o).

(2) To the extent practicable, the single combined application shall resemble the form and manner of the application for the homestead property tax reimbursement program, as created pursuant to section 3 of P.L.1997, c.348 (C.54:4-8.70), except that the single combined application form shall, at a minimum, require the applicant to submit information about his or her age, annual income, including the amount of Social Security payments received by the applicant, homestead property address, as well as any other information determined necessary by the director in order to approve or disapprove the applicant's participation in those programs.

(3) The combined application form shall also advise the applicant that the director shall determine the eligibility of an applicant to receive an ANCHOR rebate, a homestead property tax reimbursement, or a Stay NJ property tax credit, or any combination thereof. The director shall, for good cause shown, extend the time of any applicant to file an application for a reasonable period, and in such case, the application shall be processed and payment of an ANCHOR rebate, homestead property tax reimbursement, or a Stay NJ property tax credit, or any combination thereof, made in accordance with the procedures established in the case of applications timely filed, except the date for the payment may be delayed for a reasonable period. If an applicant or an applicant's spouse has filed an application for an extension of time to file a gross income tax return, the date by which the applicant shall file an application may, in the discretion of the director, be extended for a reasonable period, and the date for the payment of an ANCHOR rebate, homestead property tax reimbursement, or a Stay NJ property tax credit, or any combination thereof, may be delayed for a reasonable period. A State resident seeking property tax benefits under any of those programs shall accurately complete the entire application and file it with the director.

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

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

c. If an application contains a claim for a Stay NJ property tax credit that contains incorrect information from the claimant or is based upon incorrect or insufficient information from which the director is to determine and approve the claim, the director may determine the eligibility of the claimant for a Stay NJ property tax credit and the correct amount of a Stay NJ property tax credit from such other information as may be available to the director.

d. In the case of an eligible claimant whose homestead is a unit in a cooperative, mutual housing corporation, or continuing care retirement community, the director may provide that the application shall include the name and address of the location of the property and the amount of real property taxes attributed to the cooperative, mutual housing residential unit, or

continuing care retirement community residential unit, as shall be indicated in an official notice which shall be furnished by the cooperative, mutual housing corporation, or continuing care retirement community for the tax year.

6. Section 10 of P.L.2023, c.75 (C.54:4-8.75j) is amended to read as follows:

C.54:4-8.75j Erroneous property tax credit payment, failure to return, interest; installment agreement; deficiency.

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

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

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

7. Section 16 of P.L.2023, c.75 (C.54:4-8.75m) is amended to read as follows:

C.54:4-8.75m Nonlapsing account, property tax benefits, principal residences, homestead owners, 65 years, age.

16. a. The Department of the Treasury shall establish a dedicated, nonlapsing account for the purpose of providing property tax benefits to homestead owners 65 years of age or older. All moneys deposited into the account shall be used for the payment of property tax benefits in accordance with subsection c. of this section.

b. (1) There is appropriated to the account established by subsection a. of this section in State Fiscal Year 2024, \$100,000,000 for the purpose of providing property tax benefits in accordance with subsection c. of this section, subject to the approval of the Director of the Division of Budgeting and Accounting in the Department of the Treasury.

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

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

c. Beginning in State Fiscal Year 2026, moneys in the account established by subsection a. of this section shall be appropriated solely for the Stay NJ property tax credit program established pursuant to section 3 of P.L.2023, c.75 (C.54:4-8.75c).

8. Section 17 of P.L.2023, c.75 (C.54:4-8.75n) is amended to read as follows:

C.54:4-8.75n Restrictions, impact, interference.

17. The appropriation of funds necessary to support the provision of property tax relief under the Stay NJ property tax credit program as provided under sections 1 through 16 of P.L.2023, c.75 (C.54:4-8.75a et al.), as amended and supplemented by P.L.2024, c.88 (C.54:4-8.75p1 et al.), shall not supersede, impact, or interfere with any of the following:

a. 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 the ages of five and 18 years;

b. 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;

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

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

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

9. Section 18 of P.L.2023, c.75 (C.54:4-8.75o) is amended to read as follows:

C.54:4-8.75o "Stay NJ Task Force" established, membership, report to Governor, Legislature.

18. a. There is established in the Department of the Treasury the Stay NJ Task Force. The purpose of the task force shall be to develop recommendations for establishing and funding uniform property tax relief to all senior citizen homeowners making under \$500,000 per year. The task force shall 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 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 shall 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 shall 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 task force shall provide recommendations that have a target implementation date of January 1, 2026.

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

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

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

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

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

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

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

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

The task force shall organize as expeditiously as practicable following the appointment of all its public members. Appointments to the task force shall be made in an expeditious manner to ensure the task force has sufficient time to make the recommendations required by this section in order to facilitate implementation of the Stay NJ program on or before the dates set forth in P.L.2023, c.75 (C.54:4-8.75a et al.).

c. The Governor shall appoint an executive director, who shall be employed by the task force and paid by the task force from funds appropriated for its use pursuant to P.L.2023, c.75 (C.54:4-8.75a et al.).

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

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

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

e. Following the issuance of its report, the task force shall continue to meet not less than once per calendar quarter for the purpose of assisting the Director of the Division of Taxation in the Department of the Treasury in developing a process to implement a property tax credit for the payment of benefits under the homestead property tax reimbursement program and the

Stay NJ property tax credit program and collecting information from local officials regarding how to effectively implement property tax credits in future years for those programs, as required pursuant to the provisions of section 11 of P.L.2024, c.88 (C.54:4-8.75p1).

10. Section 19 of P.L.2023, c.75 (C.54:4-8.75p) is amended to read as follows:

C.54:4-8.75p Review, Legislature, Governor, Stay NJ Task Force, recommendations.

19. After the Legislature and the Governor review the Stay NJ Task Force's recommendations and determine such recommendations are appropriate, the Legislature shall consider and approve, and the Governor shall enact, the legislation recommended by the Stay NJ Task Force, or legislation substantially similar to the legislation recommended by the task force, regarding the objectives set forth in section 18 of P.L.2023, c.75 (C.54:4-8.75o) not later than 90 days prior to February 1, 2025, the date by which the State Treasurer shall be required to produce the application for the Stay NJ program in 2025 pursuant to section 4 of P.L.2023, c.75 (C.54:4-8.75d). If legislation is enacted after the 90th day preceding February 1, 2025, then promulgation of a combined single application form shall be required no earlier than the 91st day next following the enactment of such legislation and the implementation of the Stay NJ property tax credit program shall begin no earlier than the first tax year quarter beginning no less than six months following the promulgation of the combined single application form.

C.54:4-8.75p1 Information collection, property tax credit implementation.

11. a. After the effective date of P.L.2024, c.88 (C.54:4-8.75p1 et al.), the Director of the Division of Taxation in the Department of the Treasury, in consultation with the Director of the Division of Local Government Services in the Department of Community Affairs and local officials, shall develop a process to implement a property tax credit for the payment of benefits under the homestead property tax reimbursement program and the Stay NJ property tax credit program. As a part of that process, the Director of the Division of Taxation shall collect information from local officials regarding how to effectively implement property tax credits in future years for those programs. The collection of such information may include, but shall not be limited to, the administration of a standardized survey data collection instrument.

b. Notwithstanding the provisions of subsection a. of this section regarding the development of a process for implementing property tax credits, the Director of the Division of Taxation shall also determine the feasibility of allowing eligible claimants for homestead property tax reimbursement and Stay NJ property tax credits to choose to continue to receive annual checks or direct deposits into a bank account instead of a property tax credit.

12. Section 1 of P.L.1990, c.61 (C.54:4-8.57) is amended to read as follows:

C.54:4-8.57 Short title.

1. Sections 1 through 10 of P.L.1990, c.61 (C.54:4-8.57 through 54:4-8.66) and sections 3, 14 through 16, 18 and 19 of P.L.1999, c.63 (C.54:4-8.58a and C.54:4-8.66a through 54:4-8.66e) shall be known and may be cited as the "ANCHOR Homestead Property Tax Credit Act".

13. Section 2 of P.L.1990, c.61 (C.54:4-8.58) is amended to read as follows:

C.54:4-8.58 Definitions relative to the homestead credit act.

2. As used in sections 2 through 10 of P.L.1990, c.61 (C.54:4-8.58 through 54:4-8.66) and sections 3 and 14 through 16 of P.L.1999, c.63 (C.54:4-8.58a and C.54:4-8.66a through 54:4-

8.66c), and where the context requires, as may be applicable to the Affordable New Jersey Communities for Homeowners and Renters (ANCHOR) Property Tax Relief Program:

"Annualized rent" means, for tax years 2004 and thereafter, the rent paid by the claimant during the tax year for which the homestead rebate is being claimed, and if paid for a lease term covering less than the full tax year, the actual rent paid for the days during the term of the lease of the homestead proportionalized as if the term of the lease had been for 365 days of the tax year;

"Arm's-length transaction" means a transaction in which the parties are dealing from equal bargaining positions, neither party is subject to the other's control or dominant influence, and the transaction is entirely legal in all respects and is treated with fairness and integrity;

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

"Continuing care retirement community" means a residential facility primarily for retired persons where lodging and nursing, medical or other health related services at the same or another location are provided as continuing care to an individual pursuant to an agreement effective for the life of the individual or for a period greater than one year, including mutually terminable contracts, and in consideration of the payment of an entrance fee with or without other periodic charges;

"Cooperative" means a housing corporation or association which entitles the holder of a share or membership interest thereof to possess and occupy for dwelling purposes a house, apartment, manufactured or mobile home or other unit of housing owned or leased by the corporation or association, or to lease or purchase a unit of housing constructed or to be constructed by the corporation or association;

"Director" means the Director of the Division of Taxation in the Department of the Treasury;

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

"Homestead" means:

a. (1) a dwelling house and the land on which that dwelling house is located which constitutes the place of the claimant's domicile and is owned and used by the claimant as the claimant's principal residence;

(2) a dwelling house situated on land owned by a person other than the claimant which constitutes the place of the claimant's domicile and is owned and used by the claimant as the claimant's principal residence;

(3) a condominium unit or a unit in a horizontal property regime which constitutes the place of the claimant's domicile and is owned and used by the claimant as the claimant's principal residence;

(4) for purposes of this definition as provided in this subsection, in addition to the generally accepted meaning of owned or ownership, a homestead shall be deemed to be owned by a person if that person is a tenant for life or a tenant under a lease for 99 years or more and is entitled to and actually takes possession of the homestead under an executory contract for the sale thereof or under an agreement with a lending institution which holds title as security for a loan, or is a resident of a continuing care retirement community pursuant to a contract for continuing care for the life of that person which requires the resident to bear a share of the property taxes that are assessed upon the continuing care retirement community, if a share is attributable to the unit that the resident occupies;

b. a unit in a cooperative or mutual housing corporation which constitutes the place of domicile of a residential shareholder or lessee therein, or of a lessee, or shareholder who is not a residential shareholder therein, and which is used by the claimant as the claimant's principal residence; and

c. a unit of residential rental property which unit constitutes the place of the claimant's domicile and is used by the claimant as the claimant's principal residence;

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

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

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

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

(2) Is built on a permanent chassis;

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

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

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

(1) The construction and maintenance of streets;

(2) Lighting of streets and other common areas;

(3) Garbage removal;

(4) Snow removal; and

(5) Provisions for the drainage of surface water from home sites and common areas;

"Mutual housing corporation" means a corporation not-for-profit, incorporated under the laws of this State on a mutual or cooperative basis within the scope of section 607 of the Lanham Act (National Defense Housing), Pub.L.849, 76th Congress (42 U.S.C. s.1521 et seq.), as amended, which acquired a National Defense Housing Project pursuant to that act;

"Principal residence" means a homestead actually and continually occupied by a claimant as the claimant's permanent residence, as distinguished from a vacation home, property owned and rented or offered for rent by the claimant, and other secondary real property holdings;

"Property tax" means payments to a municipality based upon an assessment made by the municipality upon real property on an ad valorem basis on land and improvements, and shall include the amount of property tax credit as defined in section 1 of P.L.2018, c.11 (C.54:4-66.6), but shall not include payments made in lieu of taxes;

"Rent" means the amount due in an arm's-length transaction solely for the right of occupancy of a homestead that is a unit of residential rental property. Rent shall not include any amount paid under the federal Housing Choice Voucher (Section 8) Program or paid as a rental assistance grant under section 1 of P.L.2004, c.140 (C.52:27D-287.1). If the director finds that the parties in a rental transaction have not dealt with each other in an arm's-length transaction and that the rent due was excessive, the director may, for purposes of the homestead rebate claim, adjust the rent claimed in the homestead rebate application to a reasonable amount of rent;

"Rent constituting property taxes" means 18% of the rent paid by the homestead rebate claimant during the tax year on a unit of residential rental property which constitutes the claimant's homestead, and in the case of a manufactured home or mobile home in a mobile home park which constitutes the claimant's homestead means 18% of the site fee paid by the claimant during the tax year to the owner of the mobile home park. Provided however, that for tax year 2004 and for each tax year thereafter, rent constituting property taxes shall equal 18% of annualized rent, and in the case of a manufactured home or mobile home in a mobile home park rent constituting property taxes shall equal 18% of a similarly annualized site fee;

"Resident" means an individual:

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

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

"Residential rental property" means:

a. any building or structure or complex of buildings or structures in which dwelling units are rented or leased or offered for rental or lease for residential purposes;

b. a rooming house, hotel or motel, if the rooms constituting the homestead are equipped with kitchen and bathroom facilities;

c. any building or structure or complex of buildings or structures constructed under the following sections of the National Housing Act (Pub.L.73-479) as amended and supplemented: section 202, Housing Act of 1959 (Pub.L.86-372) and as subsequently amended, section 231, Housing Act of 1959; and

d. a site in a mobile home park equipped for the installation of manufactured or mobile homes, where these sites are under common ownership and control for the purpose of leasing each site to the owner of a manufactured or mobile home for the installation thereof;

"Residential shareholder in a cooperative or mutual housing corporation" means a tenant or holder of a membership interest in that cooperative or corporation, whose residential unit therein constitutes the tenant or holder's domicile and principal residence, and who may deduct real property taxes for purposes of federal income tax pursuant to section 216 of the federal Internal Revenue Code of 1986, 26 U.S.C. s.216; and

"Tax year" means the calendar year in which property taxes are due and payable.

14. Section 3 of P.L.1999, c.63 (C.54:4-8.58a) is amended to read as follows:

C.54:4-8.58a Homestead rebate determination in tax years 2003 to 2005; rebates or credits for tax year 2006 and after; ANCHOR rebates, determination.

3. a. For tax year 2003, the director shall determine the amount of the homestead rebate that shall be paid to each claimant pursuant to P.L.1990, c.61 (C.54:4-8.57 et al.), and P.L.1999,

c.63 (C.54:4-8.58a et al.), as amended by P.L.2004, c.40, based upon the information provided by the individual applicant in the application for either a NJ SAVER rebate or for a homestead rebate, or from any other information as may be available to the director in order that each individual applicant shall be paid the homestead rebate that may be allowed to the claimant pursuant to sections 3 through 5 of P.L.1990, c.61 (C.54:4-8.59 through 54:4-8.61), as the director determines is appropriate.

b. (1) For tax year 2003, a resident of this State who has paid property taxes for the tax year on a homestead that is owned as such, who has filed an application for an NJ SAVER rebate pursuant to the provisions of P.L.1999, c.63 (C.54:4-8.58a et al.), or pursuant to that act as amended and supplemented by P.L.2004, c.40, and who meets the prerequisites for an NJ SAVER rebate at 12:01 A.M. on October 1, 2003 for that tax year, shall be considered to have applied for a homestead rebate and shall be allowed a homestead rebate instead of an NJ SAVER rebate for that tax year pursuant to P.L.1990, c.61 (C.54:4-8.57 et al.), and P.L.1999, c.63 (C.54:4-8.58a et al.), as amended by P.L.2004, c.40. An application for an NJ SAVER rebate shall be allowed as a homestead rebate for a homestead the title to which is held by a partnership, to the extent of the applicant's interest as a partner therein, and by a guardian, trustee, committee, conservator or other fiduciary for any individual who would otherwise be eligible for an NJ SAVER rebate. An application for an NJ SAVER rebate shall not be allowed for a homestead, the title to which is held partially or entirely by a corporate entity of any type, except as otherwise specifically allowed for applications from residents of properties owned by continuing care retirement community, cooperative or mutual housing corporations.

(2) For tax year 2004 and tax year 2005, any rebates applied for and paid pursuant to P.L.1990, c.61 (C.54:4-8.57 et al.), and P.L.1999, c.63 (C.54:4-8.58a et al.), as amended and supplemented by P.L.2004, c.40, shall be homestead rebates.

(3) For tax year 2006 and for tax years thereafter, any homestead benefit applied for and provided pursuant to this act shall be a rebate or credit, as annually determined by the Director of the Division of Taxation.

(4) After the effective date of P.L.2024, c.88 (C.54:4-8.75p1 et al.), and with respect to the payment of ANCHOR rebates to eligible claimants, payments to eligible claimants in calendar year 2026 shall be based on property taxes billed for tax year 2025. Thereafter, payments to eligible claimants in any succeeding benefit year shall be based on the immediately preceding tax year.

C.54:4-8.63a ANCHOR rebates paid, September 15.

15. Notwithstanding the provisions of any other law to the contrary, after the effective date of P.L.2024, c.88 (C.54:4-8.75p1 et al.), ANCHOR rebates shall be paid to eligible claimants on or before September 15 of each tax year annually, whether such rebates are to be paid by check, direct deposit, or as a credit on the eligible claimant's property tax bill.

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

C.54:4-8.67 Definitions relative to homestead property tax reimbursement.

1. As used in P.L.1997, c.348 (C.54:4-8.67 et seq.):

"Base year" means, in the case of a person who is an eligible claimant on or before December 31, 1997, the tax year 1997; and in the case of a person who first becomes an eligible claimant after December 31, 1997, the tax year in which the person first becomes an eligible claimant. In the case of an eligible claimant who subsequently moves from the homestead for which the initial eligibility was established, the base year shall be the first full tax year during

which the person resides in the new homestead. Provided however, a base year for an eligible claimant after such a move shall not apply to tax years commencing prior to January 1, 2009. In the case of an eligible claimant who receives a Stay NJ property tax credit in lieu of a homestead property tax reimbursement pursuant to section 4 of P.L.2023, c.75 (C.54:4-8.75d), the base year of that eligible claimant shall remain unchanged.

"Commissioner" means the Commissioner of Community Affairs.

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

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

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

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

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

"Eligible claimant" means a person who:

is 65 or more years of age on or before December 31 of any tax year for which a homestead property tax reimbursement is sought or who is a disabled person;

is an owner of a homestead or the lessee of a site in a mobile home park on which site the applicant owns a manufactured or mobile home for the entire tax year for which a homestead property tax reimbursement is sought;

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

has an annual income of \$60,000 or less in tax year 2007, \$70,000 or less in tax year 2008, or \$80,000 or less in tax year 2009, if single or married, which income eligibility limits shall be subject to adjustments in tax years 2010 through 2021 pursuant to section 9 of P.L.1997, c.348 (C.54:4-8.68);

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

has, for at least three calendar years, including the entire tax year for which a homestead property tax reimbursement is sought, owned and resided in the homestead for which a homestead property tax reimbursement is sought prior to the date that an initial application for a homestead property tax reimbursement is filed. A person who has been an eligible claimant for a previous tax year shall qualify as an eligible claimant beginning the second full tax year following a move to another homestead in New Jersey, despite not meeting the three-year minimum residency and ownership requirement required for initial claimants under this paragraph, provided that the person satisfies the income eligibility limits for the tax year.

Provided, however, eligibility beginning in a second full tax year after such a move shall not apply to tax years commencing prior to January 1, 2010.

"Homestead" means:

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

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

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

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

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

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

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

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

"Income" means all New Jersey gross income required to be reported pursuant to the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq., before the application of any authorized exclusion or deduction, except also including: interest income excluded from taxation pursuant to N.J.S.54A:6-14; pension and annuity income excluded from taxation pursuant to N.J.S.54A:6-10; income derived from distributions from, or roll over to, a Roth IRA excluded from taxation pursuant to N.J.S.54A:6-28; other retirement income excluded from taxation pursuant to N.J.S.54A:6-15; and Social Security income excluded from taxation pursuant to N.J.S.54A:6-2, as self-reported by the homeowner.

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

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

(2) Is built on a permanent chassis;

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

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

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

(1) The construction and maintenance of streets;

(2) Lighting of streets and other common areas;

(3) Garbage removal;

(4) Snow removal; and

(5) Provisions for the drainage of surface water from home sites and common areas.

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

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

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

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

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

17. Section 3 of P.L.1997, c.348 (C.54:4-8.70) is amended to read as follows:

C.54:4-8.70 Application for homestead property tax reimbursement.

3. a. For tax years before the implementation of the single combined application required pursuant to section 6 of P.L.2023, c.75 (C.54:4-8.75f), an application for a homestead property tax reimbursement hereunder shall be filed with the director annually beginning April 1 and ending October 31 of the year following the year for which the claim is being made and shall reflect the prerequisites for a homestead property tax reimbursement on December 31 of the

tax year for which the claim is being made; provided, however, that the director may, by rule, designate a later date as the date by which the application shall be filed or waive the requirement for filing an annual application for any year or years subject to any limitations and conditions the director may deem appropriate. The application shall be on a form prescribed by the director and provided for the use of applicants hereunder. Each applicant making a claim for a homestead property tax reimbursement under this act shall provide, if required by the director, to the director a copy of his or her current year property tax bill or current year site fee bill on the homestead constituting that person's principal residence and a copy of his or her property tax bill for the base year or site fee bill for the base year on the same homestead, or other equivalent proof as permitted by the director.

It shall be the duty of every eligible claimant to inform the director of any change in his or her status or homestead which may affect his or her right to continuance of the homestead property tax reimbursement.

If an eligible claimant receives an additional homestead property tax reimbursement to which the claimant was not entitled or greater than the reimbursement to which the claimant was entitled, the director shall permit the claimant to enter into an installment payment agreement for a reasonable period of time that will enable the claimant to completely satisfy the amount of the reimbursement paid to which the claimant was not entitled. If the claimant does not enter into an installment payment agreement, the director may, in addition to all other available legal remedies, offset such amount against a gross income tax refund or amount due pursuant to P.L.1990, c.61.

b. For tax years on and after the implementation of the single combined application required pursuant to section 6 of P.L.2023, c.75 (C.54:4-8.75f), an application for a homestead property tax reimbursement hereunder shall be filed with the director annually, beginning February 1 and ending October 31 of the year following the year for which the claim is being made, using the single combined application and in accordance with the requirements of section 6 of P.L.2023, c.75 (C.54:4-8.75f).

18. Section 4 of P.L.1997, c.348 (C.54:4-8.71) is amended to read as follows:

C.54:4-8.71 Payments mailed.

4. a. The director shall administer the homestead property tax reimbursement program. A payment for the homestead property tax reimbursement amount, as calculated by the director, shall be paid, by check, direct deposit, or credit against the eligible claimant's property tax bill, to each person determined by the director to be an eligible claimant pursuant to P.L.1997, c.348 (C.54:4-8.67 et seq.) and shall be made according to the following schedule:

(1) for applications received on or before May 1 of the tax year, the reimbursement amount shall be paid on or before July 15 of that tax year; and

(2) for applications received on or after May 1 of the tax year, the reimbursement amount shall be made on a rolling monthly basis.

b. All payments made pursuant to this section shall be appropriated from receipts in the Casino Revenue Fund.

C.54:4-8.75p2 Authorization of administrative action, Stay NJ program, homestead property tax reimbursement program, ANCHOR Property Tax Relief Program.

19. The Director of the Division of Taxation in the Department of the Treasury is authorized to take any administrative action with respect to the Stay NJ program, P.L.2023, c.75 (C.54:4-8.75a et al.), the homestead property tax reimbursement program, P.L.1997, c.348

(C.54:4-8.67 et seq.), or the ANCHOR Property Tax Relief Program that may be necessary to implement the provisions of P.L.2024, c.88 (C.54:4-8.75p1 et al.).

20. Section 3 of P.L.2021, c.371 (C.47:1B-3) is amended to read as follows:

C.47:1B-3 Exceptions to redaction requirement.

3. a. The following exceptions shall apply to the requirement to redact, and the prohibition against the disclosure of, a home address pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2) in accordance with section 2 of P.L.2015, c.226 (C.47:1-17), section 1 of P.L.1995, c.23 (C.47:1A-1.1), or section 6 of P.L.2001, c.404 (C.47:1A-5):

(1) Copies of voter registration files maintained in the Statewide voter registration system pursuant to section 2 of P.L.2005, c.145 (C.19:31-32) and maintained by the commissioner of registration in each county pursuant to R.S.19:31-3 shall be provided as redacted pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2), except that copies of the files as unredacted pursuant thereto shall be provided to the following individuals, upon the individual's signing of an affidavit attesting to the individual's qualifying status pursuant hereto:

(a) the chairperson of the county or municipal committee of a political party, as appropriate under R.S.19:7-1, or a designee thereof, for distribution to any person authorized to serve as a challenger pursuant to R.S.19:7-1 or section 2 of P.L.2021, c.40 (C.19:15A-2), subject to the limitations in section 1 of P.L.1960, c.82 (C.19:7-6.1); and the unredacted copies may only be used for the purpose specified in R.S.19:7-5;

(b) a candidate, or a designee thereof, for distribution to a challenger appointed thereby pursuant to section 2 of P.L.2021, c.40 (C.19:15A-2) for the person's use in accordance with R.S.19:7-5;

(c) a candidate acting as a challenger pursuant to R.S.19:7-2 or the other person appointed thereunder, for use in accordance with R.S.19:7-5;

(d) any vendor, contractor, or organization carrying out a function of a county or of the State concerning the administration or conduct of elections; and

(e) upon order of a judge of the Superior Court after a finding that the unredacted copy is necessary to determine the merits of a petition filed in accordance with R.S.19:29-3, a person filing such petition or the respondent or both.

This paragraph shall apply to registry lists as described in section 2 of P.L.1947, c.347 (C.19:31-18.1).

(2) Other than as provided in subparagraphs (d) and (e) of paragraph (4) of this subsection, a document affecting the title to real property, as defined by N.J.S.46:26A-2, recorded and indexed by a county recording officer, or as otherwise held or maintained by the Division of Taxation, a county board of taxation, a county tax administrator, or a county or municipal tax assessor, that contains an address subject to redaction or nondisclosure consistent with this act, P.L.2021, c.371 (C.47:1B-1 et al.):

may instead or in addition include the redaction and nondisclosure of the names or other information of approved covered persons, as specified by the Director of the Division of Taxation, which redaction and nondisclosure may include masking of such names or other information, and

shall be provided as unredacted to the following persons when requested in such person's ordinary course of business:

(a) a title insurance company, a title insurance agent, or an approved attorney, as defined in section 1 of P.L.1975, c.106 (C.17:46B-1);

(b) a mortgage guarantee insurance company, as described in section 4 of P.L.1968, c.248 (C.17:46A-4);

(c) a mortgage loan originator, as defined in section 3 of P.L.2009, c.53 (C.17:11C-53);

(d) a registered title search business entity, as defined in section 4 of P.L.2021, c.371 (C.17:46B-1.1);

(e) a real estate broker, a real estate salesperson, a real estate broker-salesperson, a real estate salesperson licensed with a real estate referral company, or a real estate referral company, as such terms are defined in R.S.45:15-3; and

(f) an individual or business that has made or received an offer for the purchase of real estate and real property, or any portion thereof, to or from a covered person whose address is subject to redaction or nondisclosure pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2).

This act shall not be construed to prohibit a county recording officer from returning a document as unredacted to any person who submitted the document for recordation.

(3) A home address as unredacted may be provided by a public agency to the majority representative of such agency's employees.

(4) The following shall not be subject to redaction or nondisclosure pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2):

(a) records and documents, including Uniform Commercial Code filings and financing statements, maintained by the Division of Revenue and Enterprise Services in the Department of the Treasury;

(b) petitions naming candidates for office pursuant to R.S.19:13-1 and R.S.19:13-4;

(c) petitions signed in accordance with R.S.19:13-6;

(d) records evidencing any lien, judgement, or other encumbrance upon real or other property;

(e) assessment lists subject to inspection pursuant to R.S.54:4-38 when inspected in person;

(f) the index of all recorded documents maintained by a county recording officer as under N.J.S.46:26A-8 when inspected in person; and

(g) property that is presumed abandoned under the "Uniform Unclaimed Property Act," P.L.1989, c.58 (C.46:30B-1 et seq.).

(5) A public agency may share unredacted information with any vendor, contractor, or organization to carry out the purposes for which the public agency entered into an agreement with the vendor, contractor, or organization. The vendor, contractor, or organization shall not use such information in any manner other than as necessary to carry out the purposes of the agreement.

(6) For a record or other document containing a home address required to be redacted pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2) that, because of the characteristics or properties of the record or document, is only available to be viewed in person, a custodian or other government official shall make every reasonable effort to hide such address when allowing an individual without authority to view such address as unredacted to view the record or document.

(7) For the purposes of the calculation of property tax benefits and the administration of property tax credits for eligible claimants pursuant to the "Stay NJ Act," P.L.2021, c.75 (C.54:4-8.75a et al.), municipalities may share unredacted property tax information with the Director of the Division of Taxation in the Department of the Treasury, and the director may provide to municipalities unredacted amounts of property tax credits to be applied against property tax bills of eligible claimants.

b. Nothing in this act shall be construed to require redaction or nondisclosure of any information in any document, record, information, or database shared with or otherwise provided to any other government entity.

c. Information otherwise subject to redaction or nondisclosure pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2) may be provided as unredacted upon order of a judge of the Superior Court or of any other court of competent jurisdiction.

d. This section shall not be construed to require a record to be made available that is not otherwise required to be made available under any other law or regulation.

e. The Director of the Division of Taxation may issue any guidance, guidelines, or rules and regulations necessary to effectuate the purposes of this section. The rules and regulations shall be effective immediately upon filing with the Office of Administrative Law for a period not to exceed 18 months, and shall, thereafter, be amended, adopted, or readopted in accordance with the provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

21. R.S.54:50-8 is amended to read as follows:

Confidentiality.

54:50-8. a. The records and files of the director respecting the administration of the State Uniform Tax Procedure Law or of any State tax law, or respecting the administration of the Stay NJ property tax credit, the ANCHOR Property Tax Relief Program, and the homestead property tax reimbursement program, shall be considered confidential and privileged and neither the director nor any employee engaged in the administration thereof or charged with the custody of any such records or files, nor any former officer or employee, nor any person who may have secured information therefrom under subsection d., e., f., g., p., q., r., or s. of R.S.54:50-9 or any other provision of State law, shall divulge, disclose, use for their own personal advantage, or examine for any reason other than a reason necessitated by the performance of official duties any information obtained from the said records or files or from any examination or inspection of the premises or property of any person. Neither the director nor any employee engaged in such administration or charged with the custody of any such records or files shall be required to produce any of them for the inspection of any person or for use in any action or proceeding except when the records or files or the facts shown thereby are directly involved in an action or proceeding under the provisions of the State Uniform Tax Procedure Law or of the State tax law affected, or where the determination of the action or proceeding will affect the validity or amount of the claim of the State under some State tax law, or in any lawful proceeding for the investigation and prosecution of any violation of the criminal provisions of the State Uniform Tax Procedure Law or of any State tax law.

b. The prohibitions of this section, against unauthorized disclosure, use or examination by any present or former officer or employee of this State or any other individual having custody of such information obtained pursuant to the explicit authority of State law, shall specifically include, without limitation, violations involving the divulgence or examination of any information from or any copy of a federal return or federal return information required by New Jersey law to be attached to or included in any New Jersey return. Any person violating this section by divulging, disclosing or using information shall be guilty of a crime of the fourth degree. Any person violating this section by examining records or files for any reason other than a reason necessitated by the performance of official duties shall be guilty of a disorderly persons offense.

c. Whenever records and files are used in connection with the prosecution of any person for violating the provisions of this section by divulging, disclosing or using records or files or examining records and files for any reason other than a reason necessitated by the performance of official duties, the defendant shall be given access to those records and files. The court

shall review such records and files in camera, and that portion of the court record containing the records and files shall be sealed by the court.

22. Section 3 of P.L.1996, c.60 (C.54A:3A-17) is amended to read as follows:

C.54A:3A-17 Resident taxpayer allowed certain property tax deduction; limitations.

3. a. A resident taxpayer under the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq., shall be allowed a deduction from gross income for the amount of property tax credit, as defined in section 1 of P.L.2018, c.11 (C.54:4-66.6), plus property taxes paid by the resident taxpayer, the total of which shall not exceed \$15,000, subject to the limitations of subsection f. of this section. Property taxes deductible under this section shall be due and paid for the calendar year in which the taxes are due and payable on the taxpayer's homestead.

b. A deduction for property taxes or property tax credits shall be allowed pursuant to this section in relation to the amount of the property taxes or property tax credits actually paid by a resident taxpayer who has more than one homestead, but the aggregate amount of the property taxes or property tax credits claimed shall not exceed the total of the proportionate amounts of property taxes paid for each homestead for the portion of the taxable year for which the taxpayer occupied it as the taxpayer's principal residence.

c. If title to a homestead is held by more than one individual as joint tenants or tenants in common, each individual shall be allowed a deduction pursuant to this section only in relation to the individual's proportionate share of the property taxes assessed and levied against the homestead. The proportionate share shall be equal to that of all other individuals who hold the title, but if the conveyance under which the title is held provides for unequal interests therein, a taxpayer's share of the property taxes shall be in proportion to the taxpayer's interest in the title.

d. If title to a homestead is held by a husband and wife who own the homestead as tenants by the entirety, or if that husband and wife are both residential shareholders of a cooperative or mutual housing corporation and occupy the same homestead therein, and who elect to file separate income tax returns pursuant to the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq., that husband and wife shall each be entitled to one-half of the deduction for property taxes for which they may be jointly eligible pursuant to this section.

e. If the homestead is a dwelling house consisting of more than one unit, that taxpayer shall be allowed a deduction for property taxes or property tax credits only in relation to the proportionate share of the property taxes assessed and levied against the residential unit occupied by the taxpayer, as determined by the local tax assessor.

f. Notwithstanding the provisions of subsection a. of this section to the contrary: (1) a resident taxpayer shall be allowed a deduction for a taxpayer's taxable year beginning during 1996 based on 50% of the property taxes not in excess of \$5,000 paid on the taxpayer's homestead; and (2) a resident taxpayer shall be allowed a deduction for a taxpayer's taxable year beginning during 1997 based on 75% of the property taxes not in excess of \$7,500 paid on the taxpayer's homestead.

g. Notwithstanding any other provision of this section, the deduction allowed under this section to a resident taxpayer eligible to receive a homestead property tax reimbursement pursuant to P.L.1997, c.348 (C.54:4-8.67 et al.) shall not exceed that resident taxpayer's base year property tax liability as determined pursuant to P.L.1997, c.348 (C.54:4-8.67 et al.).

h. Notwithstanding any other provision of this section, for the taxable year beginning January 1, 2009, a taxpayer who has gross income for the taxable year of more than \$250,000 and is not:

(1) 65 years of age or older at the close of the taxable year; or

(2) allowed to claim a personal deduction as a blind or disabled taxpayer pursuant to subsection (b) of N.J.S.54A:3-1, shall not be allowed a deduction pursuant to this section;

provided however, the deduction for a taxpayer who has gross income for the taxable year of more than \$150,000 but not exceeding \$250,000 and is not:

(1) 65 years of age or older at the close of the taxable year; or

(2) allowed to claim a personal deduction as a blind or disabled taxpayer pursuant to subsection (b) of N.J.S.54A:3-1, shall not exceed \$5,000.

23. Section 5 of P.L.1996, c.60 (C.54A:3A-19) is amended to read as follows:

C.54A:3A-19 Deduction for property taxes; limitations.

5. a. If a taxpayer who is eligible for a deduction for property taxes paid under section 3 of P.L.1996, c.60 (C.54A:3A-17) for a part of the taxable year is also eligible for a deduction for rent constituting property taxes under section 4 of this act for a part of the taxable year, the taxpayer shall be allowed a deduction, not in excess of \$15,000, subject to the limitations of subsection b. of this section, the amount of which shall be equal to the sum of the amount of property tax credit, as defined in section 1 of P.L.2018, c.11 (C.54:4-66.6), plus the amount of property taxes due and paid for the calendar year in which the property taxes are due and payable on a homestead that is not a unit of residential rental property and the amount of rent constituting property taxes due and paid for the calendar year in which the rent constituting property taxes is due and payable for the occupancy of a homestead that is a unit of residential rental property, provided however, that the amount of property taxes and property tax credits shall be subject to the limitations set forth in subsections b. through e. of section 3 of P.L.1996, c.60 (C.54A:3A-17) and the amount of rent constituting property taxes shall be subject to the limitations set forth in subsections b. and c. of section 4 of P.L.1996, c.60 (C.54A:3A-18) as may be applicable.

b. Notwithstanding the provisions of subsection a. of this section to the contrary: (1) a taxpayer who is eligible for a deduction for property taxes paid under section 3 of P.L.1996, c.60 (C.54A:3A-17) for a part of the taxable year and is also eligible for a deduction for rent constituting property taxes under section 4 of P.L.1996, c.60 (C.54A:3A-18) for a part of the taxable year, shall be allowed a deduction for the taxpayer's taxable year beginning during 1996 based on 50% of an amount not in excess of \$5,000, the amount of which shall be equal to the sum of the amount of property taxes paid on a homestead that is not a unit of residential rental property and the amount of rent constituting property taxes paid for the occupancy of a homestead that is a unit of residential rental property; and (2) a taxpayer who is eligible for a deduction for property taxes paid under section 3 of P.L.1996, c.60 (C.54A:3A-17) for a part of the taxable year and is also eligible for a deduction for rent constituting property taxes under section 4 of P.L.1996, c.60 (C.54A:3A-18) for a part of the taxable year, shall be allowed a deduction for the taxpayer's taxable year beginning during 1997 based on 75% of an amount not in excess of \$7,500, the amount of which shall be equal to the sum of the amount of property taxes paid on a homestead that is not a unit of residential rental property and the amount of rent constituting property taxes paid for the occupancy of a homestead that is a unit of residential rental property.

24. This act shall take effect immediately.

Approved November 1, 2024.

ASSEMBLY, No. 4706

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 26, 2024

Sponsored by:

Assemblyman CRAIG J. COUGHLIN

District 19 (Middlesex)

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblywoman LISA SWAIN

District 38 (Bergen)

Assemblywoman ANDREA KATZ

District 8 (Atlantic and Burlington)

Assemblywoman MARGIE DONLON, M.D.

District 11 (Monmouth)

Assemblywoman LUANNE M. PETERPAUL

District 11 (Monmouth)

Assemblyman DAVID BAILEY, JR.

District 3 (Cumberland, Gloucester and Salem)

Assemblywoman HEATHER SIMMONS

District 3 (Cumberland, Gloucester and Salem)

Assemblywoman MITCHELLE DRULIS

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Co-Sponsored by:

Assemblywomen Reynolds-Jackson, Murphy, Assemblyman Miller and

Assemblywoman Lampitt

SYNOPSIS

Revises statutes implementing certain property tax relief programs pursuant to recommendations promulgated by Stay NJ Task Force.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 6/28/2024)

1 AN ACT concerning the Stay NJ property tax benefit program and
2 amending and supplementing various parts of the statutory law.

3

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

6

7 1. Section 2 of P.L.2023, c.75 (C.54:4-8.75b) is amended to read
8 as follows:

9 2. As used in this act:

10 “ANCHOR” means the Affordable New Jersey Communities for
11 Homeowners and Renters Property Tax Relief Program.

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

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

21 "Director" means the Director of the Division of Taxation in the
22 Department of the Treasury.

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

28 "Eligible claimant" means an individual who is 65 or more years
29 of age on or before December 31, 2024 or who is 65 or more years
30 of age on or before December 31 of any subsequent benefit year,
31 who is the owner for at least one full tax year of a homestead in this
32 State on or after **【July 1, 2024】** December 31, 2023 and any
33 subsequent benefit year, and who has **【gross】** income for the prior
34 tax year that is less than \$500,000.

35 **【**"Gross income" means all New Jersey gross income required to
36 be reported pursuant to the "New Jersey Gross Income Tax Act,"
37 N.J.S.54A:1-1 et seq., other than income excludable from the gross
38 income tax return, but before reduction thereof by any applicable
39 exemptions, deductions and credits, received during the taxable
40 year by the owner or residential shareholder in, or lessee of, a
41 homestead.**】**

42 "Homestead" means:

43 a. a dwelling house and the land on which that dwelling house
44 is located which constitutes the place of the eligible claimant's

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

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

18 c. 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; or a mutual housing
23 corporation.

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

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

29 "Income" means all New Jersey gross income required to be
30 reported pursuant to the "New Jersey Gross Income Tax Act,"
31 N.J.S.54A:1-1 et seq., before the application of any authorized
32 exclusion or deduction, except also including: interest income
33 excluded from taxation pursuant to N.J.S.54A:6-14; pension and
34 annuity income excluded from taxation pursuant to N.J.S.54A:6-10;
35 income derived from distributions from or roll overs to a Roth IRA
36 excluded from taxation pursuant to N.J.S.54A:6-28; other
37 retirement income excluded from taxation pursuant to N.J.S.54A:6-
38 15; and Social Security income excluded from taxation pursuant to
39 N.J.S.54A:6-2, as self-reported by the homeowner.

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

46 "Principal residence" means a homestead actually and
47 continually occupied by an eligible claimant as the eligible
48 claimant's permanent residence, including a homestead on which an

1 eligible claimant made one or more payments in lieu of taxes to the
2 municipality in which the homestead is located, as distinguished
3 from a vacation home, property owned and rented or offered for
4 rent by the eligible claimant, and other secondary real property
5 holdings.

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

10 "State resident" or "resident" means an individual:

11 a. who is domiciled in this State, unless the individual
12 maintains no permanent place of abode in this State, maintains a
13 permanent place of abode elsewhere, and spends in the aggregate no
14 more than 30 days of the tax year in this State; or

15 b. who is not domiciled in this State but maintains a permanent
16 place of abode in this State and spends in the aggregate more than
17 183 days of the tax year in this State, unless the individual is in the
18 Armed Forces of the United States.

19 "Stay NJ property tax credit" means a property tax credit **[in the**
20 **amount of 50 percent of]** applied to an eligible claimant's property
21 tax bill in accordance with the provisions of the "Stay NJ Act,"
22 P.L.2023, c.75 (C.54:4-8.75a et al.).

23 "Task force" means the Stay NJ Task Force established pursuant
24 to section 18 of P.L.2023, c.75 (C.54:4-8.75o).

25 "Tax year" or "taxable year" means the prior calendar year,
26 January 1 through December 31, in which a homestead is assessed
27 for property taxation and the property tax is levied thereon, and
28 paid.

29 "Tax year quarter" means a three-month period of a tax year
30 consisting of January 1 through March 31, April 1 through June 30,
31 July 1 through September 30, and October 1 through December 31.
32 (cf: P.L.2023, c.75, s.2)

33

34 2. Section 3 of P.L.2023, c.75 (C.54:4-8.75c) is amended to read
35 as follows:

36 3. a. (1) There is established the Stay NJ property tax credit
37 program. The director shall administer the Stay NJ property tax
38 credit that shall provide to an eligible claimant a property tax credit
39 in the amount of 50 percent of the property tax **[paid for]** billed to
40 the eligible claimant's principal residence in the prior tax year,
41 except that the amount of the credit shall not exceed the maximum
42 amount allowable for the tax year pursuant to subsection c. of this
43 section, or the combined amount of the ANCHOR rebate and the
44 homestead property tax reimbursement received by the eligible
45 claimant for the tax year.

46 (2) A Stay NJ property tax credit for an eligible claimant who is
47 a tenant shareholder in a cooperative, mutual housing organization,
48 or continuing care retirement community shall be based on the

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

12 **b.** The amount of the Stay NJ property tax credit shall be
13 calculated for each eligible claimant by the director, and shall be
14 paid **[to the tax collector of the municipality in which the eligible**
15 **claimant's homestead is located pursuant to]** in accordance with the
16 provisions of [subsection a. of] section 5 of P.L.2023, c.75
17 (C.54:4-8.75e).

18 **c.** **[Notwithstanding the provisions of P.L.2023, c.75 (C.54:4-**
19 **8.75a et al.) that require an annual property tax credit in the amount**
20 **of 50 percent of the property tax paid on an eligible claimant's**
21 **homestead, the]** The maximum amount to be credited to an eligible
22 claimant shall be \$6,500 [in] for tax year 2026 [, if there is no
23 delay in implementation as may occur pursuant to section 19 of
24 P.L.2023, c.75 (C.54:4-8.75p). For every tax year after the year in
25 which the Stay NJ property tax credit program is first
26 implemented,] ; and for each tax year thereafter, the maximum
27 amount to be credited to an eligible claimant shall be increased
28 based on the annual percentage increase in the average residential
29 property tax bill as shall be computed by the Director of the
30 Division of Local Government Services in the Department of
31 Community Affairs.

32 **[An]** **d.** Except as otherwise provided in subsection a. of
33 section 5 of P.L.2023, c.75 (C.54:4-8.75e), an eligible claimant
34 shall be entitled to a Stay NJ property tax credit annually, on proper
35 claim being made therefor to the director. Notwithstanding any
36 provision of P.L.2023, c.75 (C.54:4-8.75a et al.) to the contrary, the
37 amount of property taxes used to determine the amount of the Stay
38 NJ property tax credit shall not be reduced by the amount of the
39 deductions taken by an eligible claimant pursuant to P.L.1963,
40 c.171 (C.54:4-8.10 to 54:4-8.23) and P.L.1964, c.255 (C.54:4-8.40
41 to 54:4-8.45 et al.). The surviving spouse of a deceased resident of
42 this State who during his or her life received a Stay NJ property tax
43 credit shall be entitled, so long as the surviving spouse does not
44 remarry, remains a resident in the same homestead with respect to

1 which the Stay NJ property tax credit was granted, and is an eligible
2 claimant, to the same Stay NJ property tax credit, upon the same
3 conditions, with respect to the same homestead.
4 (cf: P.L.2023, c.75, s.3)

5
6 3. Section 4 of P.L.2023, c.75 (C.54:4-8.75d) is amended to read
7 as follows:

8 4. a. Not later than **【July】 February** 1, 2025, **【if there is no**
9 **delay in implementation as may occur pursuant to section 19 of**
10 **P.L.2023, c.75 (C.54:4-8.75p),】** the director shall promulgate a
11 combined single application form consistent with the requirements
12 of section 6 of P.L.2023, c.75 (C.54:4-8.75f) and the
13 recommendations of the Stay NJ Task Force established pursuant to
14 section 18 of P.L.2023, c.75 (C.54:4-8.75o) **【,】** that shall be
15 available on and after that date to be used by State residents to
16 apply for the Stay NJ property tax credit, the ANCHOR property
17 tax rebate, and the homestead property tax reimbursement program.
18 Applications shall be accepted by the Director of the Division of
19 Taxation from February 1 through October 31 of each year. State
20 residents seeking property tax benefits under those programs shall
21 complete the entire application and file it with the director. The
22 director shall determine **【which property tax benefit program or**
23 **programs provide the greatest benefit for the applicant】** the amount
24 of the Stay NJ property tax credit, ANCHOR rebate, and homestead
25 property tax reimbursement, as applicable, provided to each
26 applicant pursuant to the requirements of subsection b. of this
27 section.

28 b. **【Notwithstanding any provision of law, rule, or regulation to**
29 **the contrary, an applicant shall only be entitled to the greater of:**

30 (1) the amount of the Stay NJ property tax credit; or

31 (2) the combined amount of the ANCHOR property tax rebate
32 and the homestead property tax reimbursement.】 The director shall
33 calculate the amount of each property tax benefit provided to an
34 eligible claimant for each tax year in the following manner:

35 (1) if the eligible claimant qualifies for an ANCHOR rebate, the
36 director shall first determine the amount of the eligible claimant's
37 ANCHOR rebate for the tax year, the full amount of which shall be
38 paid to the eligible claimant;

39 (2) if the eligible claimant qualifies for a homestead property tax
40 reimbursement, the director shall next determine the amount of the
41 eligible claimant's homestead property tax reimbursement for the
42 tax year, the full amount of which shall be paid to the eligible
43 claimant;

44 (3) if the eligible claimant qualifies for a Stay NJ property tax
45 credit, the director shall then determine the amount of the eligible
46 claimant's Stay NJ property tax credit for the tax year, of which the
47 eligible claimant shall be paid an amount equal to 50 percent of the

1 property taxes billed to the eligible claimant, up to the maximum
2 amount permitted under section 3 of P.L.2023, c.75 (C.54:4-8.75c),
3 less the amounts paid to the eligible claimant pursuant to
4 paragraphs (1) and (2) of this subsection.

5 c. **【**With respect to the homestead property tax reimbursement
6 program, the base year of an eligible claimant who receives a Stay
7 NJ property tax credit instead of a homestead property tax
8 reimbursement shall remain unchanged, notwithstanding the
9 number of years that the eligible claimant receives a Stay NJ
10 property tax credit instead of a homestead property tax
11 reimbursement.**】** (Deleted by amendment, P.L. _____, c. (C. _____))
12 (pending before the Legislature as this bill)

13 d. (1) 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.2023, c.75 (C.54:4-8.75a et al.) based upon the
16 information provided by the eligible claimant in the application or
17 from any other information as may be available to the director and
18 shall notify the applicant, not later than October 15 of each year, of
19 the determined amount, in **【**such manner as the director may deem
20 appropriate**】** writing, together with a detailed calculation of the
21 amount that the eligible claimant is entitled to receive pursuant to
22 subsection b. of this section.

23 (2) The format of the written information to be provided by the
24 director shall be determined by the director and shall, at a
25 minimum, display: (a) the amount of the eligible claimant's
26 property tax bill for the tax year; (b) the amount of the ANCHOR
27 rebate, homestead property tax reimbursement, and Stay NJ
28 property tax credit, as applicable, that the eligible claimant is
29 entitled to receive; and (c) the actual property taxes that the eligible
30 claimant shall pay in the tax year after any property tax credits are
31 applied against the eligible claimant's property tax bill.

32 (3) Subject to the provisions of the State Uniform Tax Procedure
33 Law, R.S.54:48-1 et seq., such notification shall finally and
34 irrevocably fix the amount of the Stay NJ property tax credit unless
35 the applicant, within 90 days after having been given notice of such
36 determination, shall apply to the director for a hearing, or unless the
37 director shall redetermine the same. After such hearing the director
38 shall give notice of the final determination to the applicant.

39 e. An eligible claimant for a Stay NJ property tax credit
40 authorized under P.L.2023, c.75 (C.54:4-8.75a et al.) who is
41 aggrieved by any decision, order, finding, or denial by the director
42 of all or part of that eligible claimant's Stay NJ property tax credit
43 may appeal therefrom to the New Jersey Tax Court in accordance
44 with the provisions of the State Uniform Tax Procedure Law,
45 R.S.54:48-1 et seq. The appeal provided by this section shall be the
46 exclusive remedy available to an applicant for review of a decision

1 of a director in respect to the determination of all or a part of a Stay
2 NJ property tax credit authorized under P.L.2023, c.75 (C.54:4-
3 8.75a et al.).
4 (cf: P.L.2023, c.75, s.4)

5
6 4. Section 5 of P.L.2023, c.75 (C.54:4-8.75e) is amended to read
7 as follows:

8 5. a. (1) The State Treasurer, upon certification of the director
9 and upon warrant of the Director of the Division of Budget and
10 Accounting, shall pay and distribute, on a quarterly basis, beginning
11 February 1, 2026, the amount of a Stay NJ property tax credit
12 payable under P.L.2023, c.75 (C.54:4-8.75a et al.) that is claimed
13 for the tax year by check or direct deposit payable to the eligible
14 claimant, or by a credit against the property tax bill of the eligible
15 claimant payable to the tax collector of the municipality in which
16 each eligible claimant whose credit is approved by the director is
17 located; provided, however, a credit due to an eligible claimant who
18 claimed a Stay NJ property tax credit pursuant to section 3 of
19 P.L.2023, c.75 (C.54:4-8.75c), and whose homestead is a unit in a
20 cooperative, mutual housing corporation, or continuing care
21 retirement community, shall be paid directly to the eligible claimant
22 by the State Treasurer by check or direct deposit. **[A]** In any year
23 that the director determines that a Stay NJ payment shall be made as
24 a credit, a Stay NJ property tax credit allowed by the director to an
25 eligible claimant who claimed a Stay NJ property tax credit
26 pursuant to section 3 of P.L.2023, c.75 (C.54:4-8.75c), and whose
27 homestead is not a unit in a cooperative, mutual housing
28 corporation, or continuing care retirement community, shall be paid
29 by the State Treasurer through electronic funds transfer made by the
30 director to the local property tax account maintained by the local
31 property tax collector for the homestead of an eligible claimant as
32 the eligible claimant shall identify, in four equal installments after
33 the application for the credit has been approved. The State
34 Treasurer shall pay and distribute Stay NJ property tax credit
35 payments to each municipal tax collector or eligible claimant, as
36 applicable, on a quarterly basis at least 10 days prior to the statutory
37 due date for each property tax year quarter payment. Notice of
38 payments of Stay NJ credit installments shall be provided to the
39 eligible claimant and the appropriate local tax collector.

40 (2) Notwithstanding the provisions of this section to the
41 contrary, for the first year in which the Stay NJ property tax
42 program is implemented, each Stay NJ property tax credit awarded
43 an eligible claimant shall be paid and distributed by check or direct
44 deposit.

45 b. Each municipal tax collector who applies a Stay NJ property
46 tax credit to the property tax account of the homestead of an eligible
47 claimant pursuant to this section shall provide timely notice thereof
48 to the eligible claimant and to any mortgagee or servicing

1 organization noted on the property tax account that requires a
2 mortgagor to make property tax payments to an escrow account, for
3 the purpose of encouraging the escrow account property tax
4 requirements to be promptly adjusted to the benefit of the property
5 tax taxpayer on account of Stay NJ property tax credit payments.

6 (cf: P.L.2023, c.75, s.5)

7

8 5. Section 6 of P.L.2023, c.75 (C.54:4-8.75f) is amended to read
9 as follows:

10 6. a. (1) Notwithstanding the provisions of section 6 of
11 P.L.1990, c.61 (C.54:4-8.62) and section 3 of P.L.1997, c.348
12 (C.54:4-8.70) concerning the form and deadline of applications for
13 the ANCHOR rebate program and the homestead property tax
14 reimbursement, the director shall promulgate, not later than
15 February 1, 2025, a single combined application form to be used by
16 State residents to apply for the ANCHOR rebate program, the
17 homestead property tax reimbursement program, and the Stay NJ
18 property tax credit in accordance with the recommendations of the
19 Stay NJ Task Force established pursuant to section 18 of P.L.2023,
20 c.75 (C.54:4-8.75o).

21 **【The】** (2) To the extent practicable, the single combined
22 application shall resemble the form and manner of the application
23 for the homestead property tax reimbursement program, as created
24 pursuant to section 3 of P.L.1997, c.348 (C.54:4-8.70), except that
25 the single combined application form shall, at a minimum, require
26 the applicant to submit information about his or her age, annual
27 income, including the amount of Social Security payments received
28 by the applicant, homestead property address, as well as any other
29 information determined necessary by the director in order to
30 approve or disapprove the applicant's participation in those
31 programs.

32 (3) The combined application form shall also advise the
33 applicant that the director shall determine the eligibility of an
34 applicant to receive an ANCHOR rebate, a homestead property tax
35 reimbursement, or a Stay NJ property tax credit, or any combination
36 thereof. The director shall, for good cause shown, extend the time
37 of any applicant to file an application for a reasonable period, and
38 in such case, the application shall be processed and payment of an
39 ANCHOR rebate, homestead property tax reimbursement, or a Stay
40 NJ property tax credit, or any combination thereof, made in
41 accordance with the procedures established in the case of
42 applications timely filed, except the date for the payment may be
43 delayed for a reasonable period. If an applicant or an applicant's
44 spouse has filed an application for an extension of time to file a
45 gross income tax return, the date by which the applicant shall file an
46 application may, in the discretion of the director, be extended for a
47 reasonable period, and the date for the payment of an ANCHOR
48 rebate, homestead property tax reimbursement, or a Stay NJ

1 property tax credit, or any combination thereof, may be delayed for
2 a reasonable period. A State resident seeking property tax benefits
3 under any of those programs shall accurately complete the entire
4 application and file it with the director.

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

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

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

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

43 (cf: P.L.2023, c.75, s.6)

44

45 6. Section 10 of P.L.2023, c.75 (C.54:4-8.75j) is amended to
46 read as follows:

47 10. a. Except as provided in subsection b. of this section, a
48 person who receives a Stay NJ property tax credit otherwise

1 authorized under this act but which has been paid in error and
2 which is recoverable by the director, and fails to return the payment
3 within 45 days of receiving notice from the director that such
4 payment was erroneous, shall pay, in addition to the amount of the
5 erroneous credit, interest at the rate prescribed in R.S.54:49-3,
6 assessed for each month or fraction thereof, compounded annually
7 at the end of each year, from the date next following the 45th day
8 after receiving the notice from the director that such payment was
9 erroneous until the date of the return of the erroneous payment.

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

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

26 (cf: P.L.2023, c.75, s.10)

27

28 7. Section 16 of P.L.2023, c.75 (C.54:4-8.75m) is amended to
29 read as follows:

30 16. a. The Department of the Treasury shall establish a
31 dedicated, nonlapsing account for the purpose of providing property
32 tax benefits to homestead owners **and tenants** 65 years of age or
33 older **on their principal residences, whether owned or rented**. All
34 moneys deposited into the account shall be used for the payment of
35 property tax benefits in accordance with subsection c. of this
36 section.

37 b. (1) There is appropriated to the account established by
38 subsection a. of this section in State Fiscal Year 2024,
39 \$100,000,000 for the purpose of providing property tax benefits in
40 accordance with subsection c. of this section, subject to the
41 approval of the Director of the Division of Budgeting and
42 Accounting in the Department of the Treasury.

43 (2) The annual appropriations act for State Fiscal Year 2025
44 shall include an appropriation to the account established by
45 subsection a. of this section, in an amount not to exceed
46 \$200,000,000 for the purpose of providing property tax benefits in
47 accordance with subsection c. of this section.

1 (3) The annual appropriations act for State Fiscal Year 2026
2 shall include an appropriation to the account established by
3 subsection a. of this section, in an amount not to exceed
4 \$300,000,000 for the purpose of providing property tax benefits in
5 accordance with subsection c. of this section.

6 c. Beginning in State Fiscal Year 2026, moneys in the account
7 established by subsection a. of this section shall be appropriated
8 solely for the Stay NJ property tax credit program established
9 pursuant to section 3 of P.L.2023, c.75 (C.54:4-8.75c).
10 (cf: P.L.2023, c.75, s.16)

11
12 8. Section 17 of P.L.2023, c.75 (C.54:4-8.75n) is amended to
13 read as follows:

14 17. The **amendatory and supplementary provisions of**
15 appropriation of funds necessary to support the provision of
16 property tax relief under the Stay NJ property tax credit program as
17 provided under sections 1 through 16 of P.L.2023, c.75 (C.54:4-
18 8.75a et al.), as amended and supplemented by P.L. , c. (C.)
19 (pending before the Legislature as this bill), shall not supersede,
20 impact, or interfere with any of the following:

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

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

30 c. the full funding of the senior citizens' and disabled persons'
31 \$250 property tax deduction authorized by Article VIII, Section I,
32 paragraph 4 of the New Jersey Constitution;

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

35 e. the maintenance of a budgetary surplus target of no less than
36 12 percent of total **expenditures** appropriations from the General
37 Fund and the Property Tax Relief Fund in a given State fiscal year.

38 (cf: P.L.2023, c.75, s.17)

39
40 9. Section 18 of P.L.2023, c.75 (C.54:4-8.75o) is amended to
41 read as follows:

42 18. a. There is established in the Department of the Treasury
43 the Stay NJ Task Force. The purpose of the task force shall be to
44 develop recommendations for establishing and funding uniform
45 property tax relief to all senior citizen homeowners **and tenants**
46 making under \$500,000 per year. The task force shall review all of
47 the existing property tax relief programs and present, to the
48 Governor and the Legislature, no later than May 30, 2024, a report

1 containing recommendations about how to restructure, and
2 consolidate, the various property tax relief programs into one,
3 streamlined, property tax relief program that would deliver to senior
4 citizens having an annual gross income under \$500,000 an annual
5 property tax benefit, which for homeowners shall be in the amount
6 of 50 percent of the property tax bill on their principal residence,
7 beginning with the tax year 2026, which commences on January 1
8 of that year. The report shall include recommendations concerning
9 system improvements that both the State and local government units
10 would need to implement the Stay NJ property tax credit program
11 and the funding required to establish and maintain such system
12 improvements. The task force shall provide recommendations that
13 have a target implementation date of January 1, 2026.

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

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

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

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

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

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

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

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

41 The task force shall organize as expeditiously as practicable
42 following the appointment of all its public members. Appointments
43 to the task force shall be made in an expeditious manner to ensure
44 the task force has sufficient time to make the recommendations
45 required by this section in order to facilitate implementation of the
46 Stay NJ program on or before the dates set forth in P.L.2023, c.75
47 (C.54:4-8.75a et al.).

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.2023, c.75 (C.54:4-8.75a et
4 al.).

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】** Following the issuance of its report, the task force
36 shall 【disband on the 30th day after the enactment of legislation in
37 response to the Stay NJ Task Force pursuant to section 19 of
38 P.L.2023, c.75 (C.54:4-8.75p)】 continue to meet not less than once
39 per calendar quarter for the purpose of assisting the Director of the
40 Division of Taxation in the Department of the Treasury in
41 developing a process to implement a property tax credit for the
42 payment of benefits under the homestead property tax
43 reimbursement program and the Stay NJ property tax credit
44 program, and collecting information from local officials regarding
45 how to effectively implement property tax credits in future years for
46 those programs, as required pursuant to the provisions of section 11
47 of P.L. , c. (C.) (pending before the Legislature as this bill).
48 (cf: P.L.2023, c.75, s.18)

1 10. Section 19 of P.L.2023, c.75 (C.54:4-8.75p) is amended to
2 read as follows:

3 19. After the Legislature and the Governor review the Stay NJ
4 Task Force's recommendations and determine such
5 recommendations are appropriate, the Legislature shall consider and
6 approve, and the Governor shall enact, the legislation recommended
7 by the Stay NJ Task Force, or legislation substantially similar to the
8 legislation recommended by the task force, regarding the objectives
9 set forth in section 18 of P.L.2023, c.75 (C.54:4-8.75o) not later
10 than 90 days prior to **July** February 1, 2025, the date by which the
11 State Treasurer shall be required to produce the application for the
12 Stay NJ program in **2026** 2025 pursuant to section 4 of P.L.2023,
13 c.75 (C.54:4-8.75d). **Notwithstanding the provisions of this act or**
14 **any law to the contrary, if the Legislature and the Governor fail: (1)**
15 **to enact legislation following the release of the task force's report or**
16 **(2) to enact legislation that the Governor and Legislature deem**
17 **appropriate which otherwise addresses the issues the task force is**
18 **required to consider pursuant to section 18 of P.L.2023, c.75**
19 **(C.54:4-8.75o), then promulgation of a combined single application**
20 **form shall not be required on or before the date set forth in section**
21 **4 of P.L.2023, c.75 (C.54:4-8.75d) and the implementation of the**
22 **Stay NJ property tax credit program shall be delayed until the**
23 **enactment of such legislation.】 If legislation is enacted after the**
24 **90th day preceding July February 1, 2025, then promulgation of a**
25 **combined single application form shall be required no earlier than**
26 **the 91st day next following the enactment of such legislation and**
27 **the implementation of the Stay NJ property tax credit program shall**
28 **begin no earlier than the first tax year quarter beginning no less**
29 **than six months following the promulgation of the combined single**
30 **application form.**

31 (cf: P.L.2023, c.75, s.19)

32

33 11. (New section) a. After the effective date of
34 P.L. , c. (C.) (pending before the Legislature as this bill), the
35 Director of the Division of Taxation in the Department of the
36 Treasury, in consultation with the Director of the Division of Local
37 Government Services in the Department of Community Affairs and
38 local officials, shall develop a process to implement a property tax
39 credit for the payment of benefits under the homestead property tax
40 reimbursement program and the Stay NJ property tax credit
41 program. As a part of that process, the Director of the Division of
42 Taxation shall collect information from local officials regarding
43 how to effectively implement property tax credits in future years for
44 those programs. The collection of such information may include,
45 but shall not be limited to, the administration of a standardized
46 survey data collection instrument.

1 b. Notwithstanding the provisions of subsection a. of this section
2 regarding the development of a process for implementing property
3 tax credits, the Director of the Division of Taxation shall also
4 determine the feasibility of allowing eligible claimants for
5 homestead property tax reimbursement and Stay NJ property tax
6 credits to choose to continue to receive annual checks or direct
7 deposits into a bank account instead of a property tax credit.

8
9 12. Section 1 of P.L.1990, c.61 (C.54:4-8.57) is amended to read
10 as follows:

11 1. Sections 1 through 10 of P.L.1990, c.61 (C.54:4-8.57 through
12 54:4-8.66) and sections 3, 14 through 16, 18 and 19 of P.L.1999,
13 c.63 (C.54:4-8.58a and C.54:4-8.66a through C.54:4-8.66e) shall be
14 known and may be cited as the "ANCHOR Homestead Property Tax
15 Credit Act" **];** provided, however, that on and after the first day of
16 the first tax year quarter in which the Stay NJ property tax credit
17 program is implemented, those sections shall be known and may be
18 cited as the "Stay NJ Act." **].**

19 (cf: P.L.2023, c.75, s.20)

20
21 13. Section 2 of P.L.1990, c.61 (C.54:4-8.58) is amended to read
22 as follows:

23 2. As used in sections 2 through 10 of P.L.1990, c.61 (C.54:4-
24 8.58 through 54:4-8.66) and sections 3 and 14 through 16 of
25 P.L.1999, c.63 (C.54:4-8.58a and 54:4-8.66a through C.54:4-8.66c),
26 and where the context requires, as may be applicable to the
27 Affordable New Jersey Communities for Homeowners and Renters
28 (ANCHOR) Property Tax Relief Program:

29 "Annualized rent" means, for tax years 2004 and thereafter, the
30 rent paid by the claimant during the tax year for which the
31 homestead rebate is being claimed, and if paid for a lease term
32 covering less than the full tax year, the actual rent paid for the days
33 during the term of the lease of the homestead proportionalized as if
34 the term of the lease had been for 365 days of the tax year;

35 "Arm's-length transaction" means a transaction in which the
36 parties are dealing from equal bargaining positions, neither party is
37 subject to the other's control or dominant influence, and the
38 transaction is entirely legal in all respects and is treated with
39 fairness and integrity;

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

43 "Continuing care retirement community" means a residential
44 facility primarily for retired persons where lodging and nursing,
45 medical or other health related services at the same or another
46 location are provided as continuing care to an individual pursuant to
47 an agreement effective for the life of the individual or for a period
48 greater than one year, including mutually terminable contracts, and

1 in consideration of the payment of an entrance fee with or without
2 other periodic charges;

3 "Cooperative" means a housing corporation or association which
4 entitles the holder of a share or membership interest thereof to
5 possess and occupy for dwelling purposes a house, apartment,
6 manufactured or mobile home or other unit of housing owned or
7 leased by the corporation or association, or to lease or purchase a
8 unit of housing constructed or to be constructed by the corporation
9 or association;

10 "Director" means the Director of the Division of Taxation in the
11 Department of the Treasury;

12 "Dwelling house" means any residential property assessed as real
13 property which consists of not more than four units, of which not
14 more than one may be used for commercial purposes, but shall not
15 include a unit in a condominium, cooperative, horizontal property
16 regime or mutual housing corporation;

17 "Homestead" means:

18 a. (1) a dwelling house and the land on which that dwelling
19 house is located which constitutes the place of the claimant's
20 domicile and is owned and used by the claimant as the claimant's
21 principal residence;

22 (2) a dwelling house situated on land owned by a person other
23 than the claimant which constitutes the place of the claimant's
24 domicile and is owned and used by the claimant as the claimant's
25 principal residence;

26 (3) a condominium unit or a unit in a horizontal property regime
27 which constitutes the place of the claimant's domicile and is owned
28 and used by the claimant as the claimant's principal residence;

29 (4) for purposes of this definition as provided in this subsection,
30 in addition to the generally accepted meaning of owned or
31 ownership, a homestead shall be deemed to be owned by a person if
32 that person is a tenant for life or a tenant under a lease for 99 years
33 or more and is entitled to and actually takes possession of the
34 homestead under an executory contract for the sale thereof or under
35 an agreement with a lending institution which holds title as security
36 for a loan, or is a resident of a continuing care retirement
37 community pursuant to a contract for continuing care for the life of
38 that person which requires the resident to bear a share of the
39 property taxes that are assessed upon the continuing care retirement
40 community, if a share is attributable to the unit that the resident
41 occupies;

42 b. a unit in a cooperative or mutual housing corporation which
43 constitutes the place of domicile of a residential shareholder or
44 lessee therein, or of a lessee, or shareholder who is not a residential
45 shareholder therein, and which is used by the claimant as the
46 claimant's principal residence; and

1 c. a unit of residential rental property which unit constitutes the
2 place of the claimant's domicile and is used by the claimant as the
3 claimant's principal residence;

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

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

14 "Manufactured home" or "mobile home" means a unit of housing
15 which:

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

19 (2) Is built on a permanent chassis;

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

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

30 "Mobile home park" means a parcel of land, or two or more
31 parcels of land, containing no fewer than 10 sites equipped for the
32 installation of manufactured or mobile homes, where these sites are
33 under common ownership and control for the purpose of leasing
34 each site to the owner of a manufactured or mobile home for the
35 installation thereof, and where the owner or owners provide
36 services, which are provided by the municipality in which the park
37 is located for property owners outside the park, which services may
38 include but shall not be limited to:

39 (1) The construction and maintenance of streets;

40 (2) Lighting of streets and other common areas;

41 (3) Garbage removal;

42 (4) Snow removal; and

43 (5) Provisions for the drainage of surface water from home sites
44 and common areas;

45 "Mutual housing corporation" means a corporation not-for-profit,
46 incorporated under the laws of this State on a mutual or cooperative
47 basis within the scope of section 607 of the Lanham Act (National
48 Defense Housing), Pub.L.849, 76th Congress (42 U.S.C. s.1521 et

1 seq.), as amended, which acquired a National Defense Housing
2 Project pursuant to that act;

3 "Principal residence" means a homestead actually and
4 continually occupied by a claimant as the claimant's permanent
5 residence, as distinguished from a vacation home, property owned
6 and rented or offered for rent by the claimant, and other secondary
7 real property holdings;

8 "Property tax" means payments to a municipality based upon an
9 assessment made by the municipality upon real property on an ad
10 valorem basis on land and improvements, and shall include the
11 amount of property tax credit as defined in section 1 of P.L.2018,
12 c.11 (C.54:4-66.6), but shall not include payments made in lieu of
13 taxes;

14 "Rent" means the amount due in an arm's-length transaction
15 solely for the right of occupancy of a homestead that is a unit of
16 residential rental property. Rent shall not include any amount paid
17 under the federal Housing Choice Voucher (Section 8) Program or
18 paid as a rental assistance grant under section 1 of P.L.2004, c.140
19 (C.52:27D-287.1). If the director finds that the parties in a rental
20 transaction have not dealt with each other in an arm's-length
21 transaction and that the rent due was excessive, the director may,
22 for purposes of the homestead rebate claim, adjust the rent claimed
23 in the homestead rebate application to a reasonable amount of rent;

24 "Rent constituting property taxes" means 18% of the rent paid by
25 the homestead rebate claimant during the tax year on a unit of
26 residential rental property which constitutes the claimant's
27 homestead, and in the case of a manufactured home or mobile home
28 in a mobile home park which constitutes the claimant's homestead
29 means 18% of the site fee paid by the claimant during the tax year
30 to the owner of the mobile home park. Provided however, that for
31 tax year 2004 and for each tax year thereafter, rent constituting
32 property taxes shall equal 18% of annualized rent, and in the case of
33 a manufactured home or mobile home in a mobile home park rent
34 constituting property taxes shall equal 18% of a similarly
35 annualized site fee;

36 "Resident" means an individual:

37 a. who is domiciled in this State, unless he maintains no
38 permanent place of abode in this State, maintains a permanent place
39 of abode elsewhere, and spends in the aggregate no more than 30
40 days of the tax year in this State; or

41 b. who is not domiciled in this State but maintains a permanent
42 place of abode in this State and spends in the aggregate more than
43 183 days of the tax year in this State, unless the individual is in the
44 Armed Forces of the United States;

45 "Residential rental property" means:

46 a. any building or structure or complex of buildings or
47 structures in which dwelling units are rented or leased or offered for
48 rental or lease for residential purposes;

1 b. a rooming house, hotel or motel, if the rooms constituting
2 the homestead are equipped with kitchen and bathroom facilities;

3 c. any building or structure or complex of buildings or
4 structures constructed under the following sections of the National
5 Housing Act (Pub.L.73-479) as amended and supplemented: section
6 202, Housing Act of 1959 (Pub.L.86-372) and as subsequently
7 amended, section 231, Housing Act of 1959; and

8 d. a site in a mobile home park equipped for the installation of
9 manufactured or mobile homes, where these sites are under
10 common ownership and control for the purpose of leasing each site
11 to the owner of a manufactured or mobile home for the installation
12 thereof;

13 "Residential shareholder in a cooperative or mutual housing
14 corporation" means a tenant or holder of a membership interest in
15 that cooperative or corporation, whose residential unit therein
16 constitutes the tenant or holder's domicile and principal residence,
17 and who may deduct real property taxes for purposes of federal
18 income tax pursuant to section 216 of the federal Internal Revenue
19 Code of 1986, 26 U.S.C. s.216; and

20 "Tax year" means the calendar year in which property taxes are
21 due and payable.

22 (cf: P.L.2018, c.11, s.10)

23

24 14. Section 3 of P.L.1999, c.63 (C.54:4-8.58a) is amended to
25 read as follows:

26 3. a. For tax year 2003, the director shall determine the amount
27 of the homestead rebate that shall be paid to each claimant pursuant
28 to P.L.1990, c.61 (C.54:4-8.57 et al.), and P.L.1999, c.63 (C.54:4-
29 8.58a et al.), as amended by P.L.2004, c.40, based upon the
30 information provided by the individual applicant in the application
31 for either a NJ SAVER rebate or for a homestead rebate, or from
32 any other information as may be available to the director in order
33 that each individual applicant shall be paid the homestead rebate
34 that may be allowed to the claimant pursuant to sections 3 through 5
35 of P.L.1990, c.61 (C.54:4-8.59 through 54:4-8.61), as the director
36 determines is appropriate.

37 b. (1) For tax year 2003, a resident of this State who has paid
38 property taxes for the tax year on a homestead that is owned as
39 such, who has filed an application for an NJ SAVER rebate
40 pursuant to the provisions of P.L.1999, c.63 (C.54:4-8.58a et al.), or
41 pursuant to that act as amended and supplemented by P.L.2004,
42 c.40, and who meets the prerequisites for an NJ SAVER rebate at
43 12:01 A.M. on October 1, 2003 for that tax year, shall be
44 considered to have applied for a homestead rebate and shall be
45 allowed a homestead rebate instead of an NJ SAVER rebate for that
46 tax year pursuant to P.L.1990, c.61 (C.54:4-8.57 et al.), and
47 P.L.1999, c.63 (C.54:4-8.58a et al.), as amended by P.L.2004, c.40.
48 An application for an NJ SAVER rebate shall be allowed as a

1 homestead rebate for a homestead the title to which is held by a
2 partnership, to the extent of the applicant's interest as a partner
3 therein, and by a guardian, trustee, committee, conservator or other
4 fiduciary for any individual who would otherwise be eligible for an
5 NJ SAVER rebate. An application for an NJ SAVER rebate shall
6 not be allowed for a homestead, the title to which is held partially
7 or entirely by a corporate entity of any type, except as otherwise
8 specifically allowed for applications from residents of properties
9 owned by continuing care retirement community, cooperative or
10 mutual housing corporations.

11 (2) For tax year 2004 and tax year 2005, any rebates applied for
12 and paid pursuant to P.L.1990, c.61 (C.54:4-8.57 et al.), and
13 P.L.1999, c.63 (C.54:4-8.58a et al.), as amended and supplemented
14 by P.L.2004, c.40, shall be homestead rebates.

15 (3) For tax year 2006 and for tax years thereafter, any
16 homestead benefit applied for and provided pursuant to this act
17 shall be a rebate or credit, as annually determined by the Director of
18 the Division of Taxation.

19 (4) After the effective date of P.L. , c (C.) (pending
20 before the Legislature as this bill), and with respect to the payment
21 of ANCHOR rebates to eligible claimants, payments to eligible
22 claimants in calendar year 2026 shall be based on property taxes
23 billed for tax year 2025. Thereafter, payments to eligible claimants
24 in any succeeding benefit year shall be based on the immediately
25 preceding tax year.

26 (cf: P.L.2007, c.62, s.22)

27
28 15. (New section) Notwithstanding the provisions of any other
29 law to the contrary, after the effective date of P.L. , c. (C.)
30 (pending before the Legislature as this bill), ANCHOR rebates shall
31 be paid to eligible claimants on or before September 15 of each tax
32 year annually, whether such rebates are to be paid by check, direct
33 deposit, or as a credit on the eligible claimant's property tax bill.

34
35 16. Section 1 of P.L.1997, c.348 (C.54:4-8.67) is amended to
36 read as follows:

37 1. As used in **[this act]** P.L.1997, c.348 (C.54:4-8.67 et seq.):

38 "Base year" means, in the case of a person who is an eligible
39 claimant on or before December 31, 1997, the tax year 1997; and in
40 the case of a person who first becomes an eligible claimant after
41 December 31, 1997, the tax year in which the person first becomes
42 an eligible claimant. In the case of an eligible claimant who
43 subsequently moves from the homestead for which the initial
44 eligibility was established, the base year shall be the first full tax
45 year during which the person resides in the new homestead.
46 Provided however, a base year for an eligible claimant after such a
47 move shall not apply to tax years commencing prior to January 1,
48 2009. In the case of an eligible claimant who receives a Stay NJ

1 property tax credit in lieu of a homestead property tax
2 reimbursement pursuant to section 4 of P.L.2023, c.75 (C.54:4-
3 8.75d), the base year of that eligible claimant shall remain
4 unchanged.

5 "Commissioner" means the Commissioner of Community
6 Affairs.

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

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

11 "Cooperative" means a housing corporation or association which
12 entitles the holder of a share or membership interest thereof to
13 possess and occupy for dwelling purposes a house, apartment or
14 other unit of housing owned or leased by the corporation or
15 association, or to lease or purchase a unit of housing constructed or
16 to be constructed by the corporation or association.

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

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

27 "Eligible claimant" means a person who:

28 is 65 or more years of age on or before December 31 of any tax
29 year for which a homestead property tax reimbursement is sought,
30 or who is a disabled person;

31 is an owner of a homestead, or the lessee of a site in a mobile
32 home park on which site the applicant owns a manufactured or
33 mobile home for the entire tax year for which a homestead property
34 tax reimbursement is sought;

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

43 has an annual income of \$60,000 or less in tax year 2007,
44 \$70,000 or less in tax year 2008, or \$80,000 or less in tax year
45 2009, if single or married, which income eligibility limits shall be
46 subject to adjustments in tax years 2010 through 2021 pursuant to
47 section 9 of P.L.1997, c.348 (C.54:4-8.68);

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

5 has, for at least three calendar years, including the entire tax year
6 for which a homestead property tax reimbursement is sought,
7 owned and resided in the homestead for which a homestead
8 property tax reimbursement is sought prior to the date that an initial
9 application for a homestead property tax reimbursement is filed. A
10 person who has been an eligible claimant for a previous tax year
11 shall qualify as an eligible claimant beginning the second full tax
12 year following a move to another homestead in New Jersey, despite
13 not meeting the three-year minimum residency and ownership
14 requirement required for initial claimants under this paragraph;
15 provided that the person satisfies the income eligibility limits for
16 the tax year. Provided however, eligibility beginning in a second
17 full tax year after such a move shall not apply to tax years
18 commencing prior to January 1, 2010.

19 "Homestead" means:

20 a dwelling house and the land on which that dwelling house is
21 located which constitutes the place of the eligible claimant's
22 domicile and is owned and used by the eligible claimant as the
23 eligible claimant's principal residence;

24 a site in a mobile home park equipped for the installation of
25 manufactured or mobile homes, where these sites are under
26 common ownership and control for the purpose of leasing each site
27 to the owner of a manufactured or mobile home for the installation
28 thereof and such site is used by the eligible claimant as the eligible
29 claimant's principal residence;

30 a dwelling house situated on land owned by a person other than
31 the eligible claimant which constitutes the place of the eligible
32 claimant's domicile and is owned and used by the eligible claimant
33 as the eligible claimant's principal residence;

34 a condominium unit or a unit in a horizontal property regime or a
35 continuing care retirement community which constitutes the place
36 of the eligible claimant's domicile and is owned and used by the
37 eligible claimant as the eligible claimant's principal residence.

38 In addition to the generally accepted meaning of "owned" or
39 "ownership," a homestead shall be deemed to be owned by a person
40 if that person is a tenant for life or a tenant under a lease for 99
41 years or more, is entitled to and actually takes possession of the
42 homestead under an executory contract for the sale thereof or under
43 an agreement with a lending institution which holds title as security
44 for a loan, or is a resident of a continuing care retirement
45 community pursuant to a contract for continuing care for the life of
46 that person which requires the resident to bear, separately from any
47 other charges, the proportionate share of property taxes attributable
48 to the unit that the resident occupies;

1 a unit in a cooperative or mutual housing corporation which
2 constitutes the place of domicile of a residential shareholder or
3 lessee therein, or of a lessee or shareholder who is not a residential
4 shareholder therein, which is used by the eligible claimant as the
5 eligible claimant's principal residence.

6 "Homestead property tax reimbursement" means payment of the
7 difference between the amount of property tax or site fee
8 constituting property tax due and paid in any year on any
9 homestead, exclusive of improvements not included in the
10 assessment on the real property for the base year, and the amount of
11 property tax or site fee constituting property tax due and paid in the
12 base year, when the amount paid in the base year is the lower
13 amount; but such calculations shall be reduced by any current year
14 property tax reductions or reductions in site fees constituting
15 property taxes resulting from judgments entered by county boards
16 of taxation or the State Tax Court.

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

20 "Income" means all New Jersey gross income required to be
21 reported pursuant to the "New Jersey Gross Income Tax Act,"
22 N.J.S.54A:1-1 et seq., before the application of any authorized
23 exclusion or deduction, except also including: interest income
24 excluded from taxation pursuant to N.J.S.54A:6-14; pension and
25 annuity income excluded from taxation pursuant to N.J.S.54A:6-10;
26 income derived from distributions from, or roll over to, a Roth IRA
27 excluded from taxation pursuant to N.J.S.54A:6-28; other
28 retirement income excluded from taxation pursuant to N.J.S.54A:6-
29 15; and Social Security income excluded from taxation pursuant to
30 N.J.S.54A:6-2, as self-reported by the homeowner.

31 "Manufactured home" or "mobile home" means a unit of housing
32 which:

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

36 (2) Is built on a permanent chassis;

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

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

47 "Mobile home park" means a parcel of land, or two or more
48 parcels of land, containing no fewer than 10 sites equipped for the

1 installation of manufactured or mobile homes, where these sites are
2 under common ownership and control for the purpose of leasing
3 each site to the owner of a manufactured or mobile home for the
4 installation thereof, and where the owner or owners provide
5 services, which are provided by the municipality in which the park
6 is located for property owners outside the park, which services may
7 include but shall not be limited to:

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

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

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

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

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

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

37 "Tax year" means the calendar year in which a homestead is
38 assessed and the property tax is levied thereon and it means the
39 calendar year in which income is received or accrued.

40 (cf: P.L.2023, c.75, s.13)

41

42 17. Section 3 of P.L.1997, c.348 (C.54:4-8.70) is amended to
43 read as follows:

44 3. **【An】** a. For tax years before the implementation of the
45 single combined application required pursuant to section 6 of
46 P.L.2023, c.75 (C.54:4-8.75f), an application for a homestead
47 property tax reimbursement hereunder shall be filed with the
48 director annually beginning April 1 and ending October 31 of the

1 year following the year for which the claim is being made and shall
2 reflect the prerequisites for a homestead property tax
3 reimbursement on December 31 of the tax year for which the claim
4 is being made; provided, however, that the director may, by rule,
5 designate a later date as the date by which the application shall be
6 filed or waive the requirement for filing an annual application for
7 any year or years subject to any limitations and conditions the
8 director may deem appropriate. The application shall be on a form
9 prescribed by the director and provided for the use of applicants
10 hereunder. Each applicant making a claim for a homestead property
11 tax reimbursement under this act shall provide, if required by the
12 director, to the director a copy of his or her current year property
13 tax bill or current year site fee bill on the homestead constituting
14 that person's principal residence and a copy of his or her property
15 tax bill for the base year or site fee bill for the base year on the
16 same homestead, or other equivalent proof as permitted by the
17 director.

18 It shall be the duty of every eligible claimant to inform the
19 director of any change in his or her status or homestead which may
20 affect his or her right to continuance of the homestead property tax
21 reimbursement.

22 If an eligible claimant receives an additional homestead property
23 tax reimbursement to which the claimant was not entitled or greater
24 than the reimbursement to which the claimant was entitled, the
25 director shall permit the claimant to enter into an installment
26 payment agreement for a reasonable period of time that will enable
27 the claimant to completely satisfy the amount of the reimbursement
28 paid to which the claimant was not entitled. If the claimant does
29 not enter into an installment payment agreement, the director may,
30 in addition to all other available legal remedies, offset such amount
31 against a gross income tax refund or amount due pursuant to
32 P.L.1990, c.61.

33 b. For tax years on and after the implementation of the single
34 combined application required pursuant to section 6 of P.L.2023,
35 c.75 (C.54:4-8.75f), an application for a homestead property tax
36 reimbursement hereunder shall be filed with the director annually,
37 beginning February 1 and ending October 31 of the year following
38 the year for which the claim is being made, using the single
39 combined application and in accordance with the requirements of
40 section 6 of P.L.2023, c.75 (C.54:4-8.75f).

41 (cf: P.L.2017, c.370, s.1)

42

43 18. Section 4 of P.L.1997, c.348 (C.54:4-8.71) is amended to
44 read as follows:

45 4. a. The director shall administer the homestead property tax
46 reimbursement program. A payment for the homestead property tax
47 reimbursement amount, as calculated by the director, shall be
48 **[mailed]** paid, by check, direct deposit, or credit against the

1 eligible claimant's property tax bill, to each person determined by
2 the director to be an eligible claimant **【under this act】** pursuant to
3 P.L.1997, c.348 (C.54:4-8.67 et seq.) and shall be made according
4 to the following schedule: **【**on or before July 15, 1999 and July 15
5 annually thereafter, except that the payment of any homestead
6 property tax reimbursement amount for an eligible claimant whose
7 application is filed during the period May 1 through June 1 shall be
8 mailed on or before September 1 annually. Provided further,
9 however, that the payment of any homestead property tax
10 reimbursement amount for an eligible claimant whose application is
11 filed during a period after June 1 pursuant to an extended
12 application deadline as may be designated by the director shall be
13 mailed on or before such latter mailing date as the director may
14 determine.**】**

15 (1) for applications received on or before May 1 of the tax year,
16 the reimbursement amount shall be paid on or before July 15 of that
17 tax year; and

18 (2) for applications received on or after May 1 of the tax year,
19 the reimbursement amount shall be made on a rolling monthly
20 basis.

21 b. All payments made pursuant to this section shall be
22 appropriated from receipts in the Casino Revenue Fund.

23 (cf: P.L.2003, c.30, s.2)

24

25 19. (New section) The Director of the Division of Taxation in
26 the Department of the Treasury is authorized to take any
27 administrative action with respect to the Stay NJ program,
28 P.L.2023, c.75 (C.54:4-8.75a et al.), the homestead property tax
29 reimbursement program, P.L.1997, c.348 (C.54:4-8.67 et seq.), or
30 the ANCHOR Property Tax Relief Program that may be necessary
31 to implement the provisions of P.L. , c. (C.) (pending
32 before the Legislature as this bill).

33

34 20. Section 3 of P.L.2021, c.371 (C.47:1B-3) is amended to read
35 as follows:

36 3. a. The following exceptions shall apply to the requirement to
37 redact, and the prohibition against the disclosure of, a home address
38 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2) in accordance
39 with section 2 of P.L.2015, c.226 (C.47:1-17), section 1 of
40 P.L.1995, c.23 (C.47:1A-1.1), or section 6 of P.L.2001, c.404
41 (C.47:1A-5):

42 (1) Copies of voter registration files maintained in the Statewide
43 voter registration system pursuant to section 2 of P.L.2005, c.145
44 (C.19:31-32) and maintained by the commissioner of registration in
45 each county pursuant to R.S.19:31-3 shall be provided as redacted
46 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2), except that
47 copies of the files as unredacted pursuant thereto shall be provided
48 to the following individuals, upon the individual's signing of an

1 affidavit attesting to the individual's qualifying status pursuant
2 hereto:

3 (a) the chairperson of the county or municipal committee of a
4 political party, as appropriate under R.S.19:7-1, or a designee
5 thereof, for distribution to any person authorized to serve as a
6 challenger pursuant to R.S.19:7-1 or section 2 of P.L.2021, c.40
7 (C.19:15A-2), subject to the limitations in section 1 of P.L.1960,
8 c.82 (C.19:7-6.1); and the unredacted copies may only be used for
9 the purpose specified in R.S.19:7-5;

10 (b) a candidate, or a designee thereof, for distribution to a
11 challenger appointed thereby pursuant to section 2 of P.L.2021, c.40
12 (C.19:15A-2) for the person's use in accordance with R.S.19:7-5;

13 (c) a candidate acting as a challenger pursuant to R.S.19:7-2 or
14 the other person appointed thereunder, for use in accordance with
15 R.S.19:7-5;

16 (d) any vendor, contractor, or organization carrying out a
17 function of a county or of the State concerning the administration or
18 conduct of elections; and

19 (e) upon order of a judge of the Superior Court after a finding
20 that the unredacted copy is necessary to determine the merits of a
21 petition filed in accordance with R.S.19:29-3, a person filing such
22 petition or the respondent or both.

23 This paragraph shall apply to registry lists as described in section
24 2 of P.L.1947, c.347 (C.19:31-18.1).

25 (2) Other than as provided in subparagraphs (d) and (e) of
26 paragraph (4) of this subsection, a document affecting the title to
27 real property, as defined by N.J.S.46:26A-2, recorded and indexed
28 by a county recording officer, or as otherwise held or maintained by
29 the Division of Taxation, a county board of taxation, a county tax
30 administrator, or a county or municipal tax assessor, that contains
31 an address subject to redaction or nondisclosure consistent with this
32 act, P.L.2021, c.371 (C.47:1B-1 et al.):

33 may instead or in addition include the redaction and
34 nondisclosure of the names or other information of approved
35 covered persons, as specified by the Director of the Division of
36 Taxation, which redaction and nondisclosure may include masking
37 of such names or other information, and

38 shall be provided as unredacted to the following persons when
39 requested in such person's ordinary course of business:

40 (a) a title insurance company, a title insurance agent, or an
41 approved attorney, as defined in section 1 of P.L.1975, c.106
42 (C.17:46B-1);

43 (b) a mortgage guarantee insurance company, as described in
44 section 4 of P.L.1968, c.248 (C.17:46A-4);

45 (c) a mortgage loan originator, as defined in section 3 of
46 P.L.2009, c.53 (C.17:11C-53);

47 (d) a registered title search business entity, as defined in section
48 4 of P.L.2021, c.371 (C.17:46B-1.1);

1 (e) a real estate broker, a real estate salesperson, a real estate
2 broker-salesperson, a real estate salesperson licensed with a real
3 estate referral company, or a real estate referral company, as such
4 terms are defined in R.S.45:15-3; and

5 (f) an individual or business that has made or received an offer
6 for the purchase of real estate and real property, or any portion
7 thereof, to or from a covered person whose address is subject to
8 redaction or nondisclosure pursuant to section 2 of P.L.2021, c.371
9 (C.47:1B-2).

10 This act shall not be construed to prohibit a county recording
11 officer from returning a document as unredacted to any person who
12 submitted the document for recordation.

13 (3) A home address as unredacted may be provided by a public
14 agency to the majority representative of such agency's employees.

15 (4) The following shall not be subject to redaction or
16 nondisclosure pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2):

17 (a) records and documents, including Uniform Commercial
18 Code filings and financing statements, maintained by the Division
19 of Revenue and Enterprise Services in the Department of the
20 Treasury;

21 (b) petitions naming candidates for office pursuant to R.S.19:13-
22 1 and R.S.19:13-4;

23 (c) petitions signed in accordance with R.S.19:13-6;

24 (d) records evidencing any lien, judgement, or other
25 encumbrance upon real or other property;

26 (e) assessment lists subject to inspection pursuant to R.S.54:4-
27 38 when inspected in person;

28 (f) the index of all recorded documents maintained by a county
29 recording officer as under N.J.S.46:26A-8 when inspected in
30 person; and

31 (g) property that is presumed abandoned under the "Uniform
32 Unclaimed Property Act," P.L.1989, c.58 (C.46:30B-1 et seq.).

33 (5) A public agency may share unredacted information with any
34 vendor, contractor, or organization to carry out the purposes for
35 which the public agency entered into an agreement with the vendor,
36 contractor, or organization. The vendor, contractor, or organization
37 shall not use such information in any manner other than as
38 necessary to carry out the purposes of the agreement.

39 (6) For a record or other document containing a home address
40 required to be redacted pursuant to section 2 of P.L.2021, c.371
41 (C.47:1B-2) that, because of the characteristics or properties of the
42 record or document, is only available to be viewed in person, a
43 custodian or other government official shall make every reasonable
44 effort to hide such address when allowing an individual without
45 authority to view such address as unredacted to view the record or
46 document.

47 (7) For the purposes of the calculation of property tax benefits
48 and the administration of property tax credits for eligible claimants

1 pursuant to the "Stay NJ Act," P.L.2021, c.75 (C.54:4-8.75a et al.),
2 municipalities may share unredacted property tax information with
3 the Director of the Division of Taxation in the Department of the
4 Treasury, and the director may provide to municipalities unredacted
5 amounts of property tax credits to be applied against property tax
6 bills of eligible claimants.

7 b. Nothing in this act shall be construed to require redaction or
8 nondisclosure of any information in any document, record,
9 information, or database shared with or otherwise provided to any
10 other government entity.

11 c. Information otherwise subject to redaction or nondisclosure
12 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2) may be
13 provided as unredacted upon order of a judge of the Superior Court
14 or of any other court of competent jurisdiction.

15 d. This section shall not be construed to require a record to be
16 made available that is not otherwise required to be made available
17 under any other law or regulation.

18 e. The Director of the Division of Taxation may issue any
19 guidance, guidelines, or rules and regulations necessary to
20 effectuate the purposes of this section. The rules and regulations
21 shall be effective immediately upon filing with the Office of
22 Administrative Law for a period not to exceed 18 months, and shall,
23 thereafter, be amended, adopted, or readopted in accordance with
24 the provisions of the "Administrative Procedure Act," P.L.1968,
25 c.410 (C.52:14B-1 et seq.).

26 (cf: P.L.2021, c.371, s.3)

27
28 21. R.S.54:50-8 is amended to read as follows:

29 54:50-8. a. The records and files of the director respecting the
30 administration of the State Uniform Tax Procedure Law or of any
31 State tax law, or respecting the administration of the Stay NJ
32 property tax credit, the ANCHOR Property Tax Relief Program, and
33 the homestead property tax reimbursement program, shall be
34 considered confidential and privileged and neither the director nor
35 any employee engaged in the administration thereof or charged with
36 the custody of any such records or files, nor any former officer or
37 employee, nor any person who may have secured information
38 therefrom under subsection d., e., f., g., p., q., r., or s. of R.S.54:50-
39 9 or any other provision of State law, shall divulge, disclose, use for
40 their own personal advantage, or examine for any reason other than
41 a reason necessitated by the performance of official duties any
42 information obtained from the said records or files or from any
43 examination or inspection of the premises or property of any
44 person. Neither the director nor any employee engaged in such
45 administration or charged with the custody of any such records or
46 files shall be required to produce any of them for the inspection of
47 any person or for use in any action or proceeding except when the
48 records or files or the facts shown thereby are directly involved in

1 an action or proceeding under the provisions of the State Uniform
2 Tax Procedure Law or of the State tax law affected, or where the
3 determination of the action or proceeding will affect the validity or
4 amount of the claim of the State under some State tax law, or in any
5 lawful proceeding for the investigation and prosecution of any
6 violation of the criminal provisions of the State Uniform Tax
7 Procedure Law or of any State tax law.

8 b. The prohibitions of this section, against unauthorized
9 disclosure, use or examination by any present or former officer or
10 employee of this State or any other individual having custody of
11 such information obtained pursuant to the explicit authority of State
12 law, shall specifically include, without limitation, violations
13 involving the divulgence or examination of any information from or
14 any copy of a federal return or federal return information required
15 by New Jersey law to be attached to or included in any New Jersey
16 return. Any person violating this section by divulging, disclosing or
17 using information shall be guilty of a crime of the fourth degree.
18 Any person violating this section by examining records or files for
19 any reason other than a reason necessitated by the performance of
20 official duties shall be guilty of a disorderly persons offense.

21 c. Whenever records and files are used in connection with the
22 prosecution of any person for violating the provisions of this section
23 by divulging, disclosing or using records or files or examining
24 records and files for any reason other than a reason necessitated by
25 the performance of official duties, the defendant shall be given
26 access to those records and files. The court shall review such
27 records and files in camera, and that portion of the court record
28 containing the records and files shall be sealed by the court.

29 (cf: P.L.2021, c.167, s.5)

30

31 22. Section 3 of P.L.1996, c.60 (C.54A:3A-17) is amended to
32 read as follows:

33 3. a. A resident taxpayer under the "New Jersey Gross Income
34 Tax Act," N.J.S.54A:1-1 et seq., shall be allowed a deduction from
35 gross income for the amount of property tax credit, as defined in
36 section 1 of P.L.2018, c.11 (C.54:4-66.6), plus property taxes paid
37 by the resident taxpayer, the total of which shall not exceed
38 \$15,000, subject to the limitations of subsection f. of this section.
39 Property taxes deductible under this section shall be due and paid
40 for the calendar year in which the taxes are due and payable on the
41 taxpayer's homestead.

42 b. A deduction for property taxes or property tax credits shall
43 be allowed pursuant to this section in relation to the amount of the
44 property taxes or property tax credits actually paid by **【or allocable**
45 **to】** a resident taxpayer who has more than one homestead, but the
46 aggregate amount of the property taxes or property tax credits
47 claimed shall not exceed the total of the proportionate amounts of
48 property taxes **【assessed and levied against or allocable to】** paid for

1 each homestead for the portion of the taxable year for which the
2 taxpayer occupied it as the taxpayer's principal residence.

3 c. If title to a homestead is held by more than one individual as
4 joint tenants or tenants in common, each individual shall be allowed
5 a deduction pursuant to this section only in relation to the
6 individual's proportionate share of the property taxes assessed and
7 levied against the homestead. The proportionate share shall be
8 equal to that of all other individuals who hold the title, but if the
9 conveyance under which the title is held provides for unequal
10 interests therein, a taxpayer's share of the property taxes shall be in
11 proportion to the taxpayer's interest in the title.

12 d. If title to a homestead is held by a husband and wife who
13 own the homestead as tenants by the entirety, or if that husband and
14 wife are both residential shareholders of a cooperative or mutual
15 housing corporation and occupy the same homestead therein, and
16 who elect to file separate income tax returns pursuant to the "New
17 Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq., that husband
18 and wife shall each be entitled to one-half of the deduction for
19 property taxes for which they may be jointly eligible pursuant to
20 this section.

21 e. If the homestead is a dwelling house consisting of more than
22 one unit, that taxpayer shall be allowed a deduction for property
23 taxes or property tax credits only in relation to the proportionate
24 share of the property taxes assessed and levied against the
25 residential unit occupied by the taxpayer, as determined by the local
26 tax assessor.

27 f. Notwithstanding the provisions of subsection a. of this
28 section to the contrary: (1) a resident taxpayer shall be allowed a
29 deduction for a taxpayer's taxable year beginning during 1996 based
30 on 50% of the property taxes not in excess of \$5,000 paid on the
31 taxpayer's homestead; and (2) a resident taxpayer shall be allowed a
32 deduction for a taxpayer's taxable year beginning during 1997 based
33 on 75% of the property taxes not in excess of \$7,500 paid on the
34 taxpayer's homestead.

35 g. Notwithstanding any other provision of this section, the
36 deduction allowed under this section to a resident taxpayer eligible
37 to receive a homestead property tax reimbursement pursuant to
38 P.L.1997, c.348 (C.54:4-8.67 et al.) shall not exceed that resident
39 taxpayer's base year property tax liability as determined pursuant to
40 P.L.1997, c.348 (C.54:4-8.67 et al.).

41 h. Notwithstanding any other provision of this section, for the
42 taxable year beginning January 1, 2009, a taxpayer who has gross
43 income for the taxable year of more than \$250,000 and is not:

- 44 (1) 65 years of age or older at the close of the taxable year; or
45 (2) allowed to claim a personal deduction as a blind or disabled
46 taxpayer pursuant to subsection (b) of N.J.S.54A:3-1, shall not be
47 allowed a deduction pursuant to this section;

1 provided however, the deduction for a taxpayer who has gross
2 income for the taxable year of more than \$150,000 but not
3 exceeding \$250,000 and is not:

4 (1) 65 years of age or older at the close of the taxable year; or

5 (2) allowed to claim a personal deduction as a blind or disabled
6 taxpayer pursuant to subsection (b) of N.J.S.54A:3-1, shall not
7 exceed \$5,000.

8 (cf: P.L.2018, c.45, s.1)

9

10 23. Section 5 of P.L.1996, c.60 (C.54A:3A-19) is amended to
11 read as follows:

12 5. a. If a taxpayer who is eligible for a deduction for property
13 taxes paid under section 3 of **[this act]** P.L.1996, c.60 (C.54A:3A-
14 17) for a part of the taxable year is also eligible for a deduction for
15 rent constituting property taxes under section 4 of this act for a part
16 of the taxable year, the taxpayer shall be allowed a deduction, not in
17 excess of \$15,000, subject to the limitations of subsection b. of this
18 section, the amount of which shall be equal to the sum of the
19 amount of property tax credit, as defined in section 1 of P.L.2018,
20 c.11 (C.54:4-66.6), plus the amount of property taxes due and paid
21 for the calendar year in which the property taxes are due and
22 payable on a homestead that is not a unit of residential rental
23 property and the amount of rent constituting property taxes due and
24 paid for the calendar year in which the rent constituting property
25 taxes is due and payable for the occupancy of a homestead that is a
26 unit of residential rental property, provided however, that the
27 amount of property taxes and property tax credits shall be subject to
28 the limitations set forth in subsections b. through e. of section 3 of
29 P.L.1996, c.60 (C.54A:3A-17) and the amount of rent constituting
30 property taxes shall be subject to the limitations set forth in
31 subsections b. and c. of section 4 of P.L.1996, c.60 (C.54A:3A-18)
32 as may be applicable.

33 b. Notwithstanding the provisions of subsection a. of this
34 section to the contrary: (1) a taxpayer who is eligible for a
35 deduction for property taxes paid under section 3 of **[this act]**
36 P.L.1996, c.60 (C.54A:3A-17) for a part of the taxable year and is
37 also eligible for a deduction for rent constituting property taxes
38 under section 4 of **[this act]** P.L.1996, c.60 (C.54A:3A-18) for a
39 part of the taxable year, shall be allowed a deduction for the
40 taxpayer's taxable year beginning during 1996 based on 50% of an
41 amount not in excess of \$5,000, the amount of which shall be equal
42 to the sum of the amount of property taxes paid on a homestead that
43 is not a unit of residential rental property and the amount of rent
44 constituting property taxes paid for the occupancy of a homestead
45 that is a unit of residential rental property; and (2) a taxpayer who is
46 eligible for a deduction for property taxes paid under section 3 of
47 **[this act]** P.L.1996, c.60 (C.54A:3A-17) for a part of the taxable
48 year and is also eligible for a deduction for rent constituting

1 property taxes under section 4 of **[this act]** P.L.1996, c.60
2 (C.54A:3A-18) for a part of the taxable year, shall be allowed a
3 deduction for the taxpayer's taxable year beginning during 1997
4 based on 75% of an amount not in excess of \$7,500, the amount of
5 which shall be equal to the sum of the amount of property taxes
6 paid on a homestead that is not a unit of residential rental property
7 and the amount of rent constituting property taxes paid for the
8 occupancy of a homestead that is a unit of residential rental
9 property.
10 (cf: P.L.2018, c.45, s.3)

11

12 24. This act shall take effect immediately.

13

14

15

STATEMENT

16

17 This bill amends and supplements the statutes concerning the
18 homestead property tax benefit program, the homestead property
19 tax reimbursement program, and the Stay NJ property tax credit
20 program in order to implement the recommendations of the Stay NJ
21 Task Force. The statutes controlling the homestead property tax
22 benefit program also provide statutory authority for the Affordable
23 New Jersey Communities for Homeowners and Renters (ANCHOR)
24 Property Tax Relief Program established by the Fiscal Year 2023
25 Appropriations Act. The proposed changes to these statutes are
26 intended to align the various administrative and eligibility
27 requirements methods for these programs in order to provide for the
28 efficient implementation of property tax benefits.

29

30 *Age and Residency Requirements.* Current law establishes a
31 different statutory residency date for qualification under each
32 property tax relief program. In order to provide consistency in
33 these dates, the bill amends current law to require an eligible
34 claimant to be a resident of New Jersey as of December 31 of the
35 year for which a benefit is sought. The bill also requires senior
36 citizens participating in each program to be age 65 as of December
37 31 of the benefit year.

38

39 *Application Process and Timeline.* Current law establishes
40 different application timelines for each property tax relief program.
41 The bill amends current law to provide that the period during which
42 an eligible claimant may submit the combined property tax relief
43 application will run from February 1 through October 31 of each
44 year. The bill also requires the Director of the Division of Taxation
45 in the Department of the Treasury to promulgate a single combined
46 application, to be used for all three programs, by no later than
47 February 1, 2026. To the extent practicable, the bill requires this

1 single combined application to resemble the application currently
2 used for the homestead property tax reimbursement program.

3
4 *Benefit Calculation.* The bill alters the method for determining
5 the amount of an eligible claimant's Stay NJ property tax credit.
6 Current law entitles an eligible claimant to the greater of the Stay
7 NJ property tax credit or the combined amount of the ANCHOR
8 property tax rebate and the homestead property tax reimbursement.
9 The maximum Stay NJ property tax credit is 50 percent of an
10 eligible claimant's property tax bill, not to exceed a maximum
11 amount of \$6,500 in tax year 2026, with annual adjustments based
12 on the annual increase in the average residential property tax bill.

13 Under the bill, if the sum total of an eligible claimant's
14 homestead property tax reimbursement and ANCHOR property tax
15 rebate exceeds the lesser of 50 percent of their property tax bill or
16 the maximum benefit amount, then the eligible claimant will not
17 receive an additional Stay NJ credit. If the combined amount of the
18 homestead property tax benefit and ANCHOR property tax rebate is
19 less than the Stay NJ benefit amount, then the eligible claimant will
20 receive a Stay NJ property tax credit equal to 50 percent of their
21 property tax bill, not to exceed the maximum benefit amount, less
22 the sum total of their homestead property tax reimbursement and
23 ANCHOR property tax benefit.

24
25 *Benefit Distribution.* Under current law, eligible claimants
26 receive benefit payments under each of the property tax relief
27 programs at different times. The bill requires the sequential
28 distribution of property tax benefits in accordance with a statutory
29 schedule, with the homestead property tax reimbursement provided
30 beginning in July, ANCHOR property tax rebates provided
31 beginning in September, and the Stay NJ property tax credit
32 provided beginning in November.

33 Additionally, current law requires a Stay NJ benefit to be
34 provided as a credit against an eligible claimant's property tax bill.
35 The bill allows benefits distributed through each of property tax
36 relief program to be provided through check, direct deposit, or as a
37 property tax credit. The bill allows municipalities and the Division
38 of Taxation in the Department of the Treasury to share unredacted
39 property tax information for the purpose of calculating and
40 distributing property tax credits.

41
42 *Calculation of Income.* Under current law there are different
43 methods of calculating income to determine eligibility for the
44 homestead property tax reimbursement and the Stay NJ property tax
45 credit. For the homestead property tax reimbursement, income is
46 determined based on an eligible claimant's total income, including
47 income that is excluded in gross income under the "New Jersey
48 Gross Income Tax Act," N.J.S.54A:1-1 et seq. For the Stay NJ

1 property tax credit, income is determined based on an eligible
2 claimant's gross income, which does not include income that is
3 excluded from gross income under the "New Jersey Gross Income
4 Tax Act," N.J.S.54A:1-1 et seq.

5 The bill establishes a uniform definition of income for purposes
6 of determining eligibility for the homestead property tax
7 reimbursement and the Stay NJ property tax credit. Under the new
8 definition, an eligible claimant's income will be determined using
9 gross income plus income from the following sources that are
10 excluded from income under current law: (1) all payments
11 received under the federal Social Security Act; (2) pension and
12 annuity income; (3) interest income; (4) other retirement income;
13 and (5) distributions from a Roth Individual Retirement Account.
14 Since Social Security payments are excluded from gross income and
15 not reported on annual gross income tax returns, the bill requires
16 eligible claimants to report those amounts when they apply for
17 property tax benefits.

18

19 *Budgetary Surplus Target.* Current law establishes the
20 maintenance of a budgetary surplus of 12 percent of total
21 expenditures from the General Fund and Property Tax Relief Fund
22 in a given State fiscal year as one of the prerequisites for funding
23 and implementing the Stay NJ property tax credit program. Total
24 expenditures from the General Fund and Property Tax Relief Fund
25 are usually not quantifiable until publication of the Annual
26 Comprehensive Financial Report for each fiscal year. In order to
27 establish an identifiable and measurable amount for determining
28 whether the budgetary surplus target is satisfied for each fiscal year,
29 the bill requires the maintenance of a budgetary surplus of 12
30 percent of total appropriations from the General Fund and Property
31 Tax Relief Fund. Total appropriations from the General Fund and
32 Property Tax Relief Fund are calculated and published in the annual
33 Appropriations Act.

34

35 *Gross Income Tax Deduction for Property Taxes.* Current law
36 allows taxpayers to deduct up to \$15,000 from gross income for
37 property taxes paid in a tax year. According to guidance published
38 by the Division of Taxation, taxpayers are not required to deduct
39 property tax relief payments from the amount of property taxes
40 deducted from gross income. In order to prevent taxpayers from
41 deducting from their gross income property taxes they did not pay
42 due to the receipt of a property tax credit, the bill amends current
43 law to clarify that amounts deducted from gross income will be
44 limited to the property taxes paid by the taxpayer, as opposed to the
45 amounts billed.

46

47 *Program Administration.* The bill requires the Director of the
48 Division of Taxation, in consultation with other State and local

1 officials, to develop a process for the payment of benefits provided
2 through the homestead property tax reimbursement program and the
3 Stay NJ program as property tax credits.

4 The bill also requires the Stay NJ Task Force to continue to meet
5 monthly to assist the Director of the Division of Taxation in
6 developing this process and collecting information from local
7 officials regarding how to effectively implement property tax
8 credits in future years for those programs. Under current law, the
9 task force would otherwise be required to disband 30 days after the
10 enactment of this bill.

[First Reprint]

ASSEMBLY, No. 4706

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 26, 2024

Sponsored by:

Assemblyman CRAIG J. COUGHLIN

District 19 (Middlesex)

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblywoman LISA SWAIN

District 38 (Bergen)

Assemblywoman ANDREA KATZ

District 8 (Atlantic and Burlington)

Assemblywoman MARGIE DONLON, M.D.

District 11 (Monmouth)

Assemblywoman LUANNE M. PETERPAUL

District 11 (Monmouth)

Assemblyman DAVID BAILEY, JR.

District 3 (Cumberland, Gloucester and Salem)

Assemblywoman HEATHER SIMMONS

District 3 (Cumberland, Gloucester and Salem)

Assemblywoman MITCHELLE DRULIS

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Senator NICHOLAS P. SCUTARI

District 22 (Somerset and Union)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

**Assemblywomen Reynolds-Jackson, Murphy, Assemblyman Miller,
Assemblywoman Lampitt and Senator Diegnan**

SYNOPSIS

Revises statutes implementing certain property tax relief programs pursuant to recommendations promulgated by Stay NJ Task Force.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on October 7, 2024, with amendments.

(Sponsorship Updated As Of: 10/28/2024)

1 AN ACT concerning the Stay NJ property tax benefit program and
2 amending and supplementing various parts of the statutory law.

3

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

6

7 1. Section 2 of P.L.2023, c.75 (C.54:4-8.75b) is amended to read
8 as follows:

9 2. As used in this act:

10 “ANCHOR” means the Affordable New Jersey Communities for
11 Homeowners and Renters Property Tax Relief Program.

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

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

21 "Director" means the Director of the Division of Taxation in the
22 Department of the Treasury.

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

28 "Eligible claimant" means ¹**[an individual]** a State resident¹ who
29 is 65 or more years of age on or before December 31, 2024 or who is
30 65 or more years of age on or before December 31 of any subsequent
31 benefit year, who is the owner for at least one full tax year of a
32 homestead in this State on or after [July 1, 2024] December 31, 2023
33 and any subsequent benefit year, and who has [gross] income for the
34 prior tax year that is less than \$500,000.

35 **[**"Gross income" means all New Jersey gross income required to
36 be reported pursuant to the "New Jersey Gross Income Tax Act,"
37 N.J.S.54A:1-1 et seq., other than income excludable from the gross
38 income tax return, but before reduction thereof by any applicable
39 exemptions, deductions and credits, received during the taxable year
40 by the owner or residential shareholder in, or lessee of, a homestead.**]**

41 "Homestead" means:

42 a. a dwelling house and the land on which that dwelling house is
43 located which constitutes the place of the eligible claimant's domicile
44 and is owned and used by the eligible claimant as the eligible
45 claimant's principal residence;

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:

¹**Senate SBA committee amendments adopted October 7, 2024.**

1 b. a condominium unit or a unit in a horizontal property regime or
2 a continuing care retirement community which constitutes the place of
3 the eligible claimant's domicile and is owned and used by the eligible
4 claimant as the eligible claimant's principal residence. In addition to
5 the generally accepted meaning of "owned" or "ownership," a
6 homestead shall be deemed to be owned by a person if that person is a
7 tenant for life or a tenant under a lease for 99 years or more, is entitled
8 to and actually takes possession of the homestead under an executory
9 contract for the sale thereof or under an agreement with a lending
10 institution which holds title as security for a loan, or is a resident of a
11 continuing care retirement community pursuant to a contract for
12 continuing care for the life of that person which requires the resident to
13 bear, separately from any other charges, the proportionate share of
14 property taxes attributable to the unit that the resident occupies; or

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

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

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

26 "Income" means all New Jersey gross income required to be
27 reported pursuant to the "New Jersey Gross Income Tax Act,"
28 N.J.S.54A:1-1 et seq., before the application of any authorized
29 exclusion or deduction, except also including: interest income
30 excluded from taxation pursuant to N.J.S.54A:6-14; pension and
31 annuity income excluded from taxation pursuant to N.J.S.54A:6-10;
32 income derived from distributions from or roll overs to a Roth IRA
33 excluded from taxation pursuant to N.J.S.54A:6-28; other retirement
34 income excluded from taxation pursuant to N.J.S.54A:6-15; and Social
35 Security income excluded from taxation pursuant to N.J.S.54A:6-2, as
36 self-reported by the homeowner.

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

43 "Principal residence" means a homestead actually and continually
44 occupied by an eligible claimant as the eligible claimant's permanent
45 residence, including a homestead on which an eligible claimant made
46 one or more payments in lieu of taxes to the municipality in which the
47 homestead is located, as distinguished from a vacation home, property

1 owned and rented or offered for rent by the eligible claimant, and other
2 secondary real property holdings.

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

7 "State resident" or "resident" means an individual:

8 a. who is domiciled in this State, unless the individual maintains
9 no permanent place of abode in this State, maintains a permanent place
10 of abode elsewhere, and spends in the aggregate no more than 30 days
11 of the tax year in this State; or

12 b. who is not domiciled in this State but maintains a permanent
13 place of abode in this State and spends in the aggregate more than 183
14 days of the tax year in this State, unless the individual is in the Armed
15 Forces of the United States.

16 "Stay NJ property tax credit" means a property tax credit **in the**
17 **amount of 50 percent of** applied to an eligible claimant's property tax
18 **bill in accordance with the provisions of the "Stay NJ Act," P.L.2023,**
19 **c.75 (C.54:4-8.75a et al.).**

20 "Task force" means the Stay NJ Task Force established pursuant to
21 section 18 of P.L.2023, c.75 (C.54:4-8.75o).

22 "Tax year" or "taxable year" means the prior calendar year,
23 January 1 through December 31, in which a homestead is assessed for
24 property taxation and the property tax is levied thereon, and paid.

25 "Tax year quarter" means a three-month period of a tax year
26 consisting of January 1 through March 31, April 1 through June 30,
27 July 1 through September 30, and October 1 through December 31.

28 (cf: P.L.2023, c.75, s.2)

29

30 2. Section 3 of P.L.2023, c.75 (C.54:4-8.75c) is amended to read
31 as follows:

32 3. a. (1) There is established the Stay NJ property tax credit
33 program. The director shall administer the Stay NJ property tax credit
34 that shall provide to an eligible claimant a property tax credit in the
35 amount of 50 percent of the property tax **paid for** billed to the
36 eligible claimant's principal residence in the prior tax year, **except that**
37 the amount of the credit ¹, together with the combined amount of the
38 ANCHOR rebate and the homestead property tax reimbursement
39 received by the eligible claimant for the tax year,¹ shall not exceed the
40 maximum amount allowable for the tax year pursuant to subsection c.
41 of this section ¹, or the combined amount of the ANCHOR rebate and
42 the homestead property tax reimbursement received by the eligible
43 claimant for the tax year¹.

44 (2) ¹Nothing in this section shall be deemed to limit the amount of
45 the homestead property tax reimbursement or ANCHOR rebate that
46 shall be paid to an eligible claimant for any tax year in which the
47 combined value of the homestead property tax reimbursement and

1 ANCHOR rebate exceeds the amount of the maximum allowable Stay
2 NJ property tax credit, as determined pursuant to subsection c. of this
3 section.

4 (3)¹ A Stay NJ property tax credit for an eligible claimant who is a
5 tenant shareholder in a cooperative, mutual housing organization, or
6 continuing care retirement community shall be based on the eligible
7 claimant's proportionate share of the property taxes assessed against
8 that real property that are attributable to the eligible claimant's unit.
9 Property tax credits shall be allowed pursuant to this section in relation
10 to the property taxes **【paid】 billed** or allocable to an eligible claimant
11 who has more than one homestead in a tax year, but the aggregate
12 amount of the property taxes or property tax credits claimed shall not
13 exceed the total proportionate amounts of property taxes assessed and
14 levied against or allocable to each homestead for the proportion of the
15 tax year quarter to which the taxpayer occupies it as the taxpayer's
16 principle residence.

17 b. The amount of the Stay NJ property tax credit shall be
18 calculated for each eligible claimant by the director, and shall be paid
19 **【to the tax collector of the municipality in which the eligible**
20 **claimant's homestead is located pursuant to】** in accordance with the
21 provisions of **【subsection a. of】** section 5 of P.L.2023, c.75 (C.54:4-
22 8.75e).

23 c. **【Notwithstanding the provisions of P.L.2023, c.75 (C.54:4-**
24 **8.75a et al.) that require an annual property tax credit in the amount of**
25 **50 percent of the property tax paid on an eligible claimant's**
26 **homestead, the】** The maximum amount to be credited to an eligible
27 claimant shall be \$6,500 **【in】** for tax year 2026 **【,** if there is no delay
28 in implementation as may occur pursuant to section 19 of P.L.2023,
29 c.75 (C.54:4-8.75p). For every tax year after the year in which the
30 Stay NJ property tax credit program is first implemented,】 ; and for
31 each tax year thereafter, the maximum amount to be credited to an
32 eligible claimant shall be increased based on the annual percentage
33 increase in the average residential property tax bill as shall be
34 computed by the Director of the Division of Local Government
35 Services in the Department of Community Affairs.

36 **【An】** d. Except as otherwise provided in subsection a. of section
37 5 of P.L.2023, c.75 (C.54:4-8.75e), an eligible claimant shall be
38 entitled to a Stay NJ property tax credit annually, on proper claim
39 being made therefor to the director. Notwithstanding any provision of
40 P.L.2023, c.75 (C.54:4-8.75a et al.) to the contrary, the amount of
41 property taxes used to determine the amount of the Stay NJ property
42 tax credit shall not be reduced by the amount of the deductions taken
43 by an eligible claimant pursuant to P.L.1963, c.171 (C.54:4-8.10 to
44 54:4-8.23) and P.L.1964, c.255 (C.54:4-8.40 to 54:4-8.45 et al.). The
45 surviving spouse of a deceased resident of this State who during his or
46 her life received a Stay NJ property tax credit shall be entitled, so long
47 as the surviving spouse does not remarry, remains a resident in the

1 same homestead with respect to which the Stay NJ property tax credit
2 was granted, and is an eligible claimant, to the same Stay NJ property
3 tax credit, upon the same conditions, with respect to the same
4 homestead.

5 (cf: P.L.2023, c.75, s.3)

6

7 3. Section 4 of P.L.2023, c.75 (C.54:4-8.75d) is amended to read
8 as follows:

9 4. a. Not later than **【July】** February 1, 2025, **【if there is no delay**
10 **in implementation as may occur pursuant to section 19 of P.L.2023,**
11 **c.75 (C.54:4-8.75p),】** the director shall promulgate a combined single
12 application form consistent with the requirements of section 6 of
13 P.L.2023, c.75 (C.54:4-8.75f) and the recommendations of the Stay NJ
14 Task Force established pursuant to section 18 of P.L.2023, c.75
15 (C.54:4-8.75o) **【,】** that shall be available on and after that date to be
16 used by State residents to apply for the Stay NJ property tax credit, the
17 ANCHOR property tax rebate, and the homestead property tax
18 reimbursement program. Applications shall be accepted by the
19 Director of the Division of Taxation from February 1 through October
20 31 of each year. State residents seeking property tax benefits under
21 those programs shall complete the entire application and file it with the
22 director. The director shall determine **【which property tax benefit**
23 **program or programs provide the greatest benefit for the applicant】** the
24 amount of the Stay NJ property tax credit, ANCHOR rebate, and
25 homestead property tax reimbursement, as applicable, provided to each
26 applicant pursuant to the requirements of subsection b. of this section.

27 b. **【Notwithstanding any provision of law, rule, or regulation to**
28 **the contrary, an applicant shall only be entitled to the greater of:**

29 (1) the amount of the Stay NJ property tax credit; or

30 (2) the combined amount of the ANCHOR property tax rebate and
31 the homestead property tax reimbursement.**】** The director shall
32 calculate the amount of each property tax benefit provided to an
33 eligible claimant for each tax year in the following manner:

34 (1) if the eligible claimant qualifies for an ANCHOR rebate, the
35 director shall first determine the amount of the eligible claimant's
36 ANCHOR rebate for the tax year, the full amount of which shall be
37 paid to the eligible claimant;

38 (2) if the eligible claimant qualifies for a homestead property tax
39 reimbursement, the director shall next determine the amount of the
40 eligible claimant's homestead property tax reimbursement for the tax
41 year, the full amount of which shall be paid to the eligible claimant;

42 (3) if the eligible claimant qualifies for a Stay NJ property tax
43 credit, the director shall then determine the amount of the eligible
44 claimant's Stay NJ property tax credit for the tax year, of which the
45 eligible claimant shall be paid an amount equal to 50 percent of the
46 property taxes billed to the eligible claimant, up to the maximum
47 amount permitted under section 3 of P.L.2023, c.75 (C.54:4-8.75c),

1 less the amounts paid to the eligible claimant pursuant to paragraphs
2 (1) and (2) of this subsection.

3 c. **【With respect to the homestead property tax reimbursement**
4 **program, the base year of an eligible claimant who receives a Stay NJ**
5 **property tax credit instead of a homestead property tax reimbursement**
6 **shall remain unchanged, notwithstanding the number of years that the**
7 **eligible claimant receives a Stay NJ property tax credit instead of a**
8 **homestead property tax reimbursement.】** (Deleted by
9 amendment, P.L. , c. (C.) (pending before the Legislature as
10 this bill)

11 d. (1) The director shall determine the amount of the Stay NJ
12 property tax credit that shall be provided for each eligible claimant
13 pursuant to P.L.2023, c.75 (C.54:4-8.75a et al.) based upon the
14 information provided by the eligible claimant in the application or
15 from any other information as may be available to the director and
16 shall notify the applicant ¹【, not later than October 15 of each year,】¹
17 of the determined amount, in 【such manner as the director may deem
18 appropriate】 writing ¹and at such time as the director may deem
19 appropriate¹ , together with a detailed calculation of the amount that
20 the eligible claimant is entitled to receive pursuant to subsection b. of
21 this section.

22 (2) The format of the written information to be provided by the
23 director shall be determined by the director and shall, at a minimum,
24 display: (a) the amount of the eligible claimant's property tax bill for
25 the tax year; (b) the amount of the ANCHOR rebate, homestead
26 property tax reimbursement, and Stay NJ property tax credit, as
27 applicable, that the eligible claimant is entitled to receive; and (c) the
28 actual property taxes that the eligible claimant shall pay in the tax year
29 after any property tax credits are applied against the eligible claimant's
30 property tax bill.

31 (3) Subject to the provisions of the State Uniform Tax Procedure
32 Law, R.S.54:48-1 et seq., such notification shall finally and
33 irrevocably fix the amount of the Stay NJ property tax credit unless the
34 applicant, within 90 days after having been given notice of such
35 determination, shall apply to the director for a hearing, or unless the
36 director shall redetermine the same. After such hearing the director
37 shall give notice of the final determination to the applicant.

38 e. An eligible claimant for a Stay NJ property tax credit
39 authorized under P.L.2023, c.75 (C.54:4-8.75a et al.) who is aggrieved
40 by any decision, order, finding, or denial by the director of all or part
41 of that eligible claimant's Stay NJ property tax credit may appeal
42 therefrom to the New Jersey Tax Court in accordance with the
43 provisions of the State Uniform Tax Procedure Law, R.S.54:48-1 et
44 seq. The appeal provided by this section shall be the exclusive remedy
45 available to an applicant for review of a decision of a director in
46 respect to the determination of all or a part of a Stay NJ property tax
47 credit authorized under P.L.2023, c.75 (C.54:4-8.75a et al.).

1 (cf: P.L.2023, c.75, s.4)

2 4. Section 5 of P.L.2023, c.75 (C.54:4-8.75e) is amended to read
3 as follows:

4 5. a. (1) The State Treasurer, upon certification of the director
5 and upon warrant of the Director of the Division of Budget and
6 Accounting, shall pay and distribute, on a quarterly basis, beginning
7 February 1, 2026, the amount of a Stay NJ property tax credit
8 payable under P.L.2023, c.75 (C.54:4-8.75a et al.) that is claimed
9 for the tax year by check or direct deposit payable to the eligible
10 claimant, or by a credit against the property tax bill of the eligible
11 claimant payable to the tax collector of the municipality in which
12 each eligible claimant whose credit is approved by the director is
13 located; provided, however, a credit due to an eligible claimant who
14 claimed a Stay NJ property tax credit pursuant to section 3 of
15 P.L.2023, c.75 (C.54:4-8.75c), and whose homestead is a unit in a
16 cooperative, mutual housing corporation, or continuing care
17 retirement community, shall be paid directly to the eligible claimant
18 by the State Treasurer by check or direct deposit. **[A]** In any year
19 that the director determines that a Stay NJ payment shall be made as
20 a credit, a Stay NJ property tax credit allowed by the director to an
21 eligible claimant who claimed a Stay NJ property tax credit
22 pursuant to section 3 of P.L.2023, c.75 (C.54:4-8.75c), and whose
23 homestead is not a unit in a cooperative, mutual housing
24 corporation, or continuing care retirement community, shall be paid
25 by the State Treasurer through electronic funds transfer made by the
26 director to the local property tax account maintained by the local
27 property tax collector for the homestead of an eligible claimant as
28 the eligible claimant shall identify, in four equal installments after
29 the application for the credit has been approved. The State
30 Treasurer shall pay and distribute Stay NJ property tax credit
31 payments to each municipal tax collector or eligible claimant, as
32 applicable, on a quarterly basis at least 10 days prior to the statutory
33 due date for each property tax year quarter payment. Notice of
34 payments of Stay NJ credit installments shall be provided to the
35 eligible claimant and the appropriate local tax collector.

36 (2) Notwithstanding the provisions of this section to the
37 contrary, for the first year in which the Stay NJ property tax
38 program is implemented, each Stay NJ property tax credit awarded
39 an eligible claimant shall be paid and distributed by check or direct
40 deposit.

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

1 tax taxpayer on account of Stay NJ property tax credit payments.
2 (cf: P.L.2023, c.75, s.5)

3

4 5. Section 6 of P.L.2023, c.75 (C.54:4-8.75f) is amended to read
5 as follows:

6 6. a. (1) Notwithstanding the provisions of section 6 of
7 P.L.1990, c.61 (C.54:4-8.62) and section 3 of P.L.1997, c.348
8 (C.54:4-8.70) concerning the form and deadline of applications for
9 the ANCHOR rebate program and the homestead property tax
10 reimbursement, the director shall promulgate, not later than
11 February 1, 2025, a single combined application form to be used by
12 State residents to apply for the ANCHOR rebate program, the
13 homestead property tax reimbursement program, and the Stay NJ
14 property tax credit in accordance with the recommendations of the
15 Stay NJ Task Force established pursuant to section 18 of P.L.2023,
16 c.75 (C.54:4-8.75o).

17 **【The】** (2) To the extent practicable, the single combined
18 application shall resemble the form and manner of the application
19 for the homestead property tax reimbursement program, as created
20 pursuant to section 3 of P.L.1997, c.348 (C.54:4-8.70), except that
21 the single combined application form shall, at a minimum, require
22 the applicant to submit information about his or her age, annual
23 income, including the amount of Social Security payments received
24 by the applicant, homestead property address, as well as any other
25 information determined necessary by the director in order to
26 approve or disapprove the applicant's participation in those
27 programs.

28 (3) The combined application form shall also advise the
29 applicant that the director shall determine the eligibility of an
30 applicant to receive an ANCHOR rebate, a homestead property tax
31 reimbursement, or a Stay NJ property tax credit, or any combination
32 thereof. The director shall, for good cause shown, extend the time
33 of any applicant to file an application for a reasonable period, and
34 in such case, the application shall be processed and payment of an
35 ANCHOR rebate, homestead property tax reimbursement, or a Stay
36 NJ property tax credit, or any combination thereof, made in
37 accordance with the procedures established in the case of
38 applications timely filed, except the date for the payment may be
39 delayed for a reasonable period. If an applicant or an applicant's
40 spouse has filed an application for an extension of time to file a
41 gross income tax return, the date by which the applicant shall file an
42 application may, in the discretion of the director, be extended for a
43 reasonable period, and the date for the payment of an ANCHOR
44 rebate, homestead property tax reimbursement, or a Stay NJ
45 property tax credit, or any combination thereof, may be delayed for
46 a reasonable period. A State resident seeking property tax benefits
47 under any of those programs shall accurately complete the entire
48 application and file it with the director.

1 (4) For purposes of this subsection, in order to establish good
2 cause to extend the time of an eligible claimant to file an
3 application, the eligible claimant shall provide to the director either
4 medical evidence, such as a doctor's certification, that the claimant
5 was unable to file the claim by the date prescribed by the director
6 because of illness or hospitalization, or evidence that the applicant
7 attempted to file a timely application. Except as may be established
8 by medical evidence or inability to file a claim, good cause shall not
9 be established due to a claimant not having received an application
10 from the director.

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

22 c. If an application contains a claim for a Stay NJ property tax
23 credit that contains incorrect information from the claimant or is
24 based upon incorrect or insufficient information from which the
25 director is to determine and approve the claim, the director may
26 determine the eligibility of the claimant for a Stay NJ property tax
27 credit and the correct amount of a Stay NJ property tax credit from
28 such other information as may be available to the director.

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

39 (cf: P.L.2023, c.75, s.6)

40

41 6. Section 10 of P.L.2023, c.75 (C.54:4-8.75j) is amended to
42 read as follows:

43 10. a. Except as provided in subsection b. of this section, a
44 person who receives a Stay NJ property tax credit otherwise
45 authorized under this act but which has been paid in error and
46 which is recoverable by the director, and fails to return the payment
47 within 45 days of receiving notice from the director that such
48 payment was erroneous, shall pay, in addition to the amount of the

1 erroneous credit, interest at the rate prescribed in R.S.54:49-3,
2 assessed for each month or fraction thereof, compounded annually
3 at the end of each year, from the date next following the 45th day
4 after receiving the notice from the director that such payment was
5 erroneous until the date of the return of the erroneous payment.

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

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

22 (cf: P.L.2023, c.75, s.10)

23

24 7. Section 16 of P.L.2023, c.75 (C.54:4-8.75m) is amended to
25 read as follows:

26 16. a. The Department of the Treasury shall establish a
27 dedicated, nonlapsing account for the purpose of providing property
28 tax benefits to homestead owners **and tenants** 65 years of age or
29 older **on their principal residences, whether owned or rented**. All
30 moneys deposited into the account shall be used for the payment of
31 property tax benefits in accordance with subsection c. of this
32 section.

33 b. (1) There is appropriated to the account established by
34 subsection a. of this section in State Fiscal Year 2024,
35 \$100,000,000 for the purpose of providing property tax benefits in
36 accordance with subsection c. of this section, subject to the
37 approval of the Director of the Division of Budgeting and
38 Accounting in the Department of the Treasury.

39 (2) The annual appropriations act for State Fiscal Year 2025
40 shall include an appropriation to the account established by
41 subsection a. of this section, in an amount not to exceed
42 \$200,000,000 for the purpose of providing property tax benefits in
43 accordance with subsection c. of this section.

44 (3) The annual appropriations act for State Fiscal Year 2026
45 shall include an appropriation to the account established by
46 subsection a. of this section, in an amount not to exceed
47 \$300,000,000 for the purpose of providing property tax benefits in
48 accordance with subsection c. of this section.

1 c. Beginning in State Fiscal Year 2026, moneys in the account
2 established by subsection a. of this section shall be appropriated
3 solely for the Stay NJ property tax credit program established
4 pursuant to section 3 of P.L.2023, c.75 (C.54:4-8.75c).
5 (cf: P.L.2023, c.75, s.16)
6

7 8. Section 17 of P.L.2023, c.75 (C.54:4-8.75n) is amended to
8 read as follows:

9 17. The **amendatory and supplementary provisions of**
10 appropriation of funds necessary to support the provision of
11 property tax relief under the Stay NJ property tax credit program as
12 provided under sections 1 through 16 of P.L.2023, c.75 (C.54:4-
13 8.75a et al.), as amended and supplemented by P.L. , c. (C.)
14 (pending before the Legislature as this bill), shall not supersede,
15 impact, or interfere with any of the following:

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

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

25 c. the full funding of the senior citizens' and disabled persons'
26 \$250 property tax deduction authorized by Article VIII, Section I,
27 paragraph 4 of the New Jersey Constitution;

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

30 e. the maintenance of a budgetary surplus target of no less than
31 12 percent of total **expenditures** appropriations from the General
32 Fund and the Property Tax Relief Fund in a given State fiscal year.
33 (cf: P.L.2023, c.75, s.17)
34

35 9. Section 18 of P.L.2023, c.75 (C.54:4-8.75o) is amended to
36 read as follows:

37 18. a. There is established in the Department of the Treasury
38 the Stay NJ Task Force. The purpose of the task force shall be to
39 develop recommendations for establishing and funding uniform
40 property tax relief to all senior citizen homeowners **and tenants**
41 making under \$500,000 per year. The task force shall review all of
42 the existing property tax relief programs and present, to the
43 Governor and the Legislature, no later than May 30, 2024, a report
44 containing recommendations about how to restructure, and
45 consolidate, the various property tax relief programs into one,
46 streamlined, property tax relief program that would deliver to senior
47 citizens having an annual gross income under \$500,000 an annual
48 property tax benefit, which for homeowners shall be in the amount

1 of 50 percent of the property tax bill on their principal residence,
2 beginning with the tax year 2026, which commences on January 1
3 of that year. The report shall include recommendations concerning
4 system improvements that both the State and local government units
5 would need to implement the Stay NJ property tax credit program
6 and the funding required to establish and maintain such system
7 improvements. The task force shall provide recommendations that
8 have a target implementation date of January 1, 2026.

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

11 The State Treasurer, or the State Treasurer's designee, who shall
12 serve ex officio;

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

15 One public member, who shall be appointed by the Governor,
16 who may be an employee of the Executive Branch of State
17 government;

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

20 One public member who shall be appointed by the Governor
21 upon the recommendation of the Speaker of the General Assembly;
22 and

23 One public member who shall be appointed by the Governor
24 upon the joint recommendation of the Senate President and the
25 Speaker of the General Assembly.

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

36 The task force shall organize as expeditiously as practicable
37 following the appointment of all its public members. Appointments
38 to the task force shall be made in an expeditious manner to ensure
39 the task force has sufficient time to make the recommendations
40 required by this section in order to facilitate implementation of the
41 Stay NJ program on or before the dates set forth in P.L.2023, c.75
42 (C.54:4-8.75a et al.).

43 c. The Governor shall appoint an executive director, who shall
44 be employed by the task force and paid by the task force from funds
45 appropriated for its use pursuant to P.L.2023, c.75 (C.54:4-8.75a et
46 al.).

47 The Department of the Treasury shall provide staff support to the
48 task force. The task force shall be entitled to call to its assistance

1 and avail itself of the services of the employees of any State,
2 county, or municipal department, board, bureau, commission, or
3 agency as the task force may require and as may be available to the
4 task force for its purposes. The task force may consult with experts
5 or other knowledgeable individuals in the public or private sector
6 on any aspect of its mission outlined in this section; provided,
7 however, any services, professional or otherwise, that the task force
8 requires shall be procured by the Department of the Treasury.

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

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

29 e. **【The】** Following the issuance of its report, the task force
30 shall **【disband on the 30th day after the enactment of legislation in**
31 **response to the Stay NJ Task Force pursuant to section 19 of**
32 **P.L.2023, c.75 (C.54:4-8.75p)】** continue to meet not less than once
33 per calendar quarter for the purpose of assisting the Director of the
34 Division of Taxation in the Department of the Treasury in
35 developing a process to implement a property tax credit for the
36 payment of benefits under the homestead property tax
37 reimbursement program and the Stay NJ property tax credit
38 program, and collecting information from local officials regarding
39 how to effectively implement property tax credits in future years for
40 those programs, as required pursuant to the provisions of section 11
41 of P.L. , c. (C.) (pending before the Legislature as this bill).
42 (cf: P.L.2023, c.75, s.18)

43
44 10. Section 19 of P.L.2023, c.75 (C.54:4-8.75p) is amended to
45 read as follows:

46 19. After the Legislature and the Governor review the Stay NJ
47 Task Force's recommendations and determine such
48 recommendations are appropriate, the Legislature shall consider and

1 approve, and the Governor shall enact, the legislation recommended
2 by the Stay NJ Task Force, or legislation substantially similar to the
3 legislation recommended by the task force, regarding the objectives
4 set forth in section 18 of P.L.2023, c.75 (C.54:4-8.75o) not later
5 than 90 days prior to ~~July~~ February 1, 2025, the date by which the
6 State Treasurer shall be required to produce the application for the
7 Stay NJ program in ~~2026~~ 2025 pursuant to section 4 of P.L.2023,
8 c.75 (C.54:4-8.75d). **Notwithstanding the provisions of this act or**
9 **any law to the contrary, if the Legislature and the Governor fail: (1)**
10 **to enact legislation following the release of the task force's report or**
11 **(2) to enact legislation that the Governor and Legislature deem**
12 **appropriate which otherwise addresses the issues the task force is**
13 **required to consider pursuant to section 18 of P.L.2023, c.75**
14 **(C.54:4-8.75o), then promulgation of a combined single application**
15 **form shall not be required on or before the date set forth in section**
16 **4 of P.L.2023, c.75 (C.54:4-8.75d) and the implementation of the**
17 **Stay NJ property tax credit program shall be delayed until the**
18 **enactment of such legislation.** **】** If legislation is enacted after the
19 90th day preceding ~~July~~ February 1, 2025, then promulgation of a
20 combined single application form shall be required no earlier than
21 the 91st day next following the enactment of such legislation and
22 the implementation of the Stay NJ property tax credit program shall
23 begin no earlier than the first tax year quarter beginning no less
24 than six months following the promulgation of the combined single
25 application form.

26 (cf: P.L.2023, c.75, s.19)

27

28 11. (New section) a. After the effective date of
29 P.L. , c. (C.) (pending before the Legislature as this bill), the
30 Director of the Division of Taxation in the Department of the
31 Treasury, in consultation with the Director of the Division of Local
32 Government Services in the Department of Community Affairs and
33 local officials, shall develop a process to implement a property tax
34 credit for the payment of benefits under the homestead property tax
35 reimbursement program and the Stay NJ property tax credit
36 program. As a part of that process, the Director of the Division of
37 Taxation shall collect information from local officials regarding
38 how to effectively implement property tax credits in future years for
39 those programs. The collection of such information may include,
40 but shall not be limited to, the administration of a standardized
41 survey data collection instrument.

42 b. Notwithstanding the provisions of subsection a. of this section
43 regarding the development of a process for implementing property
44 tax credits, the Director of the Division of Taxation shall also
45 determine the feasibility of allowing eligible claimants for
46 homestead property tax reimbursement and Stay NJ property tax

1 credits to choose to continue to receive annual checks or direct
2 deposits into a bank account instead of a property tax credit.

3

4 12. Section 1 of P.L.1990, c.61 (C.54:4-8.57) is amended to read
5 as follows:

6 1. Sections 1 through 10 of P.L.1990, c.61 (C.54:4-8.57 through
7 54:4-8.66) and sections 3, 14 through 16, 18 and 19 of P.L.1999,
8 c.63 (C.54:4-8.58a and C.54:4-8.66a through C.54:4-8.66e) shall be
9 known and may be cited as the "ANCHOR Homestead Property Tax
10 Credit Act" **■**; provided, however, that on and after the first day of
11 the first tax year quarter in which the Stay NJ property tax credit
12 program is implemented, those sections shall be known and may be
13 cited as the "Stay NJ Act." **■**.
14 (cf: P.L.2023, c.75, s.20)

15

16 13. Section 2 of P.L.1990, c.61 (C.54:4-8.58) is amended to read
17 as follows:

18 2. As used in sections 2 through 10 of P.L.1990, c.61 (C.54:4-
19 8.58 through 54:4-8.66) and sections 3 and 14 through 16 of
20 P.L.1999, c.63 (C.54:4-8.58a and 54:4-8.66a through C.54:4-8.66c),
21 and where the context requires, as may be applicable to the
22 Affordable New Jersey Communities for Homeowners and Renters
23 (ANCHOR) Property Tax Relief Program:

24 "Annualized rent" means, for tax years 2004 and thereafter, the
25 rent paid by the claimant during the tax year for which the
26 homestead rebate is being claimed, and if paid for a lease term
27 covering less than the full tax year, the actual rent paid for the days
28 during the term of the lease of the homestead proportionalized as if
29 the term of the lease had been for 365 days of the tax year;

30 "Arm's-length transaction" means a transaction in which the
31 parties are dealing from equal bargaining positions, neither party is
32 subject to the other's control or dominant influence, and the
33 transaction is entirely legal in all respects and is treated with
34 fairness and integrity;

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

38 "Continuing care retirement community" means a residential
39 facility primarily for retired persons where lodging and nursing,
40 medical or other health related services at the same or another
41 location are provided as continuing care to an individual pursuant to
42 an agreement effective for the life of the individual or for a period
43 greater than one year, including mutually terminable contracts, and
44 in consideration of the payment of an entrance fee with or without
45 other periodic charges;

46 "Cooperative" means a housing corporation or association which
47 entitles the holder of a share or membership interest thereof to
48 possess and occupy for dwelling purposes a house, apartment,

1 manufactured or mobile home or other unit of housing owned or
2 leased by the corporation or association, or to lease or purchase a
3 unit of housing constructed or to be constructed by the corporation
4 or association;

5 "Director" means the Director of the Division of Taxation in the
6 Department of the Treasury;

7 "Dwelling house" means any residential property assessed as real
8 property which consists of not more than four units, of which not
9 more than one may be used for commercial purposes, but shall not
10 include a unit in a condominium, cooperative, horizontal property
11 regime or mutual housing corporation;

12 "Homestead" means:

13 a. (1) a dwelling house and the land on which that dwelling
14 house is located which constitutes the place of the claimant's
15 domicile and is owned and used by the claimant as the claimant's
16 principal residence;

17 (2) a dwelling house situated on land owned by a person other
18 than the claimant which constitutes the place of the claimant's
19 domicile and is owned and used by the claimant as the claimant's
20 principal residence;

21 (3) a condominium unit or a unit in a horizontal property regime
22 which constitutes the place of the claimant's domicile and is owned
23 and used by the claimant as the claimant's principal residence;

24 (4) for purposes of this definition as provided in this subsection,
25 in addition to the generally accepted meaning of owned or
26 ownership, a homestead shall be deemed to be owned by a person if
27 that person is a tenant for life or a tenant under a lease for 99 years
28 or more and is entitled to and actually takes possession of the
29 homestead under an executory contract for the sale thereof or under
30 an agreement with a lending institution which holds title as security
31 for a loan, or is a resident of a continuing care retirement
32 community pursuant to a contract for continuing care for the life of
33 that person which requires the resident to bear a share of the
34 property taxes that are assessed upon the continuing care retirement
35 community, if a share is attributable to the unit that the resident
36 occupies;

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

42 c. a unit of residential rental property which unit constitutes the
43 place of the claimant's domicile and is used by the claimant as the
44 claimant's principal residence;

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

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

8 "Manufactured home" or "mobile home" means a unit of housing
9 which:

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

13 (2) Is built on a permanent chassis;

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

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

24 "Mobile home park" means a parcel of land, or two or more
25 parcels of land, containing no fewer than 10 sites equipped for the
26 installation of manufactured or mobile homes, where these sites are
27 under common ownership and control for the purpose of leasing
28 each site to the owner of a manufactured or mobile home for the
29 installation thereof, and where the owner or owners provide
30 services, which are provided by the municipality in which the park
31 is located for property owners outside the park, which services may
32 include but shall not be limited to:

33 (1) The construction and maintenance of streets;

34 (2) Lighting of streets and other common areas;

35 (3) Garbage removal;

36 (4) Snow removal; and

37 (5) Provisions for the drainage of surface water from home sites
38 and common areas;

39 "Mutual housing corporation" means a corporation not-for-profit,
40 incorporated under the laws of this State on a mutual or cooperative
41 basis within the scope of section 607 of the Lanham Act (National
42 Defense Housing), Pub.L.849, 76th Congress (42 U.S.C. s.1521 et
43 seq.), as amended, which acquired a National Defense Housing
44 Project pursuant to that act;

45 "Principal residence" means a homestead actually and
46 continually occupied by a claimant as the claimant's permanent
47 residence, as distinguished from a vacation home, property owned

1 and rented or offered for rent by the claimant, and other secondary
2 real property holdings;

3 "Property tax" means payments to a municipality based upon an
4 assessment made by the municipality upon real property on an ad
5 valorem basis on land and improvements, and shall include the
6 amount of property tax credit as defined in section 1 of P.L.2018,
7 c.11 (C.54:4-66.6), but shall not include payments made in lieu of
8 taxes;

9 "Rent" means the amount due in an arm's-length transaction
10 solely for the right of occupancy of a homestead that is a unit of
11 residential rental property. Rent shall not include any amount paid
12 under the federal Housing Choice Voucher (Section 8) Program or
13 paid as a rental assistance grant under section 1 of P.L.2004, c.140
14 (C.52:27D-287.1). If the director finds that the parties in a rental
15 transaction have not dealt with each other in an arm's-length
16 transaction and that the rent due was excessive, the director may,
17 for purposes of the homestead rebate claim, adjust the rent claimed
18 in the homestead rebate application to a reasonable amount of rent;

19 "Rent constituting property taxes" means 18% of the rent paid by
20 the homestead rebate claimant during the tax year on a unit of
21 residential rental property which constitutes the claimant's
22 homestead, and in the case of a manufactured home or mobile home
23 in a mobile home park which constitutes the claimant's homestead
24 means 18% of the site fee paid by the claimant during the tax year
25 to the owner of the mobile home park. Provided however, that for
26 tax year 2004 and for each tax year thereafter, rent constituting
27 property taxes shall equal 18% of annualized rent, and in the case of
28 a manufactured home or mobile home in a mobile home park rent
29 constituting property taxes shall equal 18% of a similarly
30 annualized site fee;

31 "Resident" means an individual:

32 a. who is domiciled in this State, unless he maintains no
33 permanent place of abode in this State, maintains a permanent place
34 of abode elsewhere, and spends in the aggregate no more than 30
35 days of the tax year in this State; or

36 b. who is not domiciled in this State but maintains a permanent
37 place of abode in this State and spends in the aggregate more than
38 183 days of the tax year in this State, unless the individual is in the
39 Armed Forces of the United States;

40 "Residential rental property" means:

41 a. any building or structure or complex of buildings or
42 structures in which dwelling units are rented or leased or offered for
43 rental or lease for residential purposes;

44 b. a rooming house, hotel or motel, if the rooms constituting
45 the homestead are equipped with kitchen and bathroom facilities;

46 c. any building or structure or complex of buildings or
47 structures constructed under the following sections of the National
48 Housing Act (Pub.L.73-479) as amended and supplemented: section

1 202, Housing Act of 1959 (Pub.L.86-372) and as subsequently
2 amended, section 231, Housing Act of 1959; and

3 d. a site in a mobile home park equipped for the installation of
4 manufactured or mobile homes, where these sites are under
5 common ownership and control for the purpose of leasing each site
6 to the owner of a manufactured or mobile home for the installation
7 thereof;

8 "Residential shareholder in a cooperative or mutual housing
9 corporation" means a tenant or holder of a membership interest in
10 that cooperative or corporation, whose residential unit therein
11 constitutes the tenant or holder's domicile and principal residence,
12 and who may deduct real property taxes for purposes of federal
13 income tax pursuant to section 216 of the federal Internal Revenue
14 Code of 1986, 26 U.S.C. s.216; and

15 "Tax year" means the calendar year in which property taxes are
16 due and payable.

17 (cf: P.L.2018, c.11, s.10)

18

19 14. Section 3 of P.L.1999, c.63 (C.54:4-8.58a) is amended to
20 read as follows:

21 3. a. For tax year 2003, the director shall determine the amount
22 of the homestead rebate that shall be paid to each claimant pursuant
23 to P.L.1990, c.61 (C.54:4-8.57 et al.), and P.L.1999, c.63 (C.54:4-
24 8.58a et al.), as amended by P.L.2004, c.40, based upon the
25 information provided by the individual applicant in the application
26 for either a NJ SAVER rebate or for a homestead rebate, or from
27 any other information as may be available to the director in order
28 that each individual applicant shall be paid the homestead rebate
29 that may be allowed to the claimant pursuant to sections 3 through 5
30 of P.L.1990, c.61 (C.54:4-8.59 through 54:4-8.61), as the director
31 determines is appropriate.

32 b. (1) For tax year 2003, a resident of this State who has paid
33 property taxes for the tax year on a homestead that is owned as
34 such, who has filed an application for an NJ SAVER rebate
35 pursuant to the provisions of P.L.1999, c.63 (C.54:4-8.58a et al.), or
36 pursuant to that act as amended and supplemented by P.L.2004,
37 c.40, and who meets the prerequisites for an NJ SAVER rebate at
38 12:01 A.M. on October 1, 2003 for that tax year, shall be
39 considered to have applied for a homestead rebate and shall be
40 allowed a homestead rebate instead of an NJ SAVER rebate for that
41 tax year pursuant to P.L.1990, c.61 (C.54:4-8.57 et al.), and
42 P.L.1999, c.63 (C.54:4-8.58a et al.), as amended by P.L.2004, c.40.
43 An application for an NJ SAVER rebate shall be allowed as a
44 homestead rebate for a homestead the title to which is held by a
45 partnership, to the extent of the applicant's interest as a partner
46 therein, and by a guardian, trustee, committee, conservator or other
47 fiduciary for any individual who would otherwise be eligible for an
48 NJ SAVER rebate. An application for an NJ SAVER rebate shall

1 not be allowed for a homestead, the title to which is held partially
2 or entirely by a corporate entity of any type, except as otherwise
3 specifically allowed for applications from residents of properties
4 owned by continuing care retirement community, cooperative or
5 mutual housing corporations.

6 (2) For tax year 2004 and tax year 2005, any rebates applied for
7 and paid pursuant to P.L.1990, c.61 (C.54:4-8.57 et al.), and
8 P.L.1999, c.63 (C.54:4-8.58a et al.), as amended and supplemented
9 by P.L.2004, c.40, shall be homestead rebates.

10 (3) For tax year 2006 and for tax years thereafter, any
11 homestead benefit applied for and provided pursuant to this act
12 shall be a rebate or credit, as annually determined by the Director of
13 the Division of Taxation.

14 (4) After the effective date of P.L. _____, c. _____ (C. _____) (pending
15 before the Legislature as this bill), and with respect to the payment
16 of ANCHOR rebates to eligible claimants, payments to eligible
17 claimants in calendar year 2026 shall be based on property taxes
18 billed for tax year 2025. Thereafter, payments to eligible claimants
19 in any succeeding benefit year shall be based on the immediately
20 preceding tax year.

21 (cf: P.L.2007, c.62, s.22)

22

23 15. (New section) Notwithstanding the provisions of any other
24 law to the contrary, after the effective date of P.L. _____, c. _____ (C. _____)
25 (pending before the Legislature as this bill), ANCHOR rebates shall
26 be paid to eligible claimants on or before September 15 of each tax
27 year annually, whether such rebates are to be paid by check, direct
28 deposit, or as a credit on the eligible claimant's property tax bill.

29

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

32 1. As used in **[this act]** P.L.1997, c.348 (C.54:4-8.67 et seq.):

33 "Base year" means, in the case of a person who is an eligible
34 claimant on or before December 31, 1997, the tax year 1997; and in
35 the case of a person who first becomes an eligible claimant after
36 December 31, 1997, the tax year in which the person first becomes
37 an eligible claimant. In the case of an eligible claimant who
38 subsequently moves from the homestead for which the initial
39 eligibility was established, the base year shall be the first full tax
40 year during which the person resides in the new homestead.
41 Provided however, a base year for an eligible claimant after such a
42 move shall not apply to tax years commencing prior to January 1,
43 2009. In the case of an eligible claimant who receives a Stay NJ
44 property tax credit in lieu of a homestead property tax
45 reimbursement pursuant to section 4 of P.L.2023, c.75 (C.54:4-
46 8.75d), the base year of that eligible claimant shall remain
47 unchanged.

1 "Commissioner" means the Commissioner of Community
2 Affairs.

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

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

7 "Cooperative" means a housing corporation or association which
8 entitles the holder of a share or membership interest thereof to
9 possess and occupy for dwelling purposes a house, apartment or
10 other unit of housing owned or leased by the corporation or
11 association, or to lease or purchase a unit of housing constructed or
12 to be constructed by the corporation or association.

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

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

23 "Eligible claimant" means a person who:

24 is 65 or more years of age on or before December 31 of any tax
25 year for which a homestead property tax reimbursement is sought,
26 or who is a disabled person;

27 is an owner of a homestead, or the lessee of a site in a mobile
28 home park on which site the applicant owns a manufactured or
29 mobile home for the entire tax year for which a homestead property
30 tax reimbursement is sought;

31 has an annual income of less than \$17,918 in tax year 1998, less
32 than \$18,151 in tax year 1999, or less than \$37,174 in tax year
33 2000, if single, or, if married, whose annual income combined with
34 that of the spouse is less than \$21,970 in tax year 1998, less than
35 \$22,256 in tax year 1999, or less than \$45,582 in tax year 2000,
36 which income eligibility limits for single and married persons shall
37 be subject to adjustments in tax years 2001 through 2006 pursuant
38 to section 9 of P.L.1997, c.348 (C.54:4-8.68);

39 has an annual income of \$60,000 or less in tax year 2007,
40 \$70,000 or less in tax year 2008, or \$80,000 or less in tax year
41 2009, if single or married, which income eligibility limits shall be
42 subject to adjustments in tax years 2010 through 2021 pursuant to
43 section 9 of P.L.1997, c.348 (C.54:4-8.68);

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

1 has, for at least three calendar years, including the entire tax year
2 for which a homestead property tax reimbursement is sought,
3 owned and resided in the homestead for which a homestead
4 property tax reimbursement is sought prior to the date that an initial
5 application for a homestead property tax reimbursement is filed. A
6 person who has been an eligible claimant for a previous tax year
7 shall qualify as an eligible claimant beginning the second full tax
8 year following a move to another homestead in New Jersey, despite
9 not meeting the three-year minimum residency and ownership
10 requirement required for initial claimants under this paragraph;
11 provided that the person satisfies the income eligibility limits for
12 the tax year. Provided however, eligibility beginning in a second
13 full tax year after such a move shall not apply to tax years
14 commencing prior to January 1, 2010.

15 "Homestead" means:

16 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 a site in a mobile home park equipped for the installation of
21 manufactured or mobile homes, where these sites are under
22 common ownership and control for the purpose of leasing each site
23 to the owner of a manufactured or mobile home for the installation
24 thereof and such site is used by the eligible claimant as the eligible
25 claimant's principal residence;

26 a dwelling house situated on land owned by a person other than
27 the eligible claimant which constitutes the place of the eligible
28 claimant's domicile and is owned and used by the eligible claimant
29 as the eligible claimant's principal residence;

30 a condominium unit or a unit in a horizontal property regime or a
31 continuing care retirement community which constitutes the place
32 of the eligible claimant's domicile and is owned and used by the
33 eligible claimant as the eligible claimant's principal residence.

34 In addition to the generally accepted meaning of "owned" or
35 "ownership," a homestead shall be deemed to be owned by a person
36 if that person is a tenant for life or a tenant under a lease for 99
37 years or more, is entitled to and actually takes possession of the
38 homestead under an executory contract for the sale thereof or under
39 an agreement with a lending institution which holds title as security
40 for a loan, or is a resident of a continuing care retirement
41 community pursuant to a contract for continuing care for the life of
42 that person which requires the resident to bear, separately from any
43 other charges, the proportionate share of property taxes attributable
44 to the unit that the resident occupies;

45 a unit in a cooperative or mutual housing corporation which
46 constitutes the place of domicile of a residential shareholder or
47 lessee therein, or of a lessee or shareholder who is not a residential

1 shareholder therein, which is used by the eligible claimant as the
2 eligible claimant's principal residence.

3 "Homestead property tax reimbursement" means payment of the
4 difference between the amount of property tax or site fee
5 constituting property tax due and paid in any year on any
6 homestead, exclusive of improvements not included in the
7 assessment on the real property for the base year, and the amount of
8 property tax or site fee constituting property tax due and paid in the
9 base year, when the amount paid in the base year is the lower
10 amount; but such calculations shall be reduced by any current year
11 property tax reductions or reductions in site fees constituting
12 property taxes resulting from judgments entered by county boards
13 of taxation or the State Tax Court.

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

17 "Income" means all New Jersey gross income required to be
18 reported pursuant to the "New Jersey Gross Income Tax Act,"
19 N.J.S.54A:1-1 et seq., before the application of any authorized
20 exclusion or deduction, except also including: interest income
21 excluded from taxation pursuant to N.J.S.54A:6-14; pension and
22 annuity income excluded from taxation pursuant to N.J.S.54A:6-10;
23 income derived from distributions from, or roll over to, a Roth IRA
24 excluded from taxation pursuant to N.J.S.54A:6-28; other
25 retirement income excluded from taxation pursuant to N.J.S.54A:6-
26 15; and Social Security income excluded from taxation pursuant to
27 N.J.S.54A:6-2, as self-reported by the homeowner.

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.2023, c.75, s.13)

38

39 17. Section 3 of P.L.1997, c.348 (C.54:4-8.70) is amended to
40 read as follows:

41 3. **【An】** a. For tax years before the implementation of the
42 single combined application required pursuant to section 6 of
43 P.L.2023, c.75 (C.54:4-8.75f), an application for a homestead
44 property tax reimbursement hereunder shall be filed with the
45 director annually beginning April 1 and ending October 31 of the
46 year following the year for which the claim is being made and shall
47 reflect the prerequisites for a homestead property tax
48 reimbursement on December 31 of the tax year for which the claim

1 is being made; provided, however, that the director may, by rule,
2 designate a later date as the date by which the application shall be
3 filed or waive the requirement for filing an annual application for
4 any year or years subject to any limitations and conditions the
5 director may deem appropriate. The application shall be on a form
6 prescribed by the director and provided for the use of applicants
7 hereunder. Each applicant making a claim for a homestead property
8 tax reimbursement under this act shall provide, if required by the
9 director, to the director a copy of his or her current year property
10 tax bill or current year site fee bill on the homestead constituting
11 that person's principal residence and a copy of his or her property
12 tax bill for the base year or site fee bill for the base year on the
13 same homestead, or other equivalent proof as permitted by the
14 director.

15 It shall be the duty of every eligible claimant to inform the
16 director of any change in his or her status or homestead which may
17 affect his or her right to continuance of the homestead property tax
18 reimbursement.

19 If an eligible claimant receives an additional homestead property
20 tax reimbursement to which the claimant was not entitled or greater
21 than the reimbursement to which the claimant was entitled, the
22 director shall permit the claimant to enter into an installment
23 payment agreement for a reasonable period of time that will enable
24 the claimant to completely satisfy the amount of the reimbursement
25 paid to which the claimant was not entitled. If the claimant does
26 not enter into an installment payment agreement, the director may,
27 in addition to all other available legal remedies, offset such amount
28 against a gross income tax refund or amount due pursuant to
29 P.L.1990, c.61.

30 b. For tax years on and after the implementation of the single
31 combined application required pursuant to section 6 of P.L.2023,
32 c.75 (C.54:4-8.75f), an application for a homestead property tax
33 reimbursement hereunder shall be filed with the director annually,
34 beginning February 1 and ending October 31 of the year following
35 the year for which the claim is being made, using the single
36 combined application and in accordance with the requirements of
37 section 6 of P.L.2023, c.75 (C.54:4-8.75f).
38 (cf: P.L.2017, c.370, s.1)

39

40 18. Section 4 of P.L.1997, c.348 (C.54:4-8.71) is amended to
41 read as follows:

42 4. a. The director shall administer the homestead property tax
43 reimbursement program. A payment for the homestead property tax
44 reimbursement amount, as calculated by the director, shall be
45 **【mailed】** paid, by check, direct deposit, or credit against the
46 eligible claimant's property tax bill, to each person determined by
47 the director to be an eligible claimant **【under this act】** pursuant to
48 P.L.1997, c.348 (C.54:4-8.67 et seq.) and shall be made according

1 to the following schedule: **【**on or before July 15, 1999 and July 15
2 annually thereafter, except that the payment of any homestead
3 property tax reimbursement amount for an eligible claimant whose
4 application is filed during the period May 1 through June 1 shall be
5 mailed on or before September 1 annually. Provided further,
6 however, that the payment of any homestead property tax
7 reimbursement amount for an eligible claimant whose application is
8 filed during a period after June 1 pursuant to an extended
9 application deadline as may be designated by the director shall be
10 mailed on or before such latter mailing date as the director may
11 determine.**】**

12 (1) for applications received on or before May 1 of the tax year,
13 the reimbursement amount shall be paid on or before July 15 of that
14 tax year; and

15 (2) for applications received on or after May 1 of the tax year,
16 the reimbursement amount shall be made on a rolling monthly
17 basis.

18 b. All payments made pursuant to this section shall be
19 appropriated from receipts in the Casino Revenue Fund.

20 (cf: P.L.2003, c.30, s.2)

21

22 19. (New section) The Director of the Division of Taxation in
23 the Department of the Treasury is authorized to take any
24 administrative action with respect to the Stay NJ program,
25 P.L.2023, c.75 (C.54:4-8.75a et al.), the homestead property tax
26 reimbursement program, P.L.1997, c.348 (C.54:4-8.67 et seq.), or
27 the ANCHOR Property Tax Relief Program that may be necessary
28 to implement the provisions of P.L. , c. (C.) (pending
29 before the Legislature as this bill).

30

31 20. Section 3 of P.L.2021, c.371 (C.47:1B-3) is amended to read
32 as follows:

33 3. a. The following exceptions shall apply to the requirement to
34 redact, and the prohibition against the disclosure of, a home address
35 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2) in accordance
36 with section 2 of P.L.2015, c.226 (C.47:1-17), section 1 of
37 P.L.1995, c.23 (C.47:1A-1.1), or section 6 of P.L.2001, c.404
38 (C.47:1A-5):

39 (1) Copies of voter registration files maintained in the Statewide
40 voter registration system pursuant to section 2 of P.L.2005, c.145
41 (C.19:31-32) and maintained by the commissioner of registration in
42 each county pursuant to R.S.19:31-3 shall be provided as redacted
43 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2), except that
44 copies of the files as unredacted pursuant thereto shall be provided
45 to the following individuals, upon the individual's signing of an
46 affidavit attesting to the individual's qualifying status pursuant
47 hereto:

1 (a) the chairperson of the county or municipal committee of a
2 political party, as appropriate under R.S.19:7-1, or a designee
3 thereof, for distribution to any person authorized to serve as a
4 challenger pursuant to R.S.19:7-1 or section 2 of P.L.2021, c.40
5 (C.19:15A-2), subject to the limitations in section 1 of P.L.1960,
6 c.82 (C.19:7-6.1); and the unredacted copies may only be used for
7 the purpose specified in R.S.19:7-5;

8 (b) a candidate, or a designee thereof, for distribution to a
9 challenger appointed thereby pursuant to section 2 of P.L.2021, c.40
10 (C.19:15A-2) for the person's use in accordance with R.S.19:7-5;

11 (c) a candidate acting as a challenger pursuant to R.S.19:7-2 or
12 the other person appointed thereunder, for use in accordance with
13 R.S.19:7-5;

14 (d) any vendor, contractor, or organization carrying out a
15 function of a county or of the State concerning the administration or
16 conduct of elections; and

17 (e) upon order of a judge of the Superior Court after a finding
18 that the unredacted copy is necessary to determine the merits of a
19 petition filed in accordance with R.S.19:29-3, a person filing such
20 petition or the respondent or both.

21 This paragraph shall apply to registry lists as described in section
22 2 of P.L.1947, c.347 (C.19:31-18.1).

23 (2) Other than as provided in subparagraphs (d) and (e) of
24 paragraph (4) of this subsection, a document affecting the title to
25 real property, as defined by N.J.S.46:26A-2, recorded and indexed
26 by a county recording officer, or as otherwise held or maintained by
27 the Division of Taxation, a county board of taxation, a county tax
28 administrator, or a county or municipal tax assessor, that contains
29 an address subject to redaction or nondisclosure consistent with this
30 act, P.L.2021, c.371 (C.47:1B-1 et al.):

31 may instead or in addition include the redaction and
32 nondisclosure of the names or other information of approved
33 covered persons, as specified by the Director of the Division of
34 Taxation, which redaction and nondisclosure may include masking
35 of such names or other information, and

36 shall be provided as unredacted to the following persons when
37 requested in such person's ordinary course of business:

38 (a) a title insurance company, a title insurance agent, or an
39 approved attorney, as defined in section 1 of P.L.1975, c.106
40 (C.17:46B-1);

41 (b) a mortgage guarantee insurance company, as described in
42 section 4 of P.L.1968, c.248 (C.17:46A-4);

43 (c) a mortgage loan originator, as defined in section 3 of
44 P.L.2009, c.53 (C.17:11C-53);

45 (d) a registered title search business entity, as defined in section
46 4 of P.L.2021, c.371 (C.17:46B-1.1);

47 (e) a real estate broker, a real estate salesperson, a real estate
48 broker-salesperson, a real estate salesperson licensed with a real

1 estate referral company, or a real estate referral company, as such
2 terms are defined in R.S.45:15-3; and

3 (f) an individual or business that has made or received an offer
4 for the purchase of real estate and real property, or any portion
5 thereof, to or from a covered person whose address is subject to
6 redaction or nondisclosure pursuant to section 2 of P.L.2021, c.371
7 (C.47:1B-2).

8 This act shall not be construed to prohibit a county recording
9 officer from returning a document as unredacted to any person who
10 submitted the document for recordation.

11 (3) A home address as unredacted may be provided by a public
12 agency to the majority representative of such agency's employees.

13 (4) The following shall not be subject to redaction or
14 nondisclosure pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2):

15 (a) records and documents, including Uniform Commercial
16 Code filings and financing statements, maintained by the Division
17 of Revenue and Enterprise Services in the Department of the
18 Treasury;

19 (b) petitions naming candidates for office pursuant to R.S.19:13-
20 1 and R.S.19:13-4;

21 (c) petitions signed in accordance with R.S.19:13-6;

22 (d) records evidencing any lien, judgement, or other
23 encumbrance upon real or other property;

24 (e) assessment lists subject to inspection pursuant to R.S.54:4-
25 38 when inspected in person;

26 (f) the index of all recorded documents maintained by a county
27 recording officer as under N.J.S.46:26A-8 when inspected in
28 person; and

29 (g) property that is presumed abandoned under the "Uniform
30 Unclaimed Property Act," P.L.1989, c.58 (C.46:30B-1 et seq.).

31 (5) A public agency may share unredacted information with any
32 vendor, contractor, or organization to carry out the purposes for
33 which the public agency entered into an agreement with the vendor,
34 contractor, or organization. The vendor, contractor, or organization
35 shall not use such information in any manner other than as
36 necessary to carry out the purposes of the agreement.

37 (6) For a record or other document containing a home address
38 required to be redacted pursuant to section 2 of P.L.2021, c.371
39 (C.47:1B-2) that, because of the characteristics or properties of the
40 record or document, is only available to be viewed in person, a
41 custodian or other government official shall make every reasonable
42 effort to hide such address when allowing an individual without
43 authority to view such address as unredacted to view the record or
44 document.

45 (7) For the purposes of the calculation of property tax benefits
46 and the administration of property tax credits for eligible claimants
47 pursuant to the "Stay NJ Act," P.L.2021, c.75 (C.54:4-8.75a et al.),
48 municipalities may share unredacted property tax information with

1 the Director of the Division of Taxation in the Department of the
2 Treasury, and the director may provide to municipalities unredacted
3 amounts of property tax credits to be applied against property tax
4 bills of eligible claimants.

5 b. Nothing in this act shall be construed to require redaction or
6 nondisclosure of any information in any document, record,
7 information, or database shared with or otherwise provided to any
8 other government entity.

9 c. Information otherwise subject to redaction or nondisclosure
10 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2) may be
11 provided as unredacted upon order of a judge of the Superior Court
12 or of any other court of competent jurisdiction.

13 d. This section shall not be construed to require a record to be
14 made available that is not otherwise required to be made available
15 under any other law or regulation.

16 e. The Director of the Division of Taxation may issue any
17 guidance, guidelines, or rules and regulations necessary to
18 effectuate the purposes of this section. The rules and regulations
19 shall be effective immediately upon filing with the Office of
20 Administrative Law for a period not to exceed 18 months, and shall,
21 thereafter, be amended, adopted, or readopted in accordance with
22 the provisions of the "Administrative Procedure Act," P.L.1968,
23 c.410 (C.52:14B-1 et seq.).

24 (cf: P.L.2021, c.371, s.3)

25

26 21. R.S.54:50-8 is amended to read as follows:

27 54:50-8. a. The records and files of the director respecting the
28 administration of the State Uniform Tax Procedure Law or of any
29 State tax law, or respecting the administration of the Stay NJ
30 property tax credit, the ANCHOR Property Tax Relief Program, and
31 the homestead property tax reimbursement program, shall be
32 considered confidential and privileged and neither the director nor
33 any employee engaged in the administration thereof or charged with
34 the custody of any such records or files, nor any former officer or
35 employee, nor any person who may have secured information
36 therefrom under subsection d., e., f., g., p., q., r., or s. of R.S.54:50-
37 9 or any other provision of State law, shall divulge, disclose, use for
38 their own personal advantage, or examine for any reason other than
39 a reason necessitated by the performance of official duties any
40 information obtained from the said records or files or from any
41 examination or inspection of the premises or property of any
42 person. Neither the director nor any employee engaged in such
43 administration or charged with the custody of any such records or
44 files shall be required to produce any of them for the inspection of
45 any person or for use in any action or proceeding except when the
46 records or files or the facts shown thereby are directly involved in
47 an action or proceeding under the provisions of the State Uniform
48 Tax Procedure Law or of the State tax law affected, or where the

1 determination of the action or proceeding will affect the validity or
2 amount of the claim of the State under some State tax law, or in any
3 lawful proceeding for the investigation and prosecution of any
4 violation of the criminal provisions of the State Uniform Tax
5 Procedure Law or of any State tax law.

6 b. The prohibitions of this section, against unauthorized
7 disclosure, use or examination by any present or former officer or
8 employee of this State or any other individual having custody of
9 such information obtained pursuant to the explicit authority of State
10 law, shall specifically include, without limitation, violations
11 involving the divulgence or examination of any information from or
12 any copy of a federal return or federal return information required
13 by New Jersey law to be attached to or included in any New Jersey
14 return. Any person violating this section by divulging, disclosing or
15 using information shall be guilty of a crime of the fourth degree.
16 Any person violating this section by examining records or files for
17 any reason other than a reason necessitated by the performance of
18 official duties shall be guilty of a disorderly persons offense.

19 c. Whenever records and files are used in connection with the
20 prosecution of any person for violating the provisions of this section
21 by divulging, disclosing or using records or files or examining
22 records and files for any reason other than a reason necessitated by
23 the performance of official duties, the defendant shall be given
24 access to those records and files. The court shall review such
25 records and files in camera, and that portion of the court record
26 containing the records and files shall be sealed by the court.

27 (cf: P.L.2021, c.167, s.5)

28

29 22. Section 3 of P.L.1996, c.60 (C.54A:3A-17) is amended to
30 read as follows:

31 3. a. A resident taxpayer under the "New Jersey Gross Income
32 Tax Act," N.J.S.54A:1-1 et seq., shall be allowed a deduction from
33 gross income for the amount of property tax credit, as defined in
34 section 1 of P.L.2018, c.11 (C.54:4-66.6), plus property taxes paid
35 by the resident taxpayer, the total of which shall not exceed
36 \$15,000, subject to the limitations of subsection f. of this section.
37 Property taxes deductible under this section shall be due and paid
38 for the calendar year in which the taxes are due and payable on the
39 taxpayer's homestead.

40 b. A deduction for property taxes or property tax credits shall
41 be allowed pursuant to this section in relation to the amount of the
42 property taxes or property tax credits actually paid by **【**or allocable
43 **to】** a resident taxpayer who has more than one homestead, but the
44 aggregate amount of the property taxes or property tax credits
45 claimed shall not exceed the total of the proportionate amounts of
46 property taxes **【**assessed and levied against or allocable to**】** paid for
47 each homestead for the portion of the taxable year for which the
48 taxpayer occupied it as the taxpayer's principal residence.

1 c. If title to a homestead is held by more than one individual as
2 joint tenants or tenants in common, each individual shall be allowed
3 a deduction pursuant to this section only in relation to the
4 individual's proportionate share of the property taxes assessed and
5 levied against the homestead. The proportionate share shall be
6 equal to that of all other individuals who hold the title, but if the
7 conveyance under which the title is held provides for unequal
8 interests therein, a taxpayer's share of the property taxes shall be in
9 proportion to the taxpayer's interest in the title.

10 d. If title to a homestead is held by a husband and wife who
11 own the homestead as tenants by the entirety, or if that husband and
12 wife are both residential shareholders of a cooperative or mutual
13 housing corporation and occupy the same homestead therein, and
14 who elect to file separate income tax returns pursuant to the "New
15 Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq., that husband
16 and wife shall each be entitled to one-half of the deduction for
17 property taxes for which they may be jointly eligible pursuant to
18 this section.

19 e. If the homestead is a dwelling house consisting of more than
20 one unit, that taxpayer shall be allowed a deduction for property
21 taxes or property tax credits only in relation to the proportionate
22 share of the property taxes assessed and levied against the
23 residential unit occupied by the taxpayer, as determined by the local
24 tax assessor.

25 f. Notwithstanding the provisions of subsection a. of this
26 section to the contrary: (1) a resident taxpayer shall be allowed a
27 deduction for a taxpayer's taxable year beginning during 1996 based
28 on 50% of the property taxes not in excess of \$5,000 paid on the
29 taxpayer's homestead; and (2) a resident taxpayer shall be allowed a
30 deduction for a taxpayer's taxable year beginning during 1997 based
31 on 75% of the property taxes not in excess of \$7,500 paid on the
32 taxpayer's homestead.

33 g. Notwithstanding any other provision of this section, the
34 deduction allowed under this section to a resident taxpayer eligible
35 to receive a homestead property tax reimbursement pursuant to
36 P.L.1997, c.348 (C.54:4-8.67 et al.) shall not exceed that resident
37 taxpayer's base year property tax liability as determined pursuant to
38 P.L.1997, c.348 (C.54:4-8.67 et al.).

39 h. Notwithstanding any other provision of this section, for the
40 taxable year beginning January 1, 2009, a taxpayer who has gross
41 income for the taxable year of more than \$250,000 and is not:

- 42 (1) 65 years of age or older at the close of the taxable year; or
43 (2) allowed to claim a personal deduction as a blind or disabled
44 taxpayer pursuant to subsection (b) of N.J.S.54A:3-1, shall not be
45 allowed a deduction pursuant to this section;

46 provided however, the deduction for a taxpayer who has gross
47 income for the taxable year of more than \$150,000 but not
48 exceeding \$250,000 and is not:

1 (1) 65 years of age or older at the close of the taxable year; or
2 (2) allowed to claim a personal deduction as a blind or disabled
3 taxpayer pursuant to subsection (b) of N.J.S.54A:3-1, shall not
4 exceed \$5,000.

5 (cf: P.L.2018, c.45, s.1)

6
7 23. Section 5 of P.L.1996, c.60 (C.54A:3A-19) is amended to
8 read as follows:

9 5. a. If a taxpayer who is eligible for a deduction for property
10 taxes paid under section 3 of **【this act】** P.L.1996, c.60 (C.54A:3A-
11 17) for a part of the taxable year is also eligible for a deduction for
12 rent constituting property taxes under section 4 of this act for a part
13 of the taxable year, the taxpayer shall be allowed a deduction, not in
14 excess of \$15,000, subject to the limitations of subsection b. of this
15 section, the amount of which shall be equal to the sum of the
16 amount of property tax credit, as defined in section 1 of P.L.2018,
17 c.11 (C.54:4-66.6), plus the amount of property taxes due and paid
18 for the calendar year in which the property taxes are due and
19 payable on a homestead that is not a unit of residential rental
20 property and the amount of rent constituting property taxes due and
21 paid for the calendar year in which the rent constituting property
22 taxes is due and payable for the occupancy of a homestead that is a
23 unit of residential rental property, provided however, that the
24 amount of property taxes and property tax credits shall be subject to
25 the limitations set forth in subsections b. through e. of section 3 of
26 P.L.1996, c.60 (C.54A:3A-17) and the amount of rent constituting
27 property taxes shall be subject to the limitations set forth in
28 subsections b. and c. of section 4 of P.L.1996, c.60 (C.54A:3A-18)
29 as may be applicable.

30 b. Notwithstanding the provisions of subsection a. of this
31 section to the contrary: (1) a taxpayer who is eligible for a
32 deduction for property taxes paid under section 3 of **【this act】**
33 P.L.1996, c.60 (C.54A:3A-17) for a part of the taxable year and is
34 also eligible for a deduction for rent constituting property taxes
35 under section 4 of **【this act】** P.L.1996, c.60 (C.54A:3A-18) for a
36 part of the taxable year, shall be allowed a deduction for the
37 taxpayer's taxable year beginning during 1996 based on 50% of an
38 amount not in excess of \$5,000, the amount of which shall be equal
39 to the sum of the amount of property taxes paid on a homestead that
40 is not a unit of residential rental property and the amount of rent
41 constituting property taxes paid for the occupancy of a homestead
42 that is a unit of residential rental property; and (2) a taxpayer who is
43 eligible for a deduction for property taxes paid under section 3 of
44 **【this act】** P.L.1996, c.60 (C.54A:3A-17) for a part of the taxable
45 year and is also eligible for a deduction for rent constituting
46 property taxes under section 4 of **【this act】** P.L.1996, c.60
47 (C.54A:3A-18) for a part of the taxable year, shall be allowed a

1 deduction for the taxpayer's taxable year beginning during 1997
2 based on 75% of an amount not in excess of \$7,500, the amount of
3 which shall be equal to the sum of the amount of property taxes
4 paid on a homestead that is not a unit of residential rental property
5 and the amount of rent constituting property taxes paid for the
6 occupancy of a homestead that is a unit of residential rental
7 property.
8 (cf: P.L.2018, c.45, s.3)
9
10 24. This act shall take effect immediately.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4706

STATE OF NEW JERSEY

DATED: JUNE 26, 2024

The Assembly Budget Committee reports favorably Assembly Bill No. 4706.

This bill amends and supplements the statutes concerning the homestead property tax benefit program, the homestead property tax reimbursement program, and the Stay NJ property tax credit program in order to implement the recommendations of the Stay NJ Task Force. The statutes controlling the homestead property tax benefit program also provide statutory authority for the Affordable New Jersey Communities for Homeowners and Renters (ANCHOR) Property Tax Relief Program established by the Fiscal Year 2023 Appropriations Act. The proposed changes to these statutes are intended to align the various administrative and eligibility requirements methods for these programs in order to provide for the efficient implementation of property tax benefits.

Age and Residency Requirements. Current law establishes a different statutory residency date for qualification under each property tax relief program. In order to provide consistency in these dates, the bill amends current law to require an eligible claimant to be a resident of New Jersey as of December 31 of the year for which a benefit is sought. The bill also requires senior citizens participating in each program to be age 65 as of December 31 of the benefit year.

Application Process and Timeline. Current law establishes different application timelines for each property tax relief program. The bill amends current law to provide that the period during which an eligible claimant may submit the combined property tax relief application will run from February 1 through October 31 of each year. The bill also requires the Director of the Division of Taxation in the Department of the Treasury to promulgate a single combined application, to be used for all three programs, by no later than February 1, 2026. To the extent practicable, the bill requires this single combined application to resemble the application currently used for the homestead property tax reimbursement program.

Benefit Calculation. The bill alters the method for determining the amount of an eligible claimant's Stay NJ property tax credit. Current law entitles an eligible claimant 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 maximum Stay NJ property tax credit is 50 percent of an eligible claimant's property tax bill, not to exceed a maximum amount of \$6,500 in tax year 2026, with annual adjustments based on the annual increase in the average residential property tax bill.

Under the bill, if the sum total of an eligible claimant's homestead property tax reimbursement and ANCHOR property tax rebate exceeds the lesser of 50 percent of their property tax bill or the maximum benefit amount, then the eligible claimant will not receive an additional Stay NJ credit. If the combined amount of the homestead property tax benefit and ANCHOR property tax rebate is less than the Stay NJ benefit amount, then the eligible claimant will receive a Stay NJ property tax credit equal to 50 percent of their property tax bill, not to exceed the maximum benefit amount, less the sum total of their homestead property tax reimbursement and ANCHOR property tax benefit.

Benefit Distribution. Under current law, eligible claimants receive benefit payments under each of the property tax relief programs at different times. The bill requires the sequential distribution of property tax benefits in accordance with a statutory schedule, with the homestead property tax reimbursement provided beginning in July, ANCHOR property tax rebates provided beginning in September, and the Stay NJ property tax credit provided beginning in November.

Additionally, current law requires a Stay NJ benefit to be provided as a credit against an eligible claimant's property tax bill. The bill allows benefits distributed through each of property tax relief program to be provided through check, direct deposit, or as a property tax credit. The bill allows municipalities and the Division of Taxation in the Department of the Treasury to share unredacted property tax information for the purpose of calculating and distributing property tax credits.

Calculation of Income. Under current law there are different methods of calculating income to determine eligibility for the homestead property tax reimbursement and the Stay NJ property tax credit. For the homestead property tax reimbursement, income is determined based on an eligible claimant's total income, including income that is excluded in gross income under the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq. For the Stay NJ property tax credit, income is determined based on an eligible claimant's gross income, which does not include income that is excluded from gross income under the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq.

The bill establishes a uniform definition of income for purposes of determining eligibility for the homestead property tax reimbursement

and the Stay NJ property tax credit. Under the new definition, an eligible claimant's income will be determined using gross income plus income from the following sources that are excluded from income under current law: (1) all payments received under the federal Social Security Act; (2) pension and annuity income; (3) interest income; (4) other retirement income; and (5) distributions from a Roth Individual Retirement Account. Since Social Security payments are excluded from gross income and not reported on annual gross income tax returns, the bill requires eligible claimants to report those amounts when they apply for property tax benefits.

Budgetary Surplus Target. Current law establishes the maintenance of a budgetary surplus of 12 percent of total expenditures from the General Fund and Property Tax Relief Fund in a given State fiscal year as one of the prerequisites for funding and implementing the Stay NJ property tax credit program. Total expenditures from the General Fund and Property Tax Relief Fund are usually not quantifiable until publication of the Annual Comprehensive Financial Report for each fiscal year. In order to establish an identifiable and measurable amount for determining whether the budgetary surplus target is satisfied for each fiscal year, the bill requires the maintenance of a budgetary surplus of 12 percent of total appropriations from the General Fund and Property Tax Relief Fund. Total appropriations from the General Fund and Property Tax Relief Fund are calculated and published in the annual Appropriations Act.

Gross Income Tax Deduction for Property Taxes. Current law allows taxpayers to deduct up to \$15,000 from gross income for property taxes paid in a tax year. According to guidance published by the Division of Taxation, taxpayers are not required to deduct property tax relief payments from the amount of property taxes deducted from gross income. In order to prevent taxpayers from deducting from their gross income property taxes they did not pay due to the receipt of a property tax credit, the bill amends current law to clarify that amounts deducted from gross income will be limited to the property taxes paid by the taxpayer, as opposed to the amounts billed.

Program Administration. The bill requires the Director of the Division of Taxation, in consultation with other State and local officials, to develop a process for the payment of benefits provided through the homestead property tax reimbursement program and the Stay NJ program as property tax credits.

The bill also requires the Stay NJ Task Force to continue to meet monthly to assist the Director of the Division of Taxation in developing this process and collecting information from local officials regarding how to effectively implement property tax credits in future years for those programs. Under current law, the task force would

otherwise be required to disband 30 days after the enactment of this bill.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO ASSEMBLY, No. 4706

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 7, 2024

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 4706.

As amended, this bill amends and supplements the statutes concerning the homestead property tax benefit program, the homestead property tax reimbursement program, and the Stay NJ property tax credit program in order to implement the recommendations of the Stay NJ Task Force. The statutes controlling the homestead property tax benefit program also provide statutory authority for the Affordable New Jersey Communities for Homeowners and Renters (ANCHOR) Property Tax Relief Program established by the Fiscal Year 2023 Appropriations Act. The proposed changes to these statutes are intended to align the various administrative and eligibility requirements methods for these programs in order to provide for the efficient implementation of property tax benefits.

Age and Residency Requirements. Current law establishes a different statutory residency date for qualification under each property tax relief program. In order to provide consistency in these dates, the bill amends current law to require an eligible claimant to be a State resident as of December 31 of the year for which a benefit is sought. The bill also requires senior citizens participating in each program to be age 65 as of December 31 of the benefit year.

Application Process and Timeline. Current law establishes different application timelines for each property tax relief program. The bill amends current law to provide that the period during which an eligible claimant may submit the combined property tax relief application would include February 1 through October 31 of each year. The bill also requires the Director of the Division of Taxation in the Department of the Treasury to promulgate a single combined application to be used for all three programs by no later than February 1, 2025, provided that the bill is enacted at least 90 days before that date. However, if this bill is enacted less than 90 days before February 1, 2025, the director would not be required to promulgate the single combined application until no earlier than the 91st day following the date of enactment of this bill. To the extent practicable, the bill

requires this single combined application to resemble the application currently used for the homestead property tax reimbursement program.

Benefit Calculation. The bill alters the method for determining the amount of an eligible claimant's Stay NJ property tax credit. Current law entitles an eligible claimant 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 maximum Stay NJ property tax credit is 50 percent of an eligible claimant's property tax bill, not to exceed a maximum amount of \$6,500 in tax year 2026, with annual adjustments based on the annual increase in the average residential property tax bill.

Under the bill, the amount of the Stay NJ property tax credit would continue to be based on 50 percent of an eligible claimant's property tax bill, up to the maximum allowable credit for the tax year. However, the bill provides that an eligible claimant would be entitled to receive a Stay NJ property tax credit, ANCHOR property tax rebate, and homestead property tax reimbursement in the same year. In this circumstance, the bill specifies that for each eligible claimant, the amount of the Stay NJ property tax credit, together with the combined amount of the ANCHOR property tax rebate and the homestead property tax reimbursement received by the eligible claimant for the tax year, may not exceed the maximum allowable credit amount for that tax year. The bill would not, however, reduce the amount of the homestead property reimbursement or ANCHOR property tax rebate that is required to be paid to an eligible claimant for any tax year in which the combined value of these benefits exceeds the amount of the maximum allowable Stay NJ property tax credit.

Accordingly, if the sum total of an eligible claimant's homestead property tax reimbursement and ANCHOR property tax rebate exceeds the lesser of 50 percent of their property tax bill or the maximum benefit amount, then the eligible claimant would receive the full amount of the homestead property tax reimbursement and ANCHOR property tax rebate for that tax year, but would not receive an additional Stay NJ property tax credit. Alternatively, if the combined amount of an eligible claimant's homestead property tax benefit and ANCHOR property tax rebate is less than the Stay NJ benefit amount, then the eligible claimant would receive a Stay NJ property tax credit equal to 50 percent of their property tax bill, not to exceed the maximum benefit amount, less the sum total of their homestead property tax reimbursement and ANCHOR property tax rebate.

Benefit Distribution. Under current law, eligible claimants receive benefit payments under each of the property tax relief programs at different times. The bill requires the sequential distribution of property tax benefits in accordance with a statutory schedule, with the homestead property tax reimbursement provided beginning in July,

ANCHOR property tax rebates provided beginning in September, and the Stay NJ property tax credit provided beginning in November.

Additionally, current law requires a Stay NJ benefit to be provided as a credit against an eligible claimant's property tax bill. The bill allows benefits distributed through each property tax relief program to be provided as a check, direct deposit, or property tax credit. The bill allows municipalities and the Division of Taxation in the Department of the Treasury to share unredacted property tax information for the purpose of calculating and distributing property tax credits.

Calculation of Income. Under current law, there are different definitions of "income" for the purpose of determining eligibility for the homestead property tax reimbursement and the Stay NJ property tax credit. For the homestead property tax reimbursement, income is determined based on an eligible claimant's total income, including income that is excluded in gross income under the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq. For the Stay NJ property tax credit, income is determined based on an eligible claimant's gross income, which does not include income that is excluded from gross income under the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq.

The bill establishes a uniform definition of income for purposes of determining eligibility for the homestead property tax reimbursement and the Stay NJ property tax credit. Under the new definition, an eligible claimant's income would be determined using the person's gross income, before the application of any deductions or exclusions, plus income from the following sources of excluded income: (1) all payments received under the federal Social Security Act; (2) pension and annuity income; (3) interest income; (4) other retirement income; and (5) distributions from a Roth Individual Retirement Account. Since Social Security payments are excluded from gross income and not reported on annual gross income tax returns, the bill requires eligible claimants to report those amounts when applying for property tax benefits.

Budgetary Surplus Target. Current law establishes the maintenance of a budgetary surplus of 12 percent of total expenditures from the General Fund and Property Tax Relief Fund in a given State fiscal year as one of the prerequisites for funding and implementing the Stay NJ property tax credit program. Total expenditures from the General Fund and Property Tax Relief Fund are usually not quantifiable until the publication of the Annual Comprehensive Financial Report for each fiscal year. In order to establish an identifiable and measurable amount for determining whether the budgetary surplus target is satisfied for each fiscal year, the bill requires the maintenance of a budgetary surplus of 12 percent of total appropriations from the General Fund and Property Tax Relief Fund.

Total appropriations from the General Fund and Property Tax Relief Fund are calculated and published in the annual Appropriations Act.

Gross Income Tax Deduction for Property Taxes. Current law allows taxpayers to deduct up to \$15,000 from gross income for property taxes paid in a tax year. According to guidance published by the Division of Taxation, taxpayers are not required to deduct property tax relief payments from the amount of property taxes deducted from gross income. In order to prevent taxpayers from claiming a gross income tax deduction for the value of property taxes that were not required to be paid due to the receipt of a property tax credit, the bill amends current law to clarify that amounts deducted from gross income would be limited to the property taxes paid by the taxpayer, as opposed to the amounts billed.

Program Administration. The bill requires the Director of the Division of Taxation, in consultation with other State and local officials, to develop a process for the payment of benefits provided through the homestead property tax reimbursement program and the Stay NJ program as property tax credits.

The bill also requires the Stay NJ Task Force to continue to meet monthly to assist the Director of the Division of Taxation in developing this process and collecting information from local officials regarding how to effectively implement property tax credits in future years for those programs. Under current law, the task force would otherwise be required to disband 30 days after the enactment of this bill.

As amended and reported by the committee, this bill is identical to Senate Bill No. 3693, which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amendments provide technical changes to the bill to clarify the calculation of the Stay NJ property tax credit. Specifically, the committee amendments provide that for each eligible claimant of the Stay NJ property tax credit program, the amount of the Stay NJ credit, together with the combined amount of the ANCHOR property tax rebate and the homestead property tax reimbursement received by the eligible claimant for the tax year, may not exceed the maximum allowable credit amount for that tax year. The committee amendments also clarify that the bill would not reduce the amount of the homestead property reimbursement or ANCHOR property tax rebate that is required to be paid to an eligible claimant for any tax year in which the combined value of these benefits exceeds the amount of the maximum allowable Stay NJ property tax credit.

Additionally, the committee amendments revise the time period in which the Director of the Division of Taxation in the Department of

the Treasury would be required to provide written notice of the amounts awarded to each applicant for an ANCHOR property tax rebate, homestead property tax reimbursement, and Stay NJ property tax credit. As introduced, the bill would have required the director to issue this notice no later than October 15 of each year. Instead, the committee amendments provide that this notice may be issued at such time as the director deems appropriate.

The committee amendments also revised the definition of “eligible claimant” under the Stay NJ property tax credit program to clarify that the person is required to be a State resident.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that the bill will have an indeterminate net impact on State costs and result in an increase in State revenues.

Although the bill changes the method for determining the amount of property tax relief benefits that may be provided to eligible claimants, it will not impact the State costs related to the homestead property tax reimbursement, ANCHOR, and Stay NJ property tax credit programs. Instead, the bill will result in a redistribution of the cost of property tax relief benefits among those programs.

Under current law, most eligible claimants will receive property tax benefits only through the Stay NJ property tax credit program. The bill provides that eligible claimants will receive property tax benefits through the homestead property tax reimbursement, ANCHOR, and Stay NJ property tax credit programs. The OLS notes that the bill will not affect the total amount of property tax relief benefits provided to eligible claimants.

The bill’s establishment of a uniform definition of income for purposes of determining eligibility for the homestead property tax reimbursement and Stay NJ property tax credit programs will result in an indeterminate reduction in State costs. Some property taxpayers will no longer qualify for a Stay NJ property tax credit because their income will exceed the \$500,000 eligibility limit under the new definition.

The State may incur additional costs associated with the Stay NJ property tax credit program for the printing and mailing of checks to eligible claimants. Current law requires Stay NJ benefits to be provided as a credit against an eligible claimant’s property tax bill. These costs may be offset by a reduction in costs associated with the printing and mailing of checks to eligible claimants who receive a homestead property tax reimbursement. Current law requires reimbursements to be provided by check; the bill allows reimbursements to be provided by direct deposit.

The bill will result in a State revenue increase of approximately \$60 million to \$120 million per year, beginning in Fiscal Year 2025, because taxpayers will be required to reduce the amount of property

taxes deducted from gross income by the value of ANCHOR and Stay NJ property tax benefits. As a result, taxpayers will report a higher amount of gross income and have higher gross income tax liabilities.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 4706

STATE OF NEW JERSEY 221st LEGISLATURE

DATED: OCTOBER 22, 2024

SUMMARY

Synopsis: Revises statutes implementing certain property tax relief programs pursuant to recommendations promulgated by Stay NJ Task Force.

Type of Impact: Net impact on State costs.
Increase in State revenues.

Agencies Affected: Department of the Treasury.
Municipalities.

Office of Legislative Services Estimate

Fiscal Impact	<u>FY 2025 & FY 2026</u>	<u>FY 2027 & FY 2028</u>
Net State Cost Impact	Indeterminate	Indeterminate
State Revenue Increase	\$60 million to \$70 million	\$102 million to \$120 million

- The Office of Legislative Services (OLS) concludes that the bill will have an indeterminate impact on State costs and result in an increase in State revenues.
- The provisions of the bill modifying the method for calculating Stay NJ benefits will have a net neutral impact on State costs. The revised method for calculating these benefits will not increase total State expenditures for the Affordable New Jersey Communities for Homeowners and Renters, or ANCHOR, property tax relief program; the homestead property tax reimbursement (“Senior Freeze”) program; and the Stay NJ Property Tax Credit (“Stay NJ”) program. Instead, these provisions will result in the realignment of the State costs of property tax relief benefits among these programs.
- By establishing a new definition of “income” for purposes of determining eligibility for the Senior Freeze and Stay NJ programs, the bill may result in an indeterminate reduction in State costs. The OLS notes that this definition of income, which includes certain categories of previously excluded income, may cause property taxpayers to lose their eligibility for the Stay NJ program to the extent that their income would now exceed the \$500,000 eligibility limit.

- The bill extends the duration of the Stay NJ Task Force. To the extent that the State incurs additional expenditures related to the Task Force, the bill will result in increased State cost. The FY 2025 Appropriations Act provided \$2 million for the Stay NJ Task Force.
- The bill is also expected to increase State revenues by limiting the amount of the gross income tax deduction that may be claimed for property taxes paid. Specifically, the bill requires the amount of allowable deduction from gross income to be reduced by the value of ANCHOR and Stay NJ property tax benefits received by the taxpayer. As a result, taxpayers will report a higher amount of gross income and have higher gross income tax liabilities.

BILL DESCRIPTION

The bill amends and supplements the statutes concerning the homestead property tax benefit program, the homestead property tax reimbursement program, and the Stay NJ property tax credit program in order to implement the recommendations of the Stay NJ Task Force. The statutes controlling the homestead property tax benefit program also provide statutory authority for the ANCHOR Property Tax Relief Program established by the FY 2023 Appropriations Act. The changes to current law proposed by the bill are intended to align the various administrative and eligibility requirements in order to provide for the efficient implementation of property tax benefits. This bill description addresses only those aspects of the bill that have a fiscal impact.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

When considered in its entirety, the OLS concludes that the bill have an indeterminate net impact on State costs. The bill will also result in an increase in State revenues associated with the reduction in the allowable gross income tax deduction for property taxes paid.

State Costs – Property Tax Relief Programs

The OLS concludes that the provisions of the bill modifying the method for calculating Stay NJ benefits will have a net neutral impact on State costs. Although the bill changes the method for determining the amount of property tax relief benefits that may be distributed to eligible claimants through the ANCHOR, Senior Freeze, and Stay NJ programs, the bill will not change the total State costs related to the provision of property tax relief benefits under the programs. Instead, the bill will result in a redistribution of the cost of property tax relief benefits among those programs.

Benefit Calculation. Current law entitles an eligible claimant to the greater of the Stay NJ property tax credit or the combined amount of the ANCHOR property tax rebate and the Senior Freeze reimbursement. The maximum Stay NJ property tax credit is 50 percent of an eligible claimant's property tax bill, not to exceed \$6,500 in tax year 2026, with annual adjustment in future years based on the annual increase in the average residential property tax bill. Under current law,

nearly all eligible claimants would receive their property tax benefits through the Stay NJ Program because the Stay NJ property tax credit is likely to be greater than the combined amounts provided through other property tax relief programs.

The bill provides that an eligible claimant will receive the full amount of the Senior Freeze reimbursement and an ANCHOR property tax rebate during any year in which they qualify for those benefits. If an eligible claimant also qualifies for a Stay NJ property tax credit, the amount of the credit would be equal to the amount of the claimant's allowable Stay NJ property tax credit, less the amount of the ANCHOR rebate and the Senior Freeze reimbursement. If the total amount provided to an eligible claimant through the ANCHOR and Senior Freeze programs exceeds 50 percent of their property tax bill, they will not receive a Stay NJ property tax credit in that year.

If the bill is enacted into law, most eligible claimants will receive property tax benefits through a combination of the Senior Freeze, ANCHOR, and Stay NJ programs rather than through the Stay NJ property tax credit program only. Although the proposed changes to the Stay NJ program will affect the amount of property tax relief benefits that an eligible claimant receives through each property tax relief program, these changes will not affect the total amount of property tax relief benefits provided to each eligible claimant or the total cost of these programs collectively.

Calculation of Income. The bill revises the definition of income for purposes of determining eligibility for the Senior Freeze and Stay NJ property tax credit programs. The OLS anticipates that the proposed definition of income will result in an indeterminate decrease in State costs.

Under the Stay NJ program, income is determined based on an eligible claimant's gross income, not including any category of excluded income, before the application of any deduction, exemption, or credit. For the Senior Freeze, income is currently determined based on an eligible claimant's total income, including income that is excluded from gross income under the New Jersey Gross Income Tax Act. Under the new definition of income for both programs, an eligible claimant's income will be determined using gross income, before the application of exclusions and deductions, plus income from the following sources that are excluded from income under current law: (1) all payments received under the federal Social Security Act; (2) all pension and annuity income; (3) interest income; (4) other retirement income; and (5) distributions from a Roth Individual Retirement Account.

If the bill is enacted into law, certain sources of income that are currently included in the definition of income for the purposes of determining Senior Freeze eligibility would no longer be included in that calculation. The proposed changes to the definition of income may allow some applicants to gain eligibility for the Senior Freeze because the amount of income reported for purposes of the Senior Freeze would be lower than the amount required to be reported under current law.

The OLS notes that the income eligibility limit for the calendar year 2024 (or FY 2025) Senior Freeze is \$163,050. Current law requires the income eligibility limit to increase annually based on the Social Security cost-of-living increase. The United States Social Security Administration has announced that the Social Security cost-of-living increase for calendar year 2024 will be 2.5 percent. At that rate, the income eligibility limit will increase to \$167,126. The income eligibility limit for the Stay NJ program is \$500,000. Therefore, a property taxpayer who is currently not eligible for Senior Freeze may be eligible for the Stay NJ property tax credit. Under the bill, the Stay NJ property tax credit would equal the difference between the total amount of an eligible claimant's allowable Stay NJ benefit, less the combined amount of the claimant's ANCHOR and Senior Freeze benefits. To the extent that the bill allows an eligible claimant to receive a homestead property tax reimbursement, they will receive a lower Stay NJ property tax credit. This aspect of the revised definition of income will have no impact on State costs.

In contrast, the revised definition of income for the Stay NJ program would be more inclusive than the definition provided in current law, thereby causing some claimants to lose eligibility for

the Stay NJ program. The OLS anticipates that this will result in an indeterminate decrease in State costs, but anticipates that this provision of the bill will impact a small number of eligible claimants. As previously noted, the income eligibility limit for the Stay NJ property tax credit program is \$500,000. Information published by the Department of the Treasury in the Statistics of Income: 2018 Gross Income Tax Returns indicates that about 27,800 of tax returns with at least one filer over age 65 reported income of \$250,000 to \$500,000. This represents about 3.6 percent of all gross income tax returns with at least one filer over age 65. The OLS cannot predict how many property taxpayers would not qualify for a Stay NJ property tax credit because their income will exceed the eligibility limit under the new definition.

Benefit Distribution. Under current law, there are different methods of distribution for property tax relief benefits. The Senior Freeze is distributed as a check while the ANCHOR rebate is provided by check or direct deposit. Current law also requires the Stay NJ benefit to be provided as a credit against an eligible claimant's property tax bill. The bill requires Stay NJ property tax credits to be paid and distributed as either a check or by direct deposit in the first year the program is implemented. The bill also permits the distribution of Senior Freeze reimbursements by check, direct deposit, or as a property tax credit.

The OLS estimates that these provisions of the bill will have an indeterminate impact on State costs. The State will incur additional costs associated with the printing and mailing of Stay NJ checks to eligible claimants. However, these costs may be offset by a reduction in expenditures associated with the printing and mailing of checks to eligible claimants who receive a Senior Freeze reimbursement if these benefits are instead provided through direct deposit or as a property tax credit.

State Costs – Stay NJ Task Force

The bill extends the duration of the Stay NJ Task Force. Under current law, the Stay NJ Task Force is scheduled to expire on the 30th day following the enactment of legislation implementing the task force's recommendations. The bill requires the Stay NJ Task Force to continue to meet quarterly to assist the Director of the Division of Taxation in developing a process for the payment of the homestead property tax reimbursement and Stay NJ property tax benefits as property tax credits. To the extent that the State incurs additional expenditures related to the task force, the bill would result in increased State costs. The OLS notes that the FY 2025 Appropriations Act provided \$2 million for the Stay NJ Task Force; of that amount, about \$7,000 has been expended.

State Revenues

The Property Tax Deduction Act allows homeowners who pay property taxes on a primary residence in New Jersey, either directly or through rent, to deduct the total amount of property taxes paid, not to exceed \$15,000, from their gross income. Tenants may deduct 18 percent of rent paid during the tax year. According to guidance published by the Division of Taxation, taxpayers are not required to deduct property tax relief payments from the amount of property taxes deducted from gross income. The bill amends current law to clarify that amounts deducted from gross income will be limited to property taxes paid by the taxpayer as opposed to the amount billed to the taxpayer.

The bill requires taxpayers to reduce the total amount of property taxes or rent deducted from gross income by the total amount of ANCHOR rebates and Stay NJ credits received during the tax year. This will reduce the amount of property taxes that taxpayers deduct from their gross income for property taxes or rent. As a result, taxpayers will report a higher amount of gross income that is subject to State taxation, and in turn, result in higher gross income tax liabilities. The OLS notes that this provision of the bill applies to all gross income taxpayers who receive ANCHOR property tax rebates and Stay NJ property tax credits.

This provision of the bill takes effect immediately and will first apply to property tax relief benefits received by taxpayers in calendar year 2024. Calendar year 2024 gross income tax returns will be filed in FY 2025. The OLS estimates that this provision of the bill will result in additional State revenues of approximately \$60 million to \$70 million per year in fiscal years 2025 and 2026. The State revenue gain will increase to \$101.7 million to \$119.7 million per year in fiscal years 2027 and 2028 because taxpayers will be able to reduce the amount of property taxes deducted from gross income by the value of Stay NJ property tax credits total amount of property taxes they received in calendar years 2026 and 2027.

The OLS notes taxpayers who receive the Senior Freeze only are allowed to deduct from gross income the amount of property taxes paid in their base year. The amount they deduct from gross income has already been adjusted to reflect the amount of the homestead property tax reimbursement. Accordingly, the estimated amount of Senior Freeze benefits to be provided in FY 2025 through FY 2028 were not included in the calculation of the additional State revenues resulting from this provision of the bill.

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. 3693

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED SEPTEMBER 30, 2024

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Somerset and Union)

SYNOPSIS

Revises statutes implementing certain property tax relief programs pursuant to recommendations promulgated by Stay NJ Task Force.

CURRENT VERSION OF TEXT

As introduced.



S3693 SCUTARI

2

1 AN ACT concerning the Stay NJ property tax benefit program and
2 amending and supplementing various parts of the statutory law.

3

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

6

7 1. Section 2 of P.L.2023, c.75 (C.54:4-8.75b) is amended to read
8 as follows:

9 2. As used in this act:

10 “ANCHOR” means the Affordable New Jersey Communities for
11 Homeowners and Renters Property Tax Relief Program.

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

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

21 "Director" means the Director of the Division of Taxation in the
22 Department of the Treasury.

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

28 "Eligible claimant" means an individual who is 65 or more years
29 of age on or before December 31, 2024 or who is 65 or more years
30 of age on or before December 31 of any subsequent benefit year,
31 who is the owner for at least one full tax year of a homestead in this
32 State on or after **【July 1, 2024】** December 31, 2023 and any
33 subsequent benefit year, and who has **【gross】** income for the prior
34 tax year that is less than \$500,000.

35 **【**"Gross income" means all New Jersey gross income required to
36 be reported pursuant to the "New Jersey Gross Income Tax Act,"
37 N.J.S.54A:1-1 et seq., other than income excludable from the gross
38 income tax return, but before reduction thereof by any applicable
39 exemptions, deductions and credits, received during the taxable
40 year by the owner or residential shareholder in, or lessee of, a
41 homestead.**】**

42 "Homestead" means:

43 a. a dwelling house and the land on which that dwelling house
44 is located which constitutes the place of the eligible claimant's

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

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

18 c. 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; or a mutual housing
23 corporation.

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

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

29 "Income" means all New Jersey gross income required to be
30 reported pursuant to the "New Jersey Gross Income Tax Act,"
31 N.J.S.54A:1-1 et seq., before the application of any authorized
32 exclusion or deduction, except also including: interest income
33 excluded from taxation pursuant to N.J.S.54A:6-14; pension and
34 annuity income excluded from taxation pursuant to N.J.S.54A:6-10;
35 income derived from distributions from or roll overs to a Roth IRA
36 excluded from taxation pursuant to N.J.S.54A:6-28; other
37 retirement income excluded from taxation pursuant to N.J.S.54A:6-
38 15; and Social Security income excluded from taxation pursuant to
39 N.J.S.54A:6-2, as self-reported by the homeowner.

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

46 "Principal residence" means a homestead actually and
47 continually occupied by an eligible claimant as the eligible
48 claimant's permanent residence, including a homestead on which an

S3693 SCUTARI

4

1 eligible claimant made one or more payments in lieu of taxes to the
2 municipality in which the homestead is located, as distinguished
3 from a vacation home, property owned and rented or offered for
4 rent by the eligible claimant, and other secondary real property
5 holdings.

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

10 "State resident" or "resident" means an individual:

11 a. who is domiciled in this State, unless the individual
12 maintains no permanent place of abode in this State, maintains a
13 permanent place of abode elsewhere, and spends in the aggregate no
14 more than 30 days of the tax year in this State; or

15 b. who is not domiciled in this State but maintains a permanent
16 place of abode in this State and spends in the aggregate more than
17 183 days of the tax year in this State, unless the individual is in the
18 Armed Forces of the United States.

19 "Stay NJ property tax credit" means a property tax credit [in the
20 amount of 50 percent of] applied to an eligible claimant's property
21 tax bill in accordance with the provisions of the "Stay NJ Act,"
22 P.L.2023, c.75 (C.54:4-8.75a et al.).

23 "Task force" means the Stay NJ Task Force established pursuant
24 to section 18 of P.L.2023, c.75 (C.54:4-8.75o).

25 "Tax year" or "taxable year" means the prior calendar year,
26 January 1 through December 31, in which a homestead is assessed
27 for property taxation and the property tax is levied thereon, and
28 paid.

29 "Tax year quarter" means a three-month period of a tax year
30 consisting of January 1 through March 31, April 1 through June 30,
31 July 1 through September 30, and October 1 through December 31.
32 (cf: P.L.2023, c.75, s.2)

33

34 2. Section 3 of P.L.2023, c.75 (C.54:4-8.75c) is amended to read
35 as follows:

36 3. a. (1) There is established the Stay NJ property tax credit
37 program. The director shall administer the Stay NJ property tax
38 credit that shall provide to an eligible claimant a property tax credit
39 in the amount of 50 percent of the property tax [paid for] billed to
40 the eligible claimant's principal residence in the prior tax year,
41 except that the amount of the credit shall not exceed the maximum
42 amount allowable for the tax year pursuant to subsection c. of this
43 section, or the combined amount of the ANCHOR rebate and the
44 homestead property tax reimbursement received by the eligible
45 claimant for the tax year.

46 (2) A Stay NJ property tax credit for an eligible claimant who is
47 a tenant shareholder in a cooperative, mutual housing organization,
48 or continuing care retirement community shall be based on the

S3693 SCUTARI

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

12 **b.** The amount of the Stay NJ property tax credit shall be
13 calculated for each eligible claimant by the director, and shall be
14 paid **【to the tax collector of the municipality in which the eligible**
15 **claimant's homestead is located pursuant to】** in accordance with the
16 provisions of 【subsection a. of】 section 5 of P.L.2023, c.75
17 (C.54:4-8.75e).

18 **c.** **【Notwithstanding the provisions of P.L.2023, c.75 (C.54:4-**
19 **8.75a et al.) that require an annual property tax credit in the amount**
20 **of 50 percent of the property tax paid on an eligible claimant's**
21 **homestead, the】** The maximum amount to be credited to an eligible
22 claimant shall be \$6,500 【in】 for tax year 2026 【, if there is no
23 delay in implementation as may occur pursuant to section 19 of
24 P.L.2023, c.75 (C.54:4-8.75p). For every tax year after the year in
25 which the Stay NJ property tax credit program is first
26 implemented,】 ; and for each tax year thereafter, the maximum
27 amount to be credited to an eligible claimant shall be increased
28 based on the annual percentage increase in the average residential
29 property tax bill as shall be computed by the Director of the
30 Division of Local Government Services in the Department of
31 Community Affairs.

32 **【An】** **d.** Except as otherwise provided in subsection a. of
33 section 5 of P.L.2023, c.75 (C.54:4-8.75e), an eligible claimant
34 shall be entitled to a Stay NJ property tax credit annually, on proper
35 claim being made therefor to the director. Notwithstanding any
36 provision of P.L.2023, c.75 (C.54:4-8.75a et al.) to the contrary, the
37 amount of property taxes used to determine the amount of the Stay
38 NJ property tax credit shall not be reduced by the amount of the
39 deductions taken by an eligible claimant pursuant to P.L.1963,
40 c.171 (C.54:4-8.10 to 54:4-8.23) and P.L.1964, c.255 (C.54:4-8.40
41 to 54:4-8.45 et al.). The surviving spouse of a deceased resident of
42 this State who during his or her life received a Stay NJ property tax
43 credit shall be entitled, so long as the surviving spouse does not
44 remarry, remains a resident in the same homestead with respect to
45 which the Stay NJ property tax credit was granted, and is an eligible
46 claimant, to the same Stay NJ property tax credit, upon the same

1 conditions, with respect to the same homestead.
2 (cf: P.L.2023, c.75, s.3)

3

4 3. Section 4 of P.L.2023, c.75 (C.54:4-8.75d) is amended to read
5 as follows:

6 4. a. Not later than **【July】** February 1, 2025, **【if there is no**
7 **delay in implementation as may occur pursuant to section 19 of**
8 **P.L.2023, c.75 (C.54:4-8.75p),】** the director shall promulgate a
9 combined single application form consistent with the requirements
10 of section 6 of P.L.2023, c.75 (C.54:4-8.75f) and the
11 recommendations of the Stay NJ Task Force established pursuant to
12 section 18 of P.L.2023, c.75 (C.54:4-8.75o) **【,】** that shall be
13 available on and after that date to be used by State residents to
14 apply for the Stay NJ property tax credit, the ANCHOR property
15 tax rebate, and the homestead property tax reimbursement program.
16 Applications shall be accepted by the Director of the Division of
17 Taxation from February 1 through October 31 of each year. State
18 residents seeking property tax benefits under those programs shall
19 complete the entire application and file it with the director. The
20 director shall determine **【which property tax benefit program or**
21 **programs provide the greatest benefit for the applicant】** the amount
22 of the Stay NJ property tax credit, ANCHOR rebate, and homestead
23 property tax reimbursement, as applicable, provided to each
24 applicant pursuant to the requirements of subsection b. of this
25 section.

26 b. **【Notwithstanding any provision of law, rule, or regulation to**
27 **the contrary, an applicant shall only be entitled to the greater of:**

28 (1) the amount of the Stay NJ property tax credit; or

29 (2) the combined amount of the ANCHOR property tax rebate
30 and the homestead property tax reimbursement. **】** The director shall
31 calculate the amount of each property tax benefit provided to an
32 eligible claimant for each tax year in the following manner:

33 (1) if the eligible claimant qualifies for an ANCHOR rebate, the
34 director shall first determine the amount of the eligible claimant's
35 ANCHOR rebate for the tax year, the full amount of which shall be
36 paid to the eligible claimant;

37 (2) if the eligible claimant qualifies for a homestead property tax
38 reimbursement, the director shall next determine the amount of the
39 eligible claimant's homestead property tax reimbursement for the
40 tax year, the full amount of which shall be paid to the eligible
41 claimant;

42 (3) if the eligible claimant qualifies for a Stay NJ property tax
43 credit, the director shall then determine the amount of the eligible
44 claimant's Stay NJ property tax credit for the tax year, of which the
45 eligible claimant shall be paid an amount equal to 50 percent of the
46 property taxes billed to the eligible claimant, up to the maximum
47 amount permitted under section 3 of P.L.2023, c.75 (C.54:4-8.75c).

1 less the amounts paid to the eligible claimant pursuant to
2 paragraphs (1) and (2) of this subsection.

3 c. **【**With respect to the homestead property tax reimbursement
4 program, the base year of an eligible claimant who receives a Stay
5 NJ property tax credit instead of a homestead property tax
6 reimbursement shall remain unchanged, notwithstanding the
7 number of years that the eligible claimant receives a Stay NJ
8 property tax credit instead of a homestead property tax
9 reimbursement.**】** (Deleted by amendment, P.L. _____, c. (C. _____)
10 (pending before the Legislature as this bill)

11 d. (1) The director shall determine the amount of the Stay NJ
12 property tax credit that shall be provided for each eligible claimant
13 pursuant to P.L.2023, c.75 (C.54:4-8.75a et al.) based upon the
14 information provided by the eligible claimant in the application or
15 from any other information as may be available to the director and
16 shall notify the applicant, not later than October 15 of each year,
17 of the determined amount, in **【**such manner as the director may deem
18 appropriate**】** writing, together with a detailed calculation of the
19 amount that the eligible claimant is entitled to receive pursuant to
20 subsection b. of this section.

21 (2) The format of the written information to be provided by the
22 director shall be determined by the director and shall, at a
23 minimum, display: (a) the amount of the eligible claimant's
24 property tax bill for the tax year; (b) the amount of the ANCHOR
25 rebate, homestead property tax reimbursement, and Stay NJ
26 property tax credit, as applicable, that the eligible claimant is
27 entitled to receive; and (c) the actual property taxes that the eligible
28 claimant shall pay in the tax year after any property tax credits are
29 applied against the eligible claimant's property tax bill.

30 (3) Subject to the provisions of the State Uniform Tax Procedure
31 Law, R.S.54:48-1 et seq., such notification shall finally and
32 irrevocably fix the amount of the Stay NJ property tax credit unless
33 the applicant, within 90 days after having been given notice of such
34 determination, shall apply to the director for a hearing, or unless the
35 director shall redetermine the same. After such hearing the director
36 shall give notice of the final determination to the applicant.

37 e. An eligible claimant for a Stay NJ property tax credit
38 authorized under P.L.2023, c.75 (C.54:4-8.75a et al.) who is
39 aggrieved by any decision, order, finding, or denial by the director
40 of all or part of that eligible claimant's Stay NJ property tax credit
41 may appeal therefrom to the New Jersey Tax Court in accordance
42 with the provisions of the State Uniform Tax Procedure Law,
43 R.S.54:48-1 et seq. The appeal provided by this section shall be the
44 exclusive remedy available to an applicant for review of a decision
45 of a director in respect to the determination of all or a part of a Stay

S3693 SCUTARI

1 NJ property tax credit authorized under P.L.2023, c.75 (C.54:4-
2 8.75a et al.).

3 (cf: P.L.2023, c.75, s.4)

4

5 4. Section 5 of P.L.2023, c.75 (C.54:4-8.75e) is amended to read
6 as follows:

7 5. a. (1) The State Treasurer, upon certification of the director
8 and upon warrant of the Director of the Division of Budget and
9 Accounting, shall pay and distribute, on a quarterly basis, beginning
10 February 1, 2026, the amount of a Stay NJ property tax credit
11 payable under P.L.2023, c.75 (C.54:4-8.75a et al.) that is claimed
12 for the tax year by check or direct deposit payable to the eligible
13 claimant, or by a credit against the property tax bill of the eligible
14 claimant payable to the tax collector of the municipality in which
15 each eligible claimant whose credit is approved by the director is
16 located; provided, however, a credit due to an eligible claimant who
17 claimed a Stay NJ property tax credit pursuant to section 3 of
18 P.L.2023, c.75 (C.54:4-8.75c), and whose homestead is a unit in a
19 cooperative, mutual housing corporation, or continuing care
20 retirement community, shall be paid directly to the eligible claimant
21 by the State Treasurer by check or direct deposit. **[A]** In any year
22 that the director determines that a Stay NJ payment shall be made as
23 a credit, a Stay NJ property tax credit allowed by the director to an
24 eligible claimant who claimed a Stay NJ property tax credit
25 pursuant to section 3 of P.L.2023, c.75 (C.54:4-8.75c), and whose
26 homestead is not a unit in a cooperative, mutual housing
27 corporation, or continuing care retirement community, shall be paid
28 by the State Treasurer through electronic funds transfer made by the
29 director to the local property tax account maintained by the local
30 property tax collector for the homestead of an eligible claimant as
31 the eligible claimant shall identify, in four equal installments after
32 the application for the credit has been approved. The State
33 Treasurer shall pay and distribute Stay NJ property tax credit
34 payments to each municipal tax collector or eligible claimant, as
35 applicable, on a quarterly basis at least 10 days prior to the statutory
36 due date for each property tax year quarter payment. Notice of
37 payments of Stay NJ credit installments shall be provided to the
38 eligible claimant and the appropriate local tax collector.

39 (2) Notwithstanding the provisions of this section to the
40 contrary, for the first year in which the Stay NJ property tax
41 program is implemented, each Stay NJ property tax credit awarded
42 an eligible claimant shall be paid and distributed by check or direct
43 deposit.

44 b. Each municipal tax collector who applies a Stay NJ property
45 tax credit to the property tax account of the homestead of an eligible
46 claimant pursuant to this section shall provide timely notice thereof
47 to the eligible claimant and to any mortgagee or servicing
48 organization noted on the property tax account that requires a

S3693 SCUTARI

1 mortgagor to make property tax payments to an escrow account, for
2 the purpose of encouraging the escrow account property tax
3 requirements to be promptly adjusted to the benefit of the property
4 tax taxpayer on account of Stay NJ property tax credit payments.
5 (cf: P.L.2023, c.75, s.5)

6
7 5. Section 6 of P.L.2023, c.75 (C.54:4-8.75f) is amended to read
8 as follows:

9 6. a. (1) Notwithstanding the provisions of section 6 of
10 P.L.1990, c.61 (C.54:4-8.62) and section 3 of P.L.1997, c.348
11 (C.54:4-8.70) concerning the form and deadline of applications for
12 the ANCHOR rebate program and the homestead property tax
13 reimbursement, the director shall promulgate, not later than
14 February 1, 2025, a single combined application form to be used by
15 State residents to apply for the ANCHOR rebate program, the
16 homestead property tax reimbursement program, and the Stay NJ
17 property tax credit in accordance with the recommendations of the
18 Stay NJ Task Force established pursuant to section 18 of P.L.2023,
19 c.75 (C.54:4-8.75o).

20 **【The】** (2) To the extent practicable, the single combined
21 application shall resemble the form and manner of the application
22 for the homestead property tax reimbursement program, as created
23 pursuant to section 3 of P.L.1997, c.348 (C.54:4-8.70), except that
24 the single combined application form shall, at a minimum, require
25 the applicant to submit information about his or her age, annual
26 income, including the amount of Social Security payments received
27 by the applicant, homestead property address, as well as any other
28 information determined necessary by the director in order to
29 approve or disapprove the applicant's participation in those
30 programs.

31 (3) The combined application form shall also advise the
32 applicant that the director shall determine the eligibility of an
33 applicant to receive an ANCHOR rebate, a homestead property tax
34 reimbursement, or a Stay NJ property tax credit, or any combination
35 thereof. The director shall, for good cause shown, extend the time
36 of any applicant to file an application for a reasonable period, and
37 in such case, the application shall be processed and payment of an
38 ANCHOR rebate, homestead property tax reimbursement, or a Stay
39 NJ property tax credit, or any combination thereof, made in
40 accordance with the procedures established in the case of
41 applications timely filed, except the date for the payment may be
42 delayed for a reasonable period. If an applicant or an applicant's
43 spouse has filed an application for an extension of time to file a
44 gross income tax return, the date by which the applicant shall file an
45 application may, in the discretion of the director, be extended for a
46 reasonable period, and the date for the payment of an ANCHOR
47 rebate, homestead property tax reimbursement, or a Stay NJ
48 property tax credit, or any combination thereof, may be delayed for

1 a reasonable period. A State resident seeking property tax benefits
2 under any of those programs shall accurately complete the entire
3 application and file it with the director.

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

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

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

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

42 (cf: P.L.2023, c.75, s.6)

43

44 6. Section 10 of P.L.2023, c.75 (C.54:4-8.75j) is amended to
45 read as follows:

46 10. a. Except as provided in subsection b. of this section, a
47 person who receives a Stay NJ property tax credit otherwise
48 authorized under this act but which has been paid in error and

1 which is recoverable by the director, and fails to return the payment
2 within 45 days of receiving notice from the director that such
3 payment was erroneous, shall pay, in addition to the amount of the
4 erroneous credit, interest at the rate prescribed in R.S.54:49-3,
5 assessed for each month or fraction thereof, compounded annually
6 at the end of each year, from the date next following the 45th day
7 after receiving the notice from the director that such payment was
8 erroneous until the date of the return of the erroneous payment.

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

17 c. Except as an installment payment agreement permitted
18 pursuant to subsection b. of this section, a Stay NJ **Property Tax**
19 **Credit** property tax credit paid as a result of misrepresentation or
20 paid in error and any penalties and interest imposed thereon by this
21 act, shall be payable to and recoverable by the director in the same
22 manner as a deficiency with respect to the payment of State tax in
23 accordance with the State Uniform Tax Procedure Law, R.S.54:48-1
24 et seq.

25 (cf: P.L.2023, c.75, s.10)

26
27 7. Section 16 of P.L.2023, c.75 (C.54:4-8.75m) is amended to
28 read as follows:

29 16. a. The Department of the Treasury shall establish a
30 dedicated, nonlapsing account for the purpose of providing property
31 tax benefits to homestead owners **and tenants** 65 years of age or
32 older **on their principal residences, whether owned or rented**. All
33 moneys deposited into the account shall be used for the payment of
34 property tax benefits in accordance with subsection c. of this
35 section.

36 b. (1) There is appropriated to the account established by
37 subsection a. of this section in State Fiscal Year 2024,
38 \$100,000,000 for the purpose of providing property tax benefits in
39 accordance with subsection c. of this section, subject to the
40 approval of the Director of the Division of Budgeting and
41 Accounting in the Department of the Treasury.

42 (2) The annual appropriations act for State Fiscal Year 2025
43 shall include an appropriation to the account established by
44 subsection a. of this section, in an amount not to exceed
45 \$200,000,000 for the purpose of providing property tax benefits in
46 accordance with subsection c. of this section.

47 (3) The annual appropriations act for State Fiscal Year 2026
48 shall include an appropriation to the account established by

1 subsection a. of this section, in an amount not to exceed
2 \$300,000,000 for the purpose of providing property tax benefits in
3 accordance with subsection c. of this section.

4 c. Beginning in State Fiscal Year 2026, moneys in the account
5 established by subsection a. of this section shall be appropriated
6 solely for the Stay NJ property tax credit program established
7 pursuant to section 3 of P.L.2023, c.75 (C.54:4-8.75c).
8 (cf: P.L.2023, c.75, s.16)
9

10 8. Section 17 of P.L.2023, c.75 (C.54:4-8.75n) is amended to
11 read as follows:

12 17. The **[amendatory and supplementary provisions of]**
13 appropriation of funds necessary to support the provision of
14 property tax relief under the Stay NJ property tax credit program as
15 provided under sections 1 through 16 of P.L.2023, c.75 (C.54:4-
16 8.75a et al.), as amended and supplemented by P.L. , c. (C.)
17 (pending before the Legislature as this bill), shall not supersede,
18 impact, or interfere with any of the following:

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

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

28 c. the full funding of the senior citizens' and disabled persons'
29 \$250 property tax deduction authorized by Article VIII, Section I,
30 paragraph 4 of the New Jersey Constitution;

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

33 e. the maintenance of a budgetary surplus target of no less than
34 12 percent of total **[expenditures]** appropriations from the General
35 Fund and the Property Tax Relief Fund in a given State fiscal year.

36 (cf: P.L.2023, c.75, s.17)
37

38 9. Section 18 of P.L.2023, c.75 (C.54:4-8.75o) is amended to
39 read as follows:

40 18. a. There is established in the Department of the Treasury
41 the Stay NJ Task Force. The purpose of the task force shall be to
42 develop recommendations for establishing and funding uniform
43 property tax relief to all senior citizen homeowners **[and tenants]**
44 making under \$500,000 per year. The task force shall review all of
45 the existing property tax relief programs and present, to the
46 Governor and the Legislature, no later than May 30, 2024, a report
47 containing recommendations about how to restructure, and
48 consolidate, the various property tax relief programs into one,

1 streamlined, property tax relief program that would deliver to senior
2 citizens having an annual gross income under \$500,000 an annual
3 property tax benefit, which for homeowners shall be in the amount
4 of 50 percent of the property tax bill on their principal residence,
5 beginning with the tax year 2026, which commences on January 1
6 of that year. The report shall include recommendations concerning
7 system improvements that both the State and local government units
8 would need to implement the Stay NJ property tax credit program
9 and the funding required to establish and maintain such system
10 improvements. The task force shall provide recommendations that
11 have a target implementation date of January 1, 2026.

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

14 The State Treasurer, or the State Treasurer's designee, who shall
15 serve ex officio;

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

18 One public member, who shall be appointed by the Governor,
19 who may be an employee of the Executive Branch of State
20 government;

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

23 One public member who shall be appointed by the Governor
24 upon the recommendation of the Speaker of the General Assembly;
25 and

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

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

39 The task force shall organize as expeditiously as practicable
40 following the appointment of all its public members. Appointments
41 to the task force shall be made in an expeditious manner to ensure
42 the task force has sufficient time to make the recommendations
43 required by this section in order to facilitate implementation of the
44 Stay NJ program on or before the dates set forth in P.L.2023, c.75
45 (C.54:4-8.75a et al.).

46 c. The Governor shall appoint an executive director, who shall
47 be employed by the task force and paid by the task force from funds

1 appropriated for its use pursuant to P.L.2023, c.75 (C.54:4-8.75a et
2 al.).

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

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

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

33 e. **【The】** Following the issuance of its report, the task force
34 shall **【disband on the 30th day after the enactment of legislation in**
35 **response to the Stay NJ Task Force pursuant to section 19 of**
36 **P.L.2023, c.75 (C.54:4-8.75p)】** continue to meet not less than once
37 per calendar quarter for the purpose of assisting the Director of the
38 Division of Taxation in the Department of the Treasury in
39 developing a process to implement a property tax credit for the
40 payment of benefits under the homestead property tax
41 reimbursement program and the Stay NJ property tax credit
42 program, and collecting information from local officials regarding
43 how to effectively implement property tax credits in future years for
44 those programs, as required pursuant to the provisions of section 11

1 of P.L. , c. (C.) (pending before the Legislature as this bill).
2 (cf: P.L.2023, c.75, s.18)

3

4 10. Section 19 of P.L.2023, c.75 (C.54:4-8.75p) is amended to
5 read as follows:

6 19. After the Legislature and the Governor review the Stay NJ
7 Task Force's recommendations and determine such
8 recommendations are appropriate, the Legislature shall consider and
9 approve, and the Governor shall enact, the legislation recommended
10 by the Stay NJ Task Force, or legislation substantially similar to the
11 legislation recommended by the task force, regarding the objectives
12 set forth in section 18 of P.L.2023, c.75 (C.54:4-8.75o) not later
13 than 90 days prior to **July** February 1, 2025, the date by which the
14 State Treasurer shall be required to produce the application for the
15 Stay NJ program in **2026** 2025 pursuant to section 4 of P.L.2023,
16 c.75 (C.54:4-8.75d). **Notwithstanding** the provisions of this act or
17 any law to the contrary, if the Legislature and the Governor fail: (1)
18 to enact legislation following the release of the task force's report or
19 (2) to enact legislation that the Governor and Legislature deem
20 appropriate which otherwise addresses the issues the task force is
21 required to consider pursuant to section 18 of P.L.2023, c.75
22 (C.54:4-8.75o), then promulgation of a combined single application
23 form shall not be required on or before the date set forth in section
24 4 of P.L.2023, c.75 (C.54:4-8.75d) and the implementation of the
25 Stay NJ property tax credit program shall be delayed until the
26 enactment of such legislation. **If** legislation is enacted after the
27 90th day preceding **July** February 1, 2025, then promulgation of a
28 combined single application form shall be required no earlier than
29 the 91st day next following the enactment of such legislation and
30 the implementation of the Stay NJ property tax credit program shall
31 begin no earlier than the first tax year quarter beginning no less
32 than six months following the promulgation of the combined single
33 application form.

34 (cf: P.L.2023, c.75, s.19)

35

36 11. (New section) a. After the effective date of
37 P.L. , c. (C.) (pending before the Legislature as this bill), the
38 Director of the Division of Taxation in the Department of the
39 Treasury, in consultation with the Director of the Division of Local
40 Government Services in the Department of Community Affairs and
41 local officials, shall develop a process to implement a property tax
42 credit for the payment of benefits under the homestead property tax
43 reimbursement program and the Stay NJ property tax credit
44 program. As a part of that process, the Director of the Division of
45 Taxation shall collect information from local officials regarding
46 how to effectively implement property tax credits in future years for
47 those programs. The collection of such information may include,

1 but shall not be limited to, the administration of a standardized
2 survey data collection instrument.

3 b. Notwithstanding the provisions of subsection a. of this section
4 regarding the development of a process for implementing property
5 tax credits, the Director of the Division of Taxation shall also
6 determine the feasibility of allowing eligible claimants for
7 homestead property tax reimbursement and Stay NJ property tax
8 credits to choose to continue to receive annual checks or direct
9 deposits into a bank account instead of a property tax credit.

10

11 12. Section 1 of P.L.1990, c.61 (C.54:4-8.57) is amended to read
12 as follows:

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

21 (cf: P.L.2023, c.75, s.20)

22

23 13. Section 2 of P.L.1990, c.61 (C.54:4-8.58) is amended to read
24 as follows:

25 2. As used in sections 2 through 10 of P.L.1990, c.61 (C.54:4-
26 8.58 through 54:4-8.66) and sections 3 and 14 through 16 of
27 P.L.1999, c.63 (C.54:4-8.58a and 54:4-8.66a through C.54:4-8.66c),
28 and where the context requires, as may be applicable to the
29 Affordable New Jersey Communities for Homeowners and Renters
30 (ANCHOR) Property Tax Relief Program:

31 "Annualized rent" means, for tax years 2004 and thereafter, the
32 rent paid by the claimant during the tax year for which the
33 homestead rebate is being claimed, and if paid for a lease term
34 covering less than the full tax year, the actual rent paid for the days
35 during the term of the lease of the homestead proportionalized as if
36 the term of the lease had been for 365 days of the tax year;

37 "Arm's-length transaction" means a transaction in which the
38 parties are dealing from equal bargaining positions, neither party is
39 subject to the other's control or dominant influence, and the
40 transaction is entirely legal in all respects and is treated with
41 fairness and integrity;

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

45 "Continuing care retirement community" means a residential
46 facility primarily for retired persons where lodging and nursing,
47 medical or other health related services at the same or another
48 location are provided as continuing care to an individual pursuant to

1 an agreement effective for the life of the individual or for a period
2 greater than one year, including mutually terminable contracts, and
3 in consideration of the payment of an entrance fee with or without
4 other periodic charges;

5 "Cooperative" means a housing corporation or association which
6 entitles the holder of a share or membership interest thereof to
7 possess and occupy for dwelling purposes a house, apartment,
8 manufactured or mobile home or other unit of housing owned or
9 leased by the corporation or association, or to lease or purchase a
10 unit of housing constructed or to be constructed by the corporation
11 or association;

12 "Director" means the Director of the Division of Taxation in the
13 Department of the Treasury;

14 "Dwelling house" means any residential property assessed as real
15 property which consists of not more than four units, of which not
16 more than one may be used for commercial purposes, but shall not
17 include a unit in a condominium, cooperative, horizontal property
18 regime or mutual housing corporation;

19 "Homestead" means:

20 a. (1) a dwelling house and the land on which that dwelling
21 house is located which constitutes the place of the claimant's
22 domicile and is owned and used by the claimant as the claimant's
23 principal residence;

24 (2) a dwelling house situated on land owned by a person other
25 than the claimant which constitutes the place of the claimant's
26 domicile and is owned and used by the claimant as the claimant's
27 principal residence;

28 (3) a condominium unit or a unit in a horizontal property regime
29 which constitutes the place of the claimant's domicile and is owned
30 and used by the claimant as the claimant's principal residence;

31 (4) for purposes of this definition as provided in this subsection,
32 in addition to the generally accepted meaning of owned or
33 ownership, a homestead shall be deemed to be owned by a person if
34 that person is a tenant for life or a tenant under a lease for 99 years
35 or more and is entitled to and actually takes possession of the
36 homestead under an executory contract for the sale thereof or under
37 an agreement with a lending institution which holds title as security
38 for a loan, or is a resident of a continuing care retirement
39 community pursuant to a contract for continuing care for the life of
40 that person which requires the resident to bear a share of the
41 property taxes that are assessed upon the continuing care retirement
42 community, if a share is attributable to the unit that the resident
43 occupies;

44 b. a unit in a cooperative or mutual housing corporation which
45 constitutes the place of domicile of a residential shareholder or
46 lessee therein, or of a lessee, or shareholder who is not a residential
47 shareholder therein, and which is used by the claimant as the
48 claimant's principal residence; and

1 c. a unit of residential rental property which unit constitutes the
2 place of the claimant's domicile and is used by the claimant as the
3 claimant's principal residence;

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

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

14 "Manufactured home" or "mobile home" means a unit of housing
15 which:

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

19 (2) Is built on a permanent chassis;

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

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

30 "Mobile home park" means a parcel of land, or two or more
31 parcels of land, containing no fewer than 10 sites equipped for the
32 installation of manufactured or mobile homes, where these sites are
33 under common ownership and control for the purpose of leasing
34 each site to the owner of a manufactured or mobile home for the
35 installation thereof, and where the owner or owners provide
36 services, which are provided by the municipality in which the park
37 is located for property owners outside the park, which services may
38 include but shall not be limited to:

39 (1) The construction and maintenance of streets;

40 (2) Lighting of streets and other common areas;

41 (3) Garbage removal;

42 (4) Snow removal; and

43 (5) Provisions for the drainage of surface water from home sites
44 and common areas;

45 "Mutual housing corporation" means a corporation not-for-profit,
46 incorporated under the laws of this State on a mutual or cooperative
47 basis within the scope of section 607 of the Lanham Act (National
48 Defense Housing), Pub.L.849, 76th Congress (42 U.S.C. s.1521 et

1 seq.), as amended, which acquired a National Defense Housing
2 Project pursuant to that act;

3 "Principal residence" means a homestead actually and
4 continually occupied by a claimant as the claimant's permanent
5 residence, as distinguished from a vacation home, property owned
6 and rented or offered for rent by the claimant, and other secondary
7 real property holdings;

8 "Property tax" means payments to a municipality based upon an
9 assessment made by the municipality upon real property on an ad
10 valorem basis on land and improvements, and shall include the
11 amount of property tax credit as defined in section 1 of P.L.2018,
12 c.11 (C.54:4-66.6), but shall not include payments made in lieu of
13 taxes;

14 "Rent" means the amount due in an arm's-length transaction
15 solely for the right of occupancy of a homestead that is a unit of
16 residential rental property. Rent shall not include any amount paid
17 under the federal Housing Choice Voucher (Section 8) Program or
18 paid as a rental assistance grant under section 1 of P.L.2004, c.140
19 (C.52:27D-287.1). If the director finds that the parties in a rental
20 transaction have not dealt with each other in an arm's-length
21 transaction and that the rent due was excessive, the director may,
22 for purposes of the homestead rebate claim, adjust the rent claimed
23 in the homestead rebate application to a reasonable amount of rent;

24 "Rent constituting property taxes" means 18% of the rent paid by
25 the homestead rebate claimant during the tax year on a unit of
26 residential rental property which constitutes the claimant's
27 homestead, and in the case of a manufactured home or mobile home
28 in a mobile home park which constitutes the claimant's homestead
29 means 18% of the site fee paid by the claimant during the tax year
30 to the owner of the mobile home park. Provided however, that for
31 tax year 2004 and for each tax year thereafter, rent constituting
32 property taxes shall equal 18% of annualized rent, and in the case of
33 a manufactured home or mobile home in a mobile home park rent
34 constituting property taxes shall equal 18% of a similarly
35 annualized site fee;

36 "Resident" means an individual:

37 a. who is domiciled in this State, unless he maintains no
38 permanent place of abode in this State, maintains a permanent place
39 of abode elsewhere, and spends in the aggregate no more than 30
40 days of the tax year in this State; or

41 b. who is not domiciled in this State but maintains a permanent
42 place of abode in this State and spends in the aggregate more than
43 183 days of the tax year in this State, unless the individual is in the
44 Armed Forces of the United States;

45 "Residential rental property" means:

46 a. any building or structure or complex of buildings or
47 structures in which dwelling units are rented or leased or offered for
48 rental or lease for residential purposes;

1 b. a rooming house, hotel or motel, if the rooms constituting
2 the homestead are equipped with kitchen and bathroom facilities;

3 c. any building or structure or complex of buildings or
4 structures constructed under the following sections of the National
5 Housing Act (Pub.L.73-479) as amended and supplemented: section
6 202, Housing Act of 1959 (Pub.L.86-372) and as subsequently
7 amended, section 231, Housing Act of 1959; and

8 d. a site in a mobile home park equipped for the installation of
9 manufactured or mobile homes, where these sites are under
10 common ownership and control for the purpose of leasing each site
11 to the owner of a manufactured or mobile home for the installation
12 thereof;

13 "Residential shareholder in a cooperative or mutual housing
14 corporation" means a tenant or holder of a membership interest in
15 that cooperative or corporation, whose residential unit therein
16 constitutes the tenant or holder's domicile and principal residence,
17 and who may deduct real property taxes for purposes of federal
18 income tax pursuant to section 216 of the federal Internal Revenue
19 Code of 1986, 26 U.S.C. s.216; and

20 "Tax year" means the calendar year in which property taxes are
21 due and payable.

22 (cf: P.L.2018, c.11, s.10)

23

24 14. Section 3 of P.L.1999, c.63 (C.54:4-8.58a) is amended to
25 read as follows:

26 3. a. For tax year 2003, the director shall determine the amount
27 of the homestead rebate that shall be paid to each claimant pursuant
28 to P.L.1990, c.61 (C.54:4-8.57 et al.), and P.L.1999, c.63 (C.54:4-
29 8.58a et al.), as amended by P.L.2004, c.40, based upon the
30 information provided by the individual applicant in the application
31 for either a NJ SAVER rebate or for a homestead rebate, or from
32 any other information as may be available to the director in order
33 that each individual applicant shall be paid the homestead rebate
34 that may be allowed to the claimant pursuant to sections 3 through 5
35 of P.L.1990, c.61 (C.54:4-8.59 through 54:4-8.61), as the director
36 determines is appropriate.

37 b. (1) For tax year 2003, a resident of this State who has paid
38 property taxes for the tax year on a homestead that is owned as
39 such, who has filed an application for an NJ SAVER rebate
40 pursuant to the provisions of P.L.1999, c.63 (C.54:4-8.58a et al.), or
41 pursuant to that act as amended and supplemented by P.L.2004,
42 c.40, and who meets the prerequisites for an NJ SAVER rebate at
43 12:01 A.M. on October 1, 2003 for that tax year, shall be
44 considered to have applied for a homestead rebate and shall be
45 allowed a homestead rebate instead of an NJ SAVER rebate for that
46 tax year pursuant to P.L.1990, c.61 (C.54:4-8.57 et al.), and
47 P.L.1999, c.63 (C.54:4-8.58a et al.), as amended by P.L.2004, c.40.
48 An application for an NJ SAVER rebate shall be allowed as a

1 homestead rebate for a homestead the title to which is held by a
2 partnership, to the extent of the applicant's interest as a partner
3 therein, and by a guardian, trustee, committee, conservator or other
4 fiduciary for any individual who would otherwise be eligible for an
5 NJ SAVER rebate. An application for an NJ SAVER rebate shall
6 not be allowed for a homestead, the title to which is held partially
7 or entirely by a corporate entity of any type, except as otherwise
8 specifically allowed for applications from residents of properties
9 owned by continuing care retirement community, cooperative or
10 mutual housing corporations.

11 (2) For tax year 2004 and tax year 2005, any rebates applied for
12 and paid pursuant to P.L.1990, c.61 (C.54:4-8.57 et al.), and
13 P.L.1999, c.63 (C.54:4-8.58a et al.), as amended and supplemented
14 by P.L.2004, c.40, shall be homestead rebates.

15 (3) For tax year 2006 and for tax years thereafter, any
16 homestead benefit applied for and provided pursuant to this act
17 shall be a rebate or credit, as annually determined by the Director of
18 the Division of Taxation.

19 (4) After the effective date of P.L. , c (C.) (pending
20 before the Legislature as this bill), and with respect to the payment
21 of ANCHOR rebates to eligible claimants, payments to eligible
22 claimants in calendar year 2026 shall be based on property taxes
23 billed for tax year 2025. Thereafter, payments to eligible claimants
24 in any succeeding benefit year shall be based on the immediately
25 preceding tax year.

26 (cf: P.L.2007, c.62, s.22)

27

28 15. (New section) Notwithstanding the provisions of any other
29 law to the contrary, after the effective date of P.L. , c. (C.)
30 (pending before the Legislature as this bill), ANCHOR rebates shall
31 be paid to eligible claimants on or before September 15 of each tax
32 year annually, whether such rebates are to be paid by check, direct
33 deposit, or as a credit on the eligible claimant's property tax bill.

34

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

37 1. As used in **[this act]** P.L.1997, c.348 (C.54:4-8.67 et seq.):

38 "Base year" means, in the case of a person who is an eligible
39 claimant on or before December 31, 1997, the tax year 1997; and in
40 the case of a person who first becomes an eligible claimant after
41 December 31, 1997, the tax year in which the person first becomes
42 an eligible claimant. In the case of an eligible claimant who
43 subsequently moves from the homestead for which the initial
44 eligibility was established, the base year shall be the first full tax
45 year during which the person resides in the new homestead.
46 Provided however, a base year for an eligible claimant after such a
47 move shall not apply to tax years commencing prior to January 1,
48 2009. In the case of an eligible claimant who receives a Stay NJ

1 property tax credit in lieu of a homestead property tax
2 reimbursement pursuant to section 4 of P.L.2023, c.75 (C.54:4-
3 8.75d), the base year of that eligible claimant shall remain
4 unchanged.

5 "Commissioner" means the Commissioner of Community
6 Affairs.

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

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

11 "Cooperative" means a housing corporation or association which
12 entitles the holder of a share or membership interest thereof to
13 possess and occupy for dwelling purposes a house, apartment or
14 other unit of housing owned or leased by the corporation or
15 association, or to lease or purchase a unit of housing constructed or
16 to be constructed by the corporation or association.

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

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

27 "Eligible claimant" means a person who:

28 is 65 or more years of age on or before December 31 of any tax
29 year for which a homestead property tax reimbursement is sought,
30 or who is a disabled person;

31 is an owner of a homestead, or the lessee of a site in a mobile
32 home park on which site the applicant owns a manufactured or
33 mobile home for the entire tax year for which a homestead property
34 tax reimbursement is sought;

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

43 has an annual income of \$60,000 or less in tax year 2007,
44 \$70,000 or less in tax year 2008, or \$80,000 or less in tax year
45 2009, if single or married, which income eligibility limits shall be
46 subject to adjustments in tax years 2010 through 2021 pursuant to
47 section 9 of P.L.1997, c.348 (C.54:4-8.68);

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

5 has, for at least three calendar years, including the entire tax year
6 for which a homestead property tax reimbursement is sought,
7 owned and resided in the homestead for which a homestead
8 property tax reimbursement is sought prior to the date that an initial
9 application for a homestead property tax reimbursement is filed. A
10 person who has been an eligible claimant for a previous tax year
11 shall qualify as an eligible claimant beginning the second full tax
12 year following a move to another homestead in New Jersey, despite
13 not meeting the three-year minimum residency and ownership
14 requirement required for initial claimants under this paragraph;
15 provided that the person satisfies the income eligibility limits for
16 the tax year. Provided however, eligibility beginning in a second
17 full tax year after such a move shall not apply to tax years
18 commencing prior to January 1, 2010.

19 "Homestead" means:

20 a dwelling house and the land on which that dwelling house is
21 located which constitutes the place of the eligible claimant's
22 domicile and is owned and used by the eligible claimant as the
23 eligible claimant's principal residence;

24 a site in a mobile home park equipped for the installation of
25 manufactured or mobile homes, where these sites are under
26 common ownership and control for the purpose of leasing each site
27 to the owner of a manufactured or mobile home for the installation
28 thereof and such site is used by the eligible claimant as the eligible
29 claimant's principal residence;

30 a dwelling house situated on land owned by a person other than
31 the eligible claimant which constitutes the place of the eligible
32 claimant's domicile and is owned and used by the eligible claimant
33 as the eligible claimant's principal residence;

34 a condominium unit or a unit in a horizontal property regime or a
35 continuing care retirement community which constitutes the place
36 of the eligible claimant's domicile and is owned and used by the
37 eligible claimant as the eligible claimant's principal residence.

38 In addition to the generally accepted meaning of "owned" or
39 "ownership," a homestead shall be deemed to be owned by a person
40 if that person is a tenant for life or a tenant under a lease for 99
41 years or more, is entitled to and actually takes possession of the
42 homestead under an executory contract for the sale thereof or under
43 an agreement with a lending institution which holds title as security
44 for a loan, or is a resident of a continuing care retirement
45 community pursuant to a contract for continuing care for the life of
46 that person which requires the resident to bear, separately from any
47 other charges, the proportionate share of property taxes attributable
48 to the unit that the resident occupies;

1 a unit in a cooperative or mutual housing corporation which
2 constitutes the place of domicile of a residential shareholder or
3 lessee therein, or of a lessee or shareholder who is not a residential
4 shareholder therein, which is used by the eligible claimant as the
5 eligible claimant's principal residence.

6 "Homestead property tax reimbursement" means payment of the
7 difference between the amount of property tax or site fee
8 constituting property tax due and paid in any year on any
9 homestead, exclusive of improvements not included in the
10 assessment on the real property for the base year, and the amount of
11 property tax or site fee constituting property tax due and paid in the
12 base year, when the amount paid in the base year is the lower
13 amount; but such calculations shall be reduced by any current year
14 property tax reductions or reductions in site fees constituting
15 property taxes resulting from judgments entered by county boards
16 of taxation or the State Tax Court.

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

20 "Income" means all New Jersey gross income required to be
21 reported pursuant to the "New Jersey Gross Income Tax Act,"
22 N.J.S.54A:1-1 et seq., before the application of any authorized
23 exclusion or deduction, except also including: interest income
24 excluded from taxation pursuant to N.J.S.54A:6-14; pension and
25 annuity income excluded from taxation pursuant to N.J.S.54A:6-10;
26 income derived from distributions from, or roll over to, a Roth IRA
27 excluded from taxation pursuant to N.J.S.54A:6-28; other
28 retirement income excluded from taxation pursuant to N.J.S.54A:6-
29 15; and Social Security income excluded from taxation pursuant to
30 N.J.S.54A:6-2, as self-reported by the homeowner.

31 "Manufactured home" or "mobile home" means a unit of housing
32 which:

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

36 (2) Is built on a permanent chassis;

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

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

47 "Mobile home park" means a parcel of land, or two or more
48 parcels of land, containing no fewer than 10 sites equipped for the

1 installation of manufactured or mobile homes, where these sites are
2 under common ownership and control for the purpose of leasing
3 each site to the owner of a manufactured or mobile home for the
4 installation thereof, and where the owner or owners provide
5 services, which are provided by the municipality in which the park
6 is located for property owners outside the park, which services may
7 include but shall not be limited to:

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

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

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

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

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

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

37 "Tax year" means the calendar year in which a homestead is
38 assessed and the property tax is levied thereon and it means the
39 calendar year in which income is received or accrued.

40 (cf: P.L.2023, c.75, s.13)

41

42 17. Section 3 of P.L.1997, c.348 (C.54:4-8.70) is amended to
43 read as follows:

44 3. **【An】** a. For tax years before the implementation of the
45 single combined application required pursuant to section 6 of
46 P.L.2023, c.75 (C.54:4-8.75f), an application for a homestead
47 property tax reimbursement hereunder shall be filed with the
48 director annually beginning April 1 and ending October 31 of the

1 year following the year for which the claim is being made and shall
2 reflect the prerequisites for a homestead property tax
3 reimbursement on December 31 of the tax year for which the claim
4 is being made; provided, however, that the director may, by rule,
5 designate a later date as the date by which the application shall be
6 filed or waive the requirement for filing an annual application for
7 any year or years subject to any limitations and conditions the
8 director may deem appropriate. The application shall be on a form
9 prescribed by the director and provided for the use of applicants
10 hereunder. Each applicant making a claim for a homestead property
11 tax reimbursement under this act shall provide, if required by the
12 director, to the director a copy of his or her current year property
13 tax bill or current year site fee bill on the homestead constituting
14 that person's principal residence and a copy of his or her property
15 tax bill for the base year or site fee bill for the base year on the
16 same homestead, or other equivalent proof as permitted by the
17 director.

18 It shall be the duty of every eligible claimant to inform the
19 director of any change in his or her status or homestead which may
20 affect his or her right to continuance of the homestead property tax
21 reimbursement.

22 If an eligible claimant receives an additional homestead property
23 tax reimbursement to which the claimant was not entitled or greater
24 than the reimbursement to which the claimant was entitled, the
25 director shall permit the claimant to enter into an installment
26 payment agreement for a reasonable period of time that will enable
27 the claimant to completely satisfy the amount of the reimbursement
28 paid to which the claimant was not entitled. If the claimant does
29 not enter into an installment payment agreement, the director may,
30 in addition to all other available legal remedies, offset such amount
31 against a gross income tax refund or amount due pursuant to
32 P.L.1990, c.61.

33 b. For tax years on and after the implementation of the single
34 combined application required pursuant to section 6 of P.L.2023,
35 c.75 (C.54:4-8.75f), an application for a homestead property tax
36 reimbursement hereunder shall be filed with the director annually,
37 beginning February 1 and ending October 31 of the year following
38 the year for which the claim is being made, using the single
39 combined application and in accordance with the requirements of
40 section 6 of P.L.2023, c.75 (C.54:4-8.75f).

41 (cf: P.L.2017, c.370, s.1)

42

43 18. Section 4 of P.L.1997, c.348 (C.54:4-8.71) is amended to
44 read as follows:

45 4. a. The director shall administer the homestead property tax
46 reimbursement program. A payment for the homestead property tax
47 reimbursement amount, as calculated by the director, shall be
48 **[mailed]** paid, by check, direct deposit, or credit against the

1 eligible claimant's property tax bill, to each person determined by
 2 the director to be an eligible claimant **【under this act】** pursuant to
 3 P.L.1997, c.348 (C.54:4-8.67 et seq.) and shall be made according
 4 to the following schedule: **【**on or before July 15, 1999 and July 15
 5 annually thereafter, except that the payment of any homestead
 6 property tax reimbursement amount for an eligible claimant whose
 7 application is filed during the period May 1 through June 1 shall be
 8 mailed on or before September 1 annually. Provided further,
 9 however, that the payment of any homestead property tax
 10 reimbursement amount for an eligible claimant whose application is
 11 filed during a period after June 1 pursuant to an extended
 12 application deadline as may be designated by the director shall be
 13 mailed on or before such latter mailing date as the director may
 14 determine.**】**

15 (1) for applications received on or before May 1 of the tax year,
 16 the reimbursement amount shall be paid on or before July 15 of that
 17 tax year; and

18 (2) for applications received on or after May 1 of the tax year,
 19 the reimbursement amount shall be made on a rolling monthly
 20 basis.

21 b. All payments made pursuant to this section shall be
 22 appropriated from receipts in the Casino Revenue Fund.

23 (cf: P.L.2003, c.30, s.2)

24
 25 19. (New section) The Director of the Division of Taxation in
 26 the Department of the Treasury is authorized to take any
 27 administrative action with respect to the Stay NJ program,
 28 P.L.2023, c.75 (C.54:4-8.75a et al.), the homestead property tax
 29 reimbursement program, P.L.1997, c.348 (C.54:4-8.67 et seq.), or
 30 the ANCHOR Property Tax Relief Program that may be necessary
 31 to implement the provisions of P.L. , c. (C.) (pending
 32 before the Legislature as this bill).

33
 34 20. Section 3 of P.L.2021, c.371 (C.47:1B-3) is amended to read
 35 as follows:

36 3. a. The following exceptions shall apply to the requirement to
 37 redact, and the prohibition against the disclosure of, a home address
 38 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2) in accordance
 39 with section 2 of P.L.2015, c.226 (C.47:1-17), section 1 of
 40 P.L.1995, c.23 (C.47:1A-1.1), or section 6 of P.L.2001, c.404
 41 (C.47:1A-5):

42 (1) Copies of voter registration files maintained in the Statewide
 43 voter registration system pursuant to section 2 of P.L.2005, c.145
 44 (C.19:31-32) and maintained by the commissioner of registration in
 45 each county pursuant to R.S.19:31-3 shall be provided as redacted
 46 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2), except that
 47 copies of the files as unredacted pursuant thereto shall be provided
 48 to the following individuals, upon the individual's signing of an

1 affidavit attesting to the individual's qualifying status pursuant
2 hereto:

3 (a) the chairperson of the county or municipal committee of a
4 political party, as appropriate under R.S.19:7-1, or a designee
5 thereof, for distribution to any person authorized to serve as a
6 challenger pursuant to R.S.19:7-1 or section 2 of P.L.2021, c.40
7 (C.19:15A-2), subject to the limitations in section 1 of P.L.1960,
8 c.82 (C.19:7-6.1); and the unredacted copies may only be used for
9 the purpose specified in R.S.19:7-5;

10 (b) a candidate, or a designee thereof, for distribution to a
11 challenger appointed thereby pursuant to section 2 of P.L.2021, c.40
12 (C.19:15A-2) for the person's use in accordance with R.S.19:7-5;

13 (c) a candidate acting as a challenger pursuant to R.S.19:7-2 or
14 the other person appointed thereunder, for use in accordance with
15 R.S.19:7-5;

16 (d) any vendor, contractor, or organization carrying out a
17 function of a county or of the State concerning the administration or
18 conduct of elections; and

19 (e) upon order of a judge of the Superior Court after a finding
20 that the unredacted copy is necessary to determine the merits of a
21 petition filed in accordance with R.S.19:29-3, a person filing such
22 petition or the respondent or both.

23 This paragraph shall apply to registry lists as described in section
24 2 of P.L.1947, c.347 (C.19:31-18.1).

25 (2) Other than as provided in subparagraphs (d) and (e) of
26 paragraph (4) of this subsection, a document affecting the title to
27 real property, as defined by N.J.S.46:26A-2, recorded and indexed
28 by a county recording officer, or as otherwise held or maintained by
29 the Division of Taxation, a county board of taxation, a county tax
30 administrator, or a county or municipal tax assessor, that contains
31 an address subject to redaction or nondisclosure consistent with this
32 act, P.L.2021, c.371 (C.47:1B-1 et al.):

33 may instead or in addition include the redaction and
34 nondisclosure of the names or other information of approved
35 covered persons, as specified by the Director of the Division of
36 Taxation, which redaction and nondisclosure may include masking
37 of such names or other information, and

38 shall be provided as unredacted to the following persons when
39 requested in such person's ordinary course of business:

40 (a) a title insurance company, a title insurance agent, or an
41 approved attorney, as defined in section 1 of P.L.1975, c.106
42 (C.17:46B-1);

43 (b) a mortgage guarantee insurance company, as described in
44 section 4 of P.L.1968, c.248 (C.17:46A-4);

45 (c) a mortgage loan originator, as defined in section 3 of
46 P.L.2009, c.53 (C.17:11C-53);

47 (d) a registered title search business entity, as defined in section
48 4 of P.L.2021, c.371 (C.17:46B-1.1);

1 (e) a real estate broker, a real estate salesperson, a real estate
2 broker-salesperson, a real estate salesperson licensed with a real
3 estate referral company, or a real estate referral company, as such
4 terms are defined in R.S.45:15-3; and

5 (f) an individual or business that has made or received an offer
6 for the purchase of real estate and real property, or any portion
7 thereof, to or from a covered person whose address is subject to
8 redaction or nondisclosure pursuant to section 2 of P.L.2021, c.371
9 (C.47:1B-2).

10 This act shall not be construed to prohibit a county recording
11 officer from returning a document as unredacted to any person who
12 submitted the document for recordation.

13 (3) A home address as unredacted may be provided by a public
14 agency to the majority representative of such agency's employees.

15 (4) The following shall not be subject to redaction or
16 nondisclosure pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2):

17 (a) records and documents, including Uniform Commercial
18 Code filings and financing statements, maintained by the Division
19 of Revenue and Enterprise Services in the Department of the
20 Treasury;

21 (b) petitions naming candidates for office pursuant to R.S.19:13-
22 1 and R.S.19:13-4;

23 (c) petitions signed in accordance with R.S.19:13-6;

24 (d) records evidencing any lien, judgement, or other
25 encumbrance upon real or other property;

26 (e) assessment lists subject to inspection pursuant to R.S.54:4-
27 38 when inspected in person;

28 (f) the index of all recorded documents maintained by a county
29 recording officer as under N.J.S.46:26A-8 when inspected in
30 person; and

31 (g) property that is presumed abandoned under the "Uniform
32 Unclaimed Property Act," P.L.1989, c.58 (C.46:30B-1 et seq.).

33 (5) A public agency may share unredacted information with any
34 vendor, contractor, or organization to carry out the purposes for
35 which the public agency entered into an agreement with the vendor,
36 contractor, or organization. The vendor, contractor, or organization
37 shall not use such information in any manner other than as
38 necessary to carry out the purposes of the agreement.

39 (6) For a record or other document containing a home address
40 required to be redacted pursuant to section 2 of P.L.2021, c.371
41 (C.47:1B-2) that, because of the characteristics or properties of the
42 record or document, is only available to be viewed in person, a
43 custodian or other government official shall make every reasonable
44 effort to hide such address when allowing an individual without
45 authority to view such address as unredacted to view the record or
46 document.

47 (7) For the purposes of the calculation of property tax benefits
48 and the administration of property tax credits for eligible claimants

1 pursuant to the "Stay NJ Act," P.L.2021, c.75 (C.54:4-8.75a et al.),
2 municipalities may share unredacted property tax information with
3 the Director of the Division of Taxation in the Department of the
4 Treasury, and the director may provide to municipalities unredacted
5 amounts of property tax credits to be applied against property tax
6 bills of eligible claimants.

7 b. Nothing in this act shall be construed to require redaction or
8 nondisclosure of any information in any document, record,
9 information, or database shared with or otherwise provided to any
10 other government entity.

11 c. Information otherwise subject to redaction or nondisclosure
12 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2) may be
13 provided as unredacted upon order of a judge of the Superior Court
14 or of any other court of competent jurisdiction.

15 d. This section shall not be construed to require a record to be
16 made available that is not otherwise required to be made available
17 under any other law or regulation.

18 e. The Director of the Division of Taxation may issue any
19 guidance, guidelines, or rules and regulations necessary to
20 effectuate the purposes of this section. The rules and regulations
21 shall be effective immediately upon filing with the Office of
22 Administrative Law for a period not to exceed 18 months, and shall,
23 thereafter, be amended, adopted, or readopted in accordance with
24 the provisions of the "Administrative Procedure Act," P.L.1968,
25 c.410 (C.52:14B-1 et seq.).

26 (cf: P.L.2021, c.371, s.3)

27
28 21. R.S.54:50-8 is amended to read as follows:

29 54:50-8. a. The records and files of the director respecting the
30 administration of the State Uniform Tax Procedure Law or of any
31 State tax law, or respecting the administration of the Stay NJ
32 property tax credit, the ANCHOR Property Tax Relief Program, and
33 the homestead property tax reimbursement program, shall be
34 considered confidential and privileged and neither the director nor
35 any employee engaged in the administration thereof or charged with
36 the custody of any such records or files, nor any former officer or
37 employee, nor any person who may have secured information
38 therefrom under subsection d., e., f., g., p., q., r., or s. of R.S.54:50-
39 9 or any other provision of State law, shall divulge, disclose, use for
40 their own personal advantage, or examine for any reason other than
41 a reason necessitated by the performance of official duties any
42 information obtained from the said records or files or from any
43 examination or inspection of the premises or property of any
44 person. Neither the director nor any employee engaged in such
45 administration or charged with the custody of any such records or
46 files shall be required to produce any of them for the inspection of
47 any person or for use in any action or proceeding except when the
48 records or files or the facts shown thereby are directly involved in

1 an action or proceeding under the provisions of the State Uniform
2 Tax Procedure Law or of the State tax law affected, or where the
3 determination of the action or proceeding will affect the validity or
4 amount of the claim of the State under some State tax law, or in any
5 lawful proceeding for the investigation and prosecution of any
6 violation of the criminal provisions of the State Uniform Tax
7 Procedure Law or of any State tax law.

8 b. The prohibitions of this section, against unauthorized
9 disclosure, use or examination by any present or former officer or
10 employee of this State or any other individual having custody of
11 such information obtained pursuant to the explicit authority of State
12 law, shall specifically include, without limitation, violations
13 involving the divulgence or examination of any information from or
14 any copy of a federal return or federal return information required
15 by New Jersey law to be attached to or included in any New Jersey
16 return. Any person violating this section by divulging, disclosing or
17 using information shall be guilty of a crime of the fourth degree.
18 Any person violating this section by examining records or files for
19 any reason other than a reason necessitated by the performance of
20 official duties shall be guilty of a disorderly persons offense.

21 c. Whenever records and files are used in connection with the
22 prosecution of any person for violating the provisions of this section
23 by divulging, disclosing or using records or files or examining
24 records and files for any reason other than a reason necessitated by
25 the performance of official duties, the defendant shall be given
26 access to those records and files. The court shall review such
27 records and files in camera, and that portion of the court record
28 containing the records and files shall be sealed by the court.

29 (cf: P.L.2021, c.167, s.5)

30
31 22. Section 3 of P.L.1996, c.60 (C.54A:3A-17) is amended to
32 read as follows:

33 3. a. A resident taxpayer under the "New Jersey Gross Income
34 Tax Act," N.J.S.54A:1-1 et seq., shall be allowed a deduction from
35 gross income for the amount of property tax credit, as defined in
36 section 1 of P.L.2018, c.11 (C.54:4-66.6), plus property taxes paid
37 by the resident taxpayer, the total of which shall not exceed
38 \$15,000, subject to the limitations of subsection f. of this section.
39 Property taxes deductible under this section shall be due and paid
40 for the calendar year in which the taxes are due and payable on the
41 taxpayer's homestead.

42 b. A deduction for property taxes or property tax credits shall
43 be allowed pursuant to this section in relation to the amount of the
44 property taxes or property tax credits actually paid by **【or allocable**
45 **to】** a resident taxpayer who has more than one homestead, but the
46 aggregate amount of the property taxes or property tax credits
47 claimed shall not exceed the total of the proportionate amounts of
48 property taxes **【assessed and levied against or allocable to】** paid for

1 each homestead for the portion of the taxable year for which the
2 taxpayer occupied it as the taxpayer's principal residence.

3 c. If title to a homestead is held by more than one individual as
4 joint tenants or tenants in common, each individual shall be allowed
5 a deduction pursuant to this section only in relation to the
6 individual's proportionate share of the property taxes assessed and
7 levied against the homestead. The proportionate share shall be
8 equal to that of all other individuals who hold the title, but if the
9 conveyance under which the title is held provides for unequal
10 interests therein, a taxpayer's share of the property taxes shall be in
11 proportion to the taxpayer's interest in the title.

12 d. If title to a homestead is held by a husband and wife who
13 own the homestead as tenants by the entirety, or if that husband and
14 wife are both residential shareholders of a cooperative or mutual
15 housing corporation and occupy the same homestead therein, and
16 who elect to file separate income tax returns pursuant to the "New
17 Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq., that husband
18 and wife shall each be entitled to one-half of the deduction for
19 property taxes for which they may be jointly eligible pursuant to
20 this section.

21 e. If the homestead is a dwelling house consisting of more than
22 one unit, that taxpayer shall be allowed a deduction for property
23 taxes or property tax credits only in relation to the proportionate
24 share of the property taxes assessed and levied against the
25 residential unit occupied by the taxpayer, as determined by the local
26 tax assessor.

27 f. Notwithstanding the provisions of subsection a. of this
28 section to the contrary: (1) a resident taxpayer shall be allowed a
29 deduction for a taxpayer's taxable year beginning during 1996 based
30 on 50% of the property taxes not in excess of \$5,000 paid on the
31 taxpayer's homestead; and (2) a resident taxpayer shall be allowed a
32 deduction for a taxpayer's taxable year beginning during 1997 based
33 on 75% of the property taxes not in excess of \$7,500 paid on the
34 taxpayer's homestead.

35 g. Notwithstanding any other provision of this section, the
36 deduction allowed under this section to a resident taxpayer eligible
37 to receive a homestead property tax reimbursement pursuant to
38 P.L.1997, c.348 (C.54:4-8.67 et al.) shall not exceed that resident
39 taxpayer's base year property tax liability as determined pursuant to
40 P.L.1997, c.348 (C.54:4-8.67 et al.).

41 h. Notwithstanding any other provision of this section, for the
42 taxable year beginning January 1, 2009, a taxpayer who has gross
43 income for the taxable year of more than \$250,000 and is not:

- 44 (1) 65 years of age or older at the close of the taxable year; or
45 (2) allowed to claim a personal deduction as a blind or disabled
46 taxpayer pursuant to subsection (b) of N.J.S.54A:3-1, shall not be
47 allowed a deduction pursuant to this section;

1 provided however, the deduction for a taxpayer who has gross
2 income for the taxable year of more than \$150,000 but not
3 exceeding \$250,000 and is not:

4 (1) 65 years of age or older at the close of the taxable year; or

5 (2) allowed to claim a personal deduction as a blind or disabled
6 taxpayer pursuant to subsection (b) of N.J.S.54A:3-1, shall not
7 exceed \$5,000.

8 (cf: P.L.2018, c.45, s.1)

9

10 23. Section 5 of P.L.1996, c.60 (C.54A:3A-19) is amended to
11 read as follows:

12 5. a. If a taxpayer who is eligible for a deduction for property
13 taxes paid under section 3 of **[this act]** P.L.1996, c.60 (C.54A:3A-
14 17) for a part of the taxable year is also eligible for a deduction for
15 rent constituting property taxes under section 4 of this act for a part
16 of the taxable year, the taxpayer shall be allowed a deduction, not in
17 excess of \$15,000, subject to the limitations of subsection b. of this
18 section, the amount of which shall be equal to the sum of the
19 amount of property tax credit, as defined in section 1 of P.L.2018,
20 c.11 (C.54:4-66.6), plus the amount of property taxes due and paid
21 for the calendar year in which the property taxes are due and
22 payable on a homestead that is not a unit of residential rental
23 property and the amount of rent constituting property taxes due and
24 paid for the calendar year in which the rent constituting property
25 taxes is due and payable for the occupancy of a homestead that is a
26 unit of residential rental property, provided however, that the
27 amount of property taxes and property tax credits shall be subject to
28 the limitations set forth in subsections b. through e. of section 3 of
29 P.L.1996, c.60 (C.54A:3A-17) and the amount of rent constituting
30 property taxes shall be subject to the limitations set forth in
31 subsections b. and c. of section 4 of P.L.1996, c.60 (C.54A:3A-18)
32 as may be applicable.

33 b. Notwithstanding the provisions of subsection a. of this
34 section to the contrary: (1) a taxpayer who is eligible for a
35 deduction for property taxes paid under section 3 of **[this act]**
36 P.L.1996, c.60 (C.54A:3A-17) for a part of the taxable year and is
37 also eligible for a deduction for rent constituting property taxes
38 under section 4 of **[this act]** P.L.1996, c.60 (C.54A:3A-18) for a
39 part of the taxable year, shall be allowed a deduction for the
40 taxpayer's taxable year beginning during 1996 based on 50% of an
41 amount not in excess of \$5,000, the amount of which shall be equal
42 to the sum of the amount of property taxes paid on a homestead that
43 is not a unit of residential rental property and the amount of rent
44 constituting property taxes paid for the occupancy of a homestead
45 that is a unit of residential rental property; and (2) a taxpayer who is
46 eligible for a deduction for property taxes paid under section 3 of
47 **[this act]** P.L.1996, c.60 (C.54A:3A-17) for a part of the taxable
48 year and is also eligible for a deduction for rent constituting

1 property taxes under section 4 of **【this act】** P.L.1996, c.60
2 (C.54A:3A-18) for a part of the taxable year, shall be allowed a
3 deduction for the taxpayer's taxable year beginning during 1997
4 based on 75% of an amount not in excess of \$7,500, the amount of
5 which shall be equal to the sum of the amount of property taxes
6 paid on a homestead that is not a unit of residential rental property
7 and the amount of rent constituting property taxes paid for the
8 occupancy of a homestead that is a unit of residential rental
9 property.
10 (cf: P.L.2018, c.45, s.3)

11

12 24. This act shall take effect immediately.

13

14

15

STATEMENT

16

17 This bill amends and supplements the statutes concerning the
18 homestead property tax benefit program, the homestead property
19 tax reimbursement program, and the Stay NJ property tax credit
20 program in order to implement the recommendations of the Stay NJ
21 Task Force. The statutes controlling the homestead property tax
22 benefit program also provide statutory authority for the Affordable
23 New Jersey Communities for Homeowners and Renters (ANCHOR)
24 Property Tax Relief Program established by the Fiscal Year 2023
25 Appropriations Act. The proposed changes to these statutes are
26 intended to align the various administrative and eligibility
27 requirements methods for these programs in order to provide for the
28 efficient implementation of property tax benefits.

29

30 *Age and Residency Requirements.* Current law establishes a
31 different statutory residency date for qualification under each
32 property tax relief program. In order to provide consistency in
33 these dates, the bill amends current law to require an eligible
34 claimant to be a resident of New Jersey as of December 31 of the
35 year for which a benefit is sought. The bill also requires senior
36 citizens participating in each program to be age 65 as of December
37 31 of the benefit year.

38

39 *Application Process and Timeline.* Current law establishes
40 different application timelines for each property tax relief program.
41 The bill amends current law to provide that the period during which
42 an eligible claimant may submit the combined property tax relief
43 application will run from February 1 through October 31 of each
44 year. The bill also requires the Director of the Division of Taxation
45 in the Department of the Treasury to promulgate a single combined
46 application, to be used for all three programs, by no later than
47 February 1, 2026. To the extent practicable, the bill requires this

1 single combined application to resemble the application currently
2 used for the homestead property tax reimbursement program.

3
4 *Benefit Calculation.* The bill alters the method for determining
5 the amount of an eligible claimant's Stay NJ property tax credit.
6 Current law entitles an eligible claimant to the greater of the Stay
7 NJ property tax credit or the combined amount of the ANCHOR
8 property tax rebate and the homestead property tax reimbursement.
9 The maximum Stay NJ property tax credit is 50 percent of an
10 eligible claimant's property tax bill, not to exceed a maximum
11 amount of \$6,500 in tax year 2026, with annual adjustments based
12 on the annual increase in the average residential property tax bill.

13 Under the bill, if the sum total of an eligible claimant's
14 homestead property tax reimbursement and ANCHOR property tax
15 rebate exceeds the lesser of 50 percent of their property tax bill or
16 the maximum benefit amount, then the eligible claimant will not
17 receive an additional Stay NJ credit. If the combined amount of the
18 homestead property tax benefit and ANCHOR property tax rebate is
19 less than the Stay NJ benefit amount, then the eligible claimant will
20 receive a Stay NJ property tax credit equal to 50 percent of their
21 property tax bill, not to exceed the maximum benefit amount, less
22 the sum total of their homestead property tax reimbursement and
23 ANCHOR property tax benefit.

24
25 *Benefit Distribution.* Under current law, eligible claimants
26 receive benefit payments under each of the property tax relief
27 programs at different times. The bill requires the sequential
28 distribution of property tax benefits in accordance with a statutory
29 schedule, with the homestead property tax reimbursement provided
30 beginning in July, ANCHOR property tax rebates provided
31 beginning in September, and the Stay NJ property tax credit
32 provided beginning in November.

33 Additionally, current law requires a Stay NJ benefit to be
34 provided as a credit against an eligible claimant's property tax bill.
35 The bill allows benefits distributed through each of property tax
36 relief program to be provided through check, direct deposit, or as a
37 property tax credit. The bill allows municipalities and the Division
38 of Taxation in the Department of the Treasury to share unredacted
39 property tax information for the purpose of calculating and
40 distributing property tax credits.

41
42 *Calculation of Income.* Under current law there are different
43 methods of calculating income to determine eligibility for the
44 homestead property tax reimbursement and the Stay NJ property tax
45 credit. For the homestead property tax reimbursement, income is
46 determined based on an eligible claimant's total income, including
47 income that is excluded in gross income under the "New Jersey
48 Gross Income Tax Act," N.J.S.54A:1-1 et seq. For the Stay NJ

1 property tax credit, income is determined based on an eligible
2 claimant's gross income, which does not include income that is
3 excluded from gross income under the "New Jersey Gross Income
4 Tax Act," N.J.S.54A:1-1 et seq.

5 The bill establishes a uniform definition of income for purposes
6 of determining eligibility for the homestead property tax
7 reimbursement and the Stay NJ property tax credit. Under the new
8 definition, an eligible claimant's income will be determined using
9 gross income plus income from the following sources that are
10 excluded from income under current law: (1) all payments
11 received under the federal Social Security Act; (2) pension and
12 annuity income; (3) interest income; (4) other retirement income;
13 and (5) distributions from a Roth Individual Retirement Account.
14 Since Social Security payments are excluded from gross income and
15 not reported on annual gross income tax returns, the bill requires
16 eligible claimants to report those amounts when they apply for
17 property tax benefits.

18

19 *Budgetary Surplus Target.* Current law establishes the
20 maintenance of a budgetary surplus of 12 percent of total
21 expenditures from the General Fund and Property Tax Relief Fund
22 in a given State fiscal year as one of the prerequisites for funding
23 and implementing the Stay NJ property tax credit program. Total
24 expenditures from the General Fund and Property Tax Relief Fund
25 are usually not quantifiable until publication of the Annual
26 Comprehensive Financial Report for each fiscal year. In order to
27 establish an identifiable and measurable amount for determining
28 whether the budgetary surplus target is satisfied for each fiscal year,
29 the bill requires the maintenance of a budgetary surplus of 12
30 percent of total appropriations from the General Fund and Property
31 Tax Relief Fund. Total appropriations from the General Fund and
32 Property Tax Relief Fund are calculated and published in the annual
33 Appropriations Act.

34

35 *Gross Income Tax Deduction for Property Taxes.* Current law
36 allows taxpayers to deduct up to \$15,000 from gross income for
37 property taxes paid in a tax year. According to guidance published
38 by the Division of Taxation, taxpayers are not required to deduct
39 property tax relief payments from the amount of property taxes
40 deducted from gross income. In order to prevent taxpayers from
41 deducting from their gross income property taxes they did not pay
42 due to the receipt of a property tax credit, the bill amends current
43 law to clarify that amounts deducted from gross income will be
44 limited to the property taxes paid by the taxpayer, as opposed to the
45 amounts billed.

46

47 *Program Administration.* The bill requires the Director of the
48 Division of Taxation, in consultation with other State and local

S3693 SCUTARI

37

1 officials, to develop a process for the payment of benefits provided
2 through the homestead property tax reimbursement program and the
3 Stay NJ program as property tax credits.

4 The bill also requires the Stay NJ Task Force to continue to meet
5 monthly to assist the Director of the Division of Taxation in
6 developing this process and collecting information from local
7 officials regarding how to effectively implement property tax
8 credits in future years for those programs. Under current law, the
9 task force would otherwise be required to disband 30 days after the
10 enactment of this bill.

[First Reprint]

SENATE, No. 3693

STATE OF NEW JERSEY
221st LEGISLATURE

INTRODUCED SEPTEMBER 30, 2024

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Somerset and Union)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

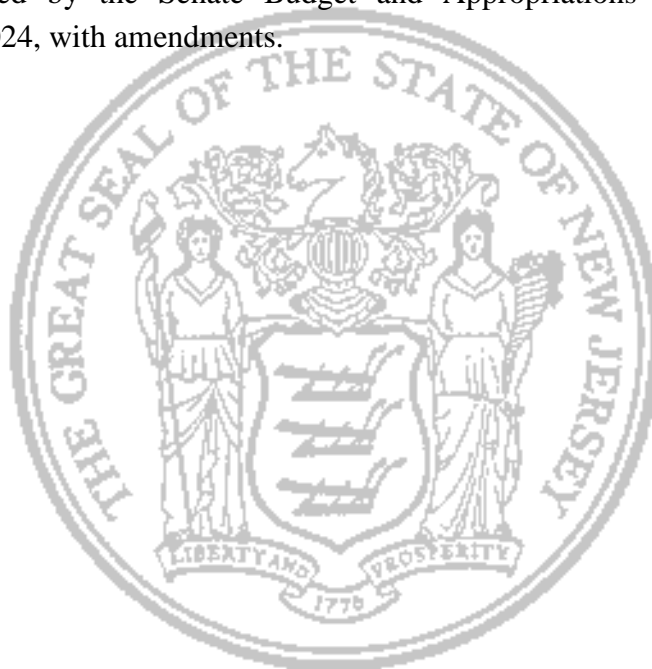
Senator Diegnan

SYNOPSIS

Revises statutes implementing certain property tax relief programs pursuant to recommendations promulgated by Stay NJ Task Force.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on October 7, 2024, with amendments.



(Sponsorship Updated As Of: 10/28/2024)

1 AN ACT concerning the Stay NJ property tax benefit program and
2 amending and supplementing various parts of the statutory law.

3

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

6

7 1. Section 2 of P.L.2023, c.75 (C.54:4-8.75b) is amended to read
8 as follows:

9 2. As used in this act:

10 “ANCHOR” means the Affordable New Jersey Communities for
11 Homeowners and Renters Property Tax Relief Program.

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

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

21 "Director" means the Director of the Division of Taxation in the
22 Department of the Treasury.

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

28 "Eligible claimant" means ¹**[an individual]** a State resident¹ who
29 is 65 or more years of age on or before December 31, 2024 or who
30 is 65 or more years of age on or before December 31 of any
31 subsequent benefit year, who is the owner for at least one full tax
32 year of a homestead in this State on or after [July 1, 2024]
33 December 31, 2023 and any subsequent benefit year, and who has
34 **[gross]** income for the prior tax year that is less than \$500,000.

35 **[**"Gross income" means all New Jersey gross income required to
36 be reported pursuant to the "New Jersey Gross Income Tax Act,"
37 N.J.S.54A:1-1 et seq., other than income excludable from the gross
38 income tax return, but before reduction thereof by any applicable
39 exemptions, deductions and credits, received during the taxable
40 year by the owner or residential shareholder in, or lessee of, a
41 homestead.**]**

42 "Homestead" means:

43 a. a dwelling house and the land on which that dwelling house
44 is located which constitutes the place of the eligible claimant's

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:

¹Senate SBA committee amendments adopted October 7, 2024.

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

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

18 c. 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; or a mutual housing
23 corporation.

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

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

29 "Income" means all New Jersey gross income required to be
30 reported pursuant to the "New Jersey Gross Income Tax Act,"
31 N.J.S.54A:1-1 et seq., before the application of any authorized
32 exclusion or deduction, except also including: interest income
33 excluded from taxation pursuant to N.J.S.54A:6-14; pension and
34 annuity income excluded from taxation pursuant to N.J.S.54A:6-10;
35 income derived from distributions from or roll overs to a Roth IRA
36 excluded from taxation pursuant to N.J.S.54A:6-28; other
37 retirement income excluded from taxation pursuant to N.J.S.54A:6-
38 15; and Social Security income excluded from taxation pursuant to
39 N.J.S.54A:6-2, as self-reported by the homeowner.

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

46 "Principal residence" means a homestead actually and
47 continually occupied by an eligible claimant as the eligible
48 claimant's permanent residence, including a homestead on which an

1 eligible claimant made one or more payments in lieu of taxes to the
2 municipality in which the homestead is located, as distinguished
3 from a vacation home, property owned and rented or offered for
4 rent by the eligible claimant, and other secondary real property
5 holdings.

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

10 "State resident" or "resident" means an individual:

11 a. who is domiciled in this State, unless the individual
12 maintains no permanent place of abode in this State, maintains a
13 permanent place of abode elsewhere, and spends in the aggregate no
14 more than 30 days of the tax year in this State; or

15 b. who is not domiciled in this State but maintains a permanent
16 place of abode in this State and spends in the aggregate more than
17 183 days of the tax year in this State, unless the individual is in the
18 Armed Forces of the United States.

19 "Stay NJ property tax credit" means a property tax credit [in the
20 amount of 50 percent of] applied to an eligible claimant's property
21 tax bill in accordance with the provisions of the "Stay NJ Act,"
22 P.L.2023, c.75 (C.54:4-8.75a et al.).

23 "Task force" means the Stay NJ Task Force established pursuant
24 to section 18 of P.L.2023, c.75 (C.54:4-8.75o).

25 "Tax year" or "taxable year" means the prior calendar year,
26 January 1 through December 31, in which a homestead is assessed
27 for property taxation and the property tax is levied thereon, and
28 paid.

29 "Tax year quarter" means a three-month period of a tax year
30 consisting of January 1 through March 31, April 1 through June 30,
31 July 1 through September 30, and October 1 through December 31.
32 (cf: P.L.2023, c.75, s.2)

33

34 2. Section 3 of P.L.2023, c.75 (C.54:4-8.75c) is amended to read
35 as follows:

36 3. a. (1) There is established the Stay NJ property tax credit
37 program. The director shall administer the Stay NJ property tax
38 credit that shall provide to an eligible claimant a property tax credit
39 in the amount of 50 percent of the property tax [paid for] billed to
40 the eligible claimant's principal residence in the prior tax year,
41 except that the amount of the credit¹, together with the combined
42 amount of the ANCHOR rebate and the homestead property tax
43 reimbursement received by the eligible claimant for the tax year,¹
44 shall not exceed the maximum amount allowable for the tax year
45 pursuant to subsection c. of this section¹, or the combined amount
46 of the ANCHOR rebate and the homestead property tax
47 reimbursement received by the eligible claimant for the tax year¹.

1 (2) Nothing in this section shall be deemed to limit the amount
2 of the homestead property tax reimbursement or ANCHOR rebate
3 that shall be paid to an eligible claimant for any tax year in which
4 the combined value of the homestead property tax reimbursement
5 and ANCHOR rebate exceeds the amount of the maximum
6 allowable Stay NJ property tax credit, as determined pursuant to
7 subsection c. of this section.

8 (3)¹ A Stay NJ property tax credit for an eligible claimant who
9 is a tenant shareholder in a cooperative, mutual housing
10 organization, or continuing care retirement community shall be
11 based on the eligible claimant's proportionate share of the property
12 taxes assessed against that real property that are attributable to the
13 eligible claimant's unit. Property tax credits shall be allowed
14 pursuant to this section in relation to the property taxes **[paid]**
15 **billed** or allocable to an eligible claimant who has more than one
16 homestead in a tax year, but the aggregate amount of the property
17 taxes or property tax credits claimed shall not exceed the total
18 proportionate amounts of property taxes assessed and levied against
19 or allocable to each homestead for the proportion of the tax year
20 quarter to which the taxpayer occupies it as the taxpayer's principle
21 residence.

22 **b.** The amount of the Stay NJ property tax credit shall be
23 calculated for each eligible claimant by the director, and shall be
24 paid **[to the tax collector of the municipality in which the eligible**
25 **claimant's homestead is located pursuant to]** in accordance with the
26 provisions of **[subsection a. of]** section 5 of P.L.2023, c.75
27 (C.54:4-8.75e).

28 **c.** **[Notwithstanding the provisions of P.L.2023, c.75 (C.54:4-**
29 **8.75a et al.) that require an annual property tax credit in the amount**
30 **of 50 percent of the property tax paid on an eligible claimant's**
31 **homestead, the]** The maximum amount to be credited to an eligible
32 claimant shall be \$6,500 **[in]** for tax year 2026 **[, if there is no**
33 **delay in implementation as may occur pursuant to section 19 of**
34 **P.L.2023, c.75 (C.54:4-8.75p). For every tax year after the year in**
35 **which the Stay NJ property tax credit program is first**
36 **implemented,]** ; and for each tax year thereafter, the maximum
37 amount to be credited to an eligible claimant shall be increased
38 based on the annual percentage increase in the average residential
39 property tax bill as shall be computed by the Director of the
40 Division of Local Government Services in the Department of
41 Community Affairs.

42 **[An]** **d.** Except as otherwise provided in subsection a. of
43 section 5 of P.L.2023, c.75 (C.54:4-8.75e), an eligible claimant
44 shall be entitled to a Stay NJ property tax credit annually, on proper
45 claim being made therefor to the director. Notwithstanding any
46 provision of P.L.2023, c.75 (C.54:4-8.75a et al.) to the contrary, the
47 amount of property taxes used to determine the amount of the Stay

1 NJ property tax credit shall not be reduced by the amount of the
2 deductions taken by an eligible claimant pursuant to P.L.1963,
3 c.171 (C.54:4-8.10 to 54:4-8.23) and P.L.1964, c.255 (C.54:4-8.40
4 to 54:4-8.45 et al.). The surviving spouse of a deceased resident of
5 this State who during his or her life received a Stay NJ property tax
6 credit shall be entitled, so long as the surviving spouse does not
7 remarry, remains a resident in the same homestead with respect to
8 which the Stay NJ property tax credit was granted, and is an eligible
9 claimant, to the same Stay NJ property tax credit, upon the same
10 conditions, with respect to the same homestead.

11 (cf: P.L.2023, c.75, s.3)

12

13 3. Section 4 of P.L.2023, c.75 (C.54:4-8.75d) is amended to read
14 as follows:

15 4. a. Not later than **【July】** February 1, 2025, **【if there is no**
16 **delay in implementation as may occur pursuant to section 19 of**
17 **P.L.2023, c.75 (C.54:4-8.75p),】** the director shall promulgate a
18 combined single application form consistent with the requirements
19 of section 6 of P.L.2023, c.75 (C.54:4-8.75f) and the
20 recommendations of the Stay NJ Task Force established pursuant to
21 section 18 of P.L.2023, c.75 (C.54:4-8.75o) **【,】** that shall be
22 available on and after that date to be used by State residents to
23 apply for the Stay NJ property tax credit, the ANCHOR property
24 tax rebate, and the homestead property tax reimbursement program.
25 Applications shall be accepted by the Director of the Division of
26 Taxation from February 1 through October 31 of each year. State
27 residents seeking property tax benefits under those programs shall
28 complete the entire application and file it with the director. The
29 director shall determine **【which property tax benefit program or**
30 **programs provide the greatest benefit for the applicant】** the amount
31 of the Stay NJ property tax credit, ANCHOR rebate, and homestead
32 property tax reimbursement, as applicable, provided to each
33 applicant pursuant to the requirements of subsection b. of this
34 section.

35 b. **【Notwithstanding any provision of law, rule, or regulation to**
36 **the contrary, an applicant shall only be entitled to the greater of:**

37 (1) the amount of the Stay NJ property tax credit; or

38 (2) the combined amount of the ANCHOR property tax rebate
39 and the homestead property tax reimbursement. **】** The director shall
40 calculate the amount of each property tax benefit provided to an
41 eligible claimant for each tax year in the following manner:

42 (1) if the eligible claimant qualifies for an ANCHOR rebate, the
43 director shall first determine the amount of the eligible claimant's
44 ANCHOR rebate for the tax year, the full amount of which shall be
45 paid to the eligible claimant;

46 (2) if the eligible claimant qualifies for a homestead property tax
47 reimbursement, the director shall next determine the amount of the

1 eligible claimant's homestead property tax reimbursement for the
2 tax year, the full amount of which shall be paid to the eligible
3 claimant;

4 (3) if the eligible claimant qualifies for a Stay NJ property tax
5 credit, the director shall then determine the amount of the eligible
6 claimant's Stay NJ property tax credit for the tax year, of which the
7 eligible claimant shall be paid an amount equal to 50 percent of the
8 property taxes billed to the eligible claimant, up to the maximum
9 amount permitted under section 3 of P.L.2023, c.75 (C.54:4-8.75c),
10 less the amounts paid to the eligible claimant pursuant to
11 paragraphs (1) and (2) of this subsection.

12 c. **【**With respect to the homestead property tax reimbursement
13 program, the base year of an eligible claimant who receives a Stay
14 NJ property tax credit instead of a homestead property tax
15 reimbursement shall remain unchanged, notwithstanding the
16 number of years that the eligible claimant receives a Stay NJ
17 property tax credit instead of a homestead property tax
18 reimbursement.**】** (Deleted by amendment, P.L. , c. (C.)
19 (pending before the Legislature as this bill)

20 d. (1) The director shall determine the amount of the Stay NJ
21 property tax credit that shall be provided for each eligible claimant
22 pursuant to P.L.2023, c.75 (C.54:4-8.75a et al.) based upon the
23 information provided by the eligible claimant in the application or
24 from any other information as may be available to the director and
25 shall notify the applicant ¹**【**, not later than October 15 of each
26 year,】¹ of the determined amount, in **【**such manner as the director
27 may deem appropriate】 writing ¹and at such time as the director
28 may deem appropriate¹, together with a detailed calculation of the
29 amount that the eligible claimant is entitled to receive pursuant to
30 subsection b. of this section.

31 (2) The format of the written information to be provided by the
32 director shall be determined by the director and shall, at a
33 minimum, display: (a) the amount of the eligible claimant's
34 property tax bill for the tax year; (b) the amount of the ANCHOR
35 rebate, homestead property tax reimbursement, and Stay NJ
36 property tax credit, as applicable, that the eligible claimant is
37 entitled to receive; and (c) the actual property taxes that the eligible
38 claimant shall pay in the tax year after any property tax credits are
39 applied against the eligible claimant's property tax bill.

40 (3) Subject to the provisions of the State Uniform Tax Procedure
41 Law, R.S.54:48-1 et seq., such notification shall finally and
42 irrevocably fix the amount of the Stay NJ property tax credit unless
43 the applicant, within 90 days after having been given notice of such
44 determination, shall apply to the director for a hearing, or unless the
45 director shall redetermine the same. After such hearing the director
46 shall give notice of the final determination to the applicant.

1 e. An eligible claimant for a Stay NJ property tax credit
2 authorized under P.L.2023, c.75 (C.54:4-8.75a et al.) who is
3 aggrieved by any decision, order, finding, or denial by the director
4 of all or part of that eligible claimant's Stay NJ property tax credit
5 may appeal therefrom to the New Jersey Tax Court in accordance
6 with the provisions of the State Uniform Tax Procedure Law,
7 R.S.54:48-1 et seq. The appeal provided by this section shall be the
8 exclusive remedy available to an applicant for review of a decision
9 of a director in respect to the determination of all or a part of a Stay
10 NJ property tax credit authorized under P.L.2023, c.75 (C.54:4-
11 8.75a et al.).
12 (cf: P.L.2023, c.75, s.4)

13
14 4. Section 5 of P.L.2023, c.75 (C.54:4-8.75e) is amended to read
15 as follows:

16 5. a. (1) The State Treasurer, upon certification of the director
17 and upon warrant of the Director of the Division of Budget and
18 Accounting, shall pay and distribute, on a quarterly basis, beginning
19 February 1, 2026, the amount of a Stay NJ property tax credit
20 payable under P.L.2023, c.75 (C.54:4-8.75a et al.) that is claimed
21 for the tax year by check or direct deposit payable to the eligible
22 claimant, or by a credit against the property tax bill of the eligible
23 claimant payable to the tax collector of the municipality in which
24 each eligible claimant whose credit is approved by the director is
25 located; provided, however, a credit due to an eligible claimant who
26 claimed a Stay NJ property tax credit pursuant to section 3 of
27 P.L.2023, c.75 (C.54:4-8.75c), and whose homestead is a unit in a
28 cooperative, mutual housing corporation, or continuing care
29 retirement community, shall be paid directly to the eligible claimant
30 by the State Treasurer by check or direct deposit. **[A]** In any year
31 that the director determines that a Stay NJ payment shall be made as
32 a credit, a Stay NJ property tax credit allowed by the director to an
33 eligible claimant who claimed a Stay NJ property tax credit
34 pursuant to section 3 of P.L.2023, c.75 (C.54:4-8.75c), and whose
35 homestead is not a unit in a cooperative, mutual housing
36 corporation, or continuing care retirement community, shall be paid
37 by the State Treasurer through electronic funds transfer made by the
38 director to the local property tax account maintained by the local
39 property tax collector for the homestead of an eligible claimant as
40 the eligible claimant shall identify, in four equal installments after
41 the application for the credit has been approved. The State
42 Treasurer shall pay and distribute Stay NJ property tax credit
43 payments to each municipal tax collector or eligible claimant, as
44 applicable, on a quarterly basis at least 10 days prior to the statutory
45 due date for each property tax year quarter payment. Notice of
46 payments of Stay NJ credit installments shall be provided to the
47 eligible claimant and the appropriate local tax collector.

1 (2) Notwithstanding the provisions of this section to the
2 contrary, for the first year in which the Stay NJ property tax
3 program is implemented, each Stay NJ property tax credit awarded
4 an eligible claimant shall be paid and distributed by check or direct
5 deposit.

6 b. Each municipal tax collector who applies a Stay NJ property
7 tax credit to the property tax account of the homestead of an eligible
8 claimant pursuant to this section shall provide timely notice thereof
9 to the eligible claimant and to any mortgagee or servicing
10 organization noted on the property tax account that requires a
11 mortgagor to make property tax payments to an escrow account, for
12 the purpose of encouraging the escrow account property tax
13 requirements to be promptly adjusted to the benefit of the property
14 tax taxpayer on account of Stay NJ property tax credit payments.
15 (cf: P.L.2023, c.75, s.5)

16
17 5. Section 6 of P.L.2023, c.75 (C.54:4-8.75f) is amended to read
18 as follows:

19 6. a. (1) Notwithstanding the provisions of section 6 of
20 P.L.1990, c.61 (C.54:4-8.62) and section 3 of P.L.1997, c.348
21 (C.54:4-8.70) concerning the form and deadline of applications for
22 the ANCHOR rebate program and the homestead property tax
23 reimbursement, the director shall promulgate, not later than
24 February 1, 2025, a single combined application form to be used by
25 State residents to apply for the ANCHOR rebate program, the
26 homestead property tax reimbursement program, and the Stay NJ
27 property tax credit in accordance with the recommendations of the
28 Stay NJ Task Force established pursuant to section 18 of P.L.2023,
29 c.75 (C.54:4-8.75o).

30 **【The】** (2) To the extent practicable, the single combined
31 application shall resemble the form and manner of the application
32 for the homestead property tax reimbursement program, as created
33 pursuant to section 3 of P.L.1997, c.348 (C.54:4-8.70), except that
34 the single combined application form shall, at a minimum, require
35 the applicant to submit information about his or her age, annual
36 income, including the amount of Social Security payments received
37 by the applicant, homestead property address, as well as any other
38 information determined necessary by the director in order to
39 approve or disapprove the applicant's participation in those
40 programs.

41 (3) The combined application form shall also advise the
42 applicant that the director shall determine the eligibility of an
43 applicant to receive an ANCHOR rebate, a homestead property tax
44 reimbursement, or a Stay NJ property tax credit, or any combination
45 thereof. The director shall, for good cause shown, extend the time
46 of any applicant to file an application for a reasonable period, and
47 in such case, the application shall be processed and payment of an
48 ANCHOR rebate, homestead property tax reimbursement, or a Stay

1 NJ property tax credit, or any combination thereof, made in
2 accordance with the procedures established in the case of
3 applications timely filed, except the date for the payment may be
4 delayed for a reasonable period. If an applicant or an applicant's
5 spouse has filed an application for an extension of time to file a
6 gross income tax return, the date by which the applicant shall file an
7 application may, in the discretion of the director, be extended for a
8 reasonable period, and the date for the payment of an ANCHOR
9 rebate, homestead property tax reimbursement, or a Stay NJ
10 property tax credit, or any combination thereof, may be delayed for
11 a reasonable period. A State resident seeking property tax benefits
12 under any of those programs shall accurately complete the entire
13 application and file it with the director.

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

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

35 c. If an application contains a claim for a Stay NJ property tax
36 credit that contains incorrect information from the claimant or is
37 based upon incorrect or insufficient information from which the
38 director is to determine and approve the claim, the director may
39 determine the eligibility of the claimant for a Stay NJ property tax
40 credit and the correct amount of a Stay NJ property tax credit from
41 such other information as may be available to the director.

42 d. In the case of an eligible claimant whose homestead is a unit
43 in a cooperative, mutual housing corporation, or continuing care
44 retirement community, the director may provide that the application
45 shall include the name and address of the location of the property
46 and the amount of real property taxes attributed to the cooperative,
47 mutual housing residential unit, or continuing care retirement
48 community residential unit, as shall be indicated in an official

1 notice which shall be furnished by the cooperative, mutual housing
2 corporation, or continuing care retirement community for the tax
3 year.

4 (cf: P.L.2023, c.75, s.6)

5

6 6. Section 10 of P.L.2023, c.75 (C.54:4-8.75j) is amended to
7 read as follows:

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

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

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

35 (cf: P.L.2023, c.75, s.10)

36

37 7. Section 16 of P.L.2023, c.75 (C.54:4-8.75m) is amended to
38 read as follows:

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

46 b. (1) There is appropriated to the account established by
47 subsection a. of this section in State Fiscal Year 2024,
48 \$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.2023, c.75 (C.54:4-8.75c).

18 (cf: P.L.2023, c.75, s.16)

19

20 8. Section 17 of P.L.2023, c.75 (C.54:4-8.75n) is amended to
21 read as follows:

22 17. The **amendatory and supplementary provisions of**
23 appropriation of funds necessary to support the provision of
24 property tax relief under the Stay NJ property tax credit program as
25 provided under sections 1 through 16 of P.L.2023, c.75 (C.54:4-
26 8.75a et al.), as amended and supplemented by P.L. , c. (C.)
27 (pending before the Legislature as this bill), shall not supersede,
28 impact, or interfere with any of the following:

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

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

38 c. the full funding of the senior citizens' and disabled persons'
39 \$250 property tax deduction authorized by Article VIII, Section I,
40 paragraph 4 of the New Jersey Constitution;

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

43 e. the maintenance of a budgetary surplus target of no less than
44 12 percent of total **expenditures** appropriations from the General
45 Fund and the Property Tax Relief Fund in a given State fiscal year.

46 (cf: P.L.2023, c.75, s.17)

1 9. Section 18 of P.L.2023, c.75 (C.54:4-8.75o) is amended to
2 read as follows:

3 18. a. There is established in the Department of the Treasury
4 the Stay NJ Task Force. The purpose of the task force shall be to
5 develop recommendations for establishing and funding uniform
6 property tax relief to all senior citizen homeowners **[and tenants]**
7 making under \$500,000 per year. The task force shall review all of
8 the existing property tax relief programs and present, to the
9 Governor and the Legislature, no later than May 30, 2024, a report
10 containing recommendations about how to restructure, and
11 consolidate, the various property tax relief programs into one,
12 streamlined, property tax relief program that would deliver to senior
13 citizens having an annual gross income under \$500,000 an annual
14 property tax benefit, which for homeowners shall be in the amount
15 of 50 percent of the property tax bill on their principal residence,
16 beginning with the tax year 2026, which commences on January 1
17 of that year. The report shall include recommendations concerning
18 system improvements that both the State and local government units
19 would need to implement the Stay NJ property tax credit program
20 and the funding required to establish and maintain such system
21 improvements. The task force shall provide recommendations that
22 have a target implementation date of January 1, 2026.

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

25 The State Treasurer, or the State Treasurer's designee, who shall
26 serve ex officio;

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

29 One public member, who shall be appointed by the Governor,
30 who may be an employee of the Executive Branch of State
31 government;

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

34 One public member who shall be appointed by the Governor
35 upon the recommendation of the Speaker of the General Assembly;
36 and

37 One public member who shall be appointed by the Governor
38 upon the joint recommendation of the Senate President and the
39 Speaker of the General Assembly.

40 The task force shall have a chairperson and a vice chairperson
41 designated by the Governor. The Governor shall designate as the
42 chairperson one of the cabinet members of the task force, or their
43 designee, or the public member appointed by the Governor. The
44 Governor shall designate as the vice chairperson a public member
45 upon the joint recommendation of the Senate President and the
46 Speaker of the General Assembly. The Governor shall also appoint
47 a secretary. There shall be required affirmative vote of four out of

1 the six members of the task force for an action to be taken or a
2 decision made.

3 The task force shall organize as expeditiously as practicable
4 following the appointment of all its public members. Appointments
5 to the task force shall be made in an expeditious manner to ensure
6 the task force has sufficient time to make the recommendations
7 required by this section in order to facilitate implementation of the
8 Stay NJ program on or before the dates set forth in P.L.2023, c.75
9 (C.54:4-8.75a et al.).

10 c. The Governor shall appoint an executive director, who shall
11 be employed by the task force and paid by the task force from funds
12 appropriated for its use pursuant to P.L.2023, c.75 (C.54:4-8.75a et
13 al.).

14 The Department of the Treasury shall provide staff support to the
15 task force. The task force shall be entitled to call to its assistance
16 and avail itself of the services of the employees of any State,
17 county, or municipal department, board, bureau, commission, or
18 agency as the task force may require and as may be available to the
19 task force for its purposes. The task force may consult with experts
20 or other knowledgeable individuals in the public or private sector
21 on any aspect of its mission outlined in this section; provided,
22 however, any services, professional or otherwise, that the task force
23 requires shall be procured by the Department of the Treasury.

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

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

44 e. **【The】** Following the issuance of its report, the task force
45 shall **【disband on the 30th day after the enactment of legislation in**
46 **response to the Stay NJ Task Force pursuant to section 19 of**
47 **P.L.2023, c.75 (C.54:4-8.75p)】** continue to meet not less than once
48 per calendar quarter for the purpose of assisting the Director of the

1 Division of Taxation in the Department of the Treasury in
2 developing a process to implement a property tax credit for the
3 payment of benefits under the homestead property tax
4 reimbursement program and the Stay NJ property tax credit
5 program, and collecting information from local officials regarding
6 how to effectively implement property tax credits in future years for
7 those programs, as required pursuant to the provisions of section 11
8 of P.L. , c. (C.) (pending before the Legislature as this bill).
9 (cf: P.L.2023, c.75, s.18)

10
11 10. Section 19 of P.L.2023, c.75 (C.54:4-8.75p) is amended to
12 read as follows:

13 19. After the Legislature and the Governor review the Stay NJ
14 Task Force's recommendations and determine such
15 recommendations are appropriate, the Legislature shall consider and
16 approve, and the Governor shall enact, the legislation recommended
17 by the Stay NJ Task Force, or legislation substantially similar to the
18 legislation recommended by the task force, regarding the objectives
19 set forth in section 18 of P.L.2023, c.75 (C.54:4-8.75o) not later
20 than 90 days prior to **July** February 1, 2025, the date by which the
21 State Treasurer shall be required to produce the application for the
22 Stay NJ program in **2026** 2025 pursuant to section 4 of P.L.2023,
23 c.75 (C.54:4-8.75d). **Notwithstanding** the provisions of this act or
24 any law to the contrary, if the Legislature and the Governor fail: (1)
25 to enact legislation following the release of the task force's report or
26 (2) to enact legislation that the Governor and Legislature deem
27 appropriate which otherwise addresses the issues the task force is
28 required to consider pursuant to section 18 of P.L.2023, c.75
29 (C.54:4-8.75o), then promulgation of a combined single application
30 form shall not be required on or before the date set forth in section
31 4 of P.L.2023, c.75 (C.54:4-8.75d) and the implementation of the
32 Stay NJ property tax credit program shall be delayed until the
33 enactment of such legislation. **If** legislation is enacted after the
34 90th day preceding **July** February 1, 2025, then promulgation of a
35 combined single application form shall be required no earlier than
36 the 91st day next following the enactment of such legislation and
37 the implementation of the Stay NJ property tax credit program shall
38 begin no earlier than the first tax year quarter beginning no less
39 than six months following the promulgation of the combined single
40 application form.

41 (cf: P.L.2023, c.75, s.19)

42
43 11. (New section) a. After the effective date of
44 P.L. , c. (C.) (pending before the Legislature as this bill), the
45 Director of the Division of Taxation in the Department of the
46 Treasury, in consultation with the Director of the Division of Local
47 Government Services in the Department of Community Affairs and
48 local officials, shall develop a process to implement a property tax

1 credit for the payment of benefits under the homestead property tax
2 reimbursement program and the Stay NJ property tax credit
3 program. As a part of that process, the Director of the Division of
4 Taxation shall collect information from local officials regarding
5 how to effectively implement property tax credits in future years for
6 those programs. The collection of such information may include,
7 but shall not be limited to, the administration of a standardized
8 survey data collection instrument.

9 b. Notwithstanding the provisions of subsection a. of this section
10 regarding the development of a process for implementing property
11 tax credits, the Director of the Division of Taxation shall also
12 determine the feasibility of allowing eligible claimants for
13 homestead property tax reimbursement and Stay NJ property tax
14 credits to choose to continue to receive annual checks or direct
15 deposits into a bank account instead of a property tax credit.

16
17 12. Section 1 of P.L.1990, c.61 (C.54:4-8.57) is amended to read
18 as follows:

19 1. Sections 1 through 10 of P.L.1990, c.61 (C.54:4-8.57 through
20 54:4-8.66) and sections 3, 14 through 16, 18 and 19 of P.L.1999,
21 c.63 (C.54:4-8.58a and C.54:4-8.66a through C.54:4-8.66e) shall be
22 known and may be cited as the "ANCHOR Homestead Property Tax
23 Credit Act" **■**; provided, however, that on and after the first day of
24 the first tax year quarter in which the Stay NJ property tax credit
25 program is implemented, those sections shall be known and may be
26 cited as the "Stay NJ Act." **■**.

27 (cf: P.L.2023, c.75, s.20)

28
29 13. Section 2 of P.L.1990, c.61 (C.54:4-8.58) is amended to read
30 as follows:

31 2. As used in sections 2 through 10 of P.L.1990, c.61 (C.54:4-
32 8.58 through 54:4-8.66) and sections 3 and 14 through 16 of
33 P.L.1999, c.63 (C.54:4-8.58a and 54:4-8.66a through C.54:4-8.66c),
34 and where the context requires, as may be applicable to the
35 Affordable New Jersey Communities for Homeowners and Renters
36 (ANCHOR) Property Tax Relief Program:

37 "Annualized rent" means, for tax years 2004 and thereafter, the
38 rent paid by the claimant during the tax year for which the
39 homestead rebate is being claimed, and if paid for a lease term
40 covering less than the full tax year, the actual rent paid for the days
41 during the term of the lease of the homestead proportionalized as if
42 the term of the lease had been for 365 days of the tax year;

43 "Arm's-length transaction" means a transaction in which the
44 parties are dealing from equal bargaining positions, neither party is
45 subject to the other's control or dominant influence, and the
46 transaction is entirely legal in all respects and is treated with
47 fairness and integrity;

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

4 "Continuing care retirement community" means a residential
5 facility primarily for retired persons where lodging and nursing,
6 medical or other health related services at the same or another
7 location are provided as continuing care to an individual pursuant to
8 an agreement effective for the life of the individual or for a period
9 greater than one year, including mutually terminable contracts, and
10 in consideration of the payment of an entrance fee with or without
11 other periodic charges;

12 "Cooperative" means a housing corporation or association which
13 entitles the holder of a share or membership interest thereof to
14 possess and occupy for dwelling purposes a house, apartment,
15 manufactured or mobile home or other unit of housing owned or
16 leased by the corporation or association, or to lease or purchase a
17 unit of housing constructed or to be constructed by the corporation
18 or association;

19 "Director" means the Director of the Division of Taxation in the
20 Department of the Treasury;

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

26 "Homestead" means:

27 a. (1) a dwelling house and the land on which that dwelling
28 house is located which constitutes the place of the claimant's
29 domicile and is owned and used by the claimant as the claimant's
30 principal residence;

31 (2) a dwelling house situated on land owned by a person other
32 than the claimant which constitutes the place of the claimant's
33 domicile and is owned and used by the claimant as the claimant's
34 principal residence;

35 (3) a condominium unit or a unit in a horizontal property regime
36 which constitutes the place of the claimant's domicile and is owned
37 and used by the claimant as the claimant's principal residence;

38 (4) for purposes of this definition as provided in this subsection,
39 in addition to the generally accepted meaning of owned or
40 ownership, a homestead shall be deemed to be owned by a person if
41 that person is a tenant for life or a tenant under a lease for 99 years
42 or more and is entitled to and actually takes possession of the
43 homestead under an executory contract for the sale thereof or under
44 an agreement with a lending institution which holds title as security
45 for a loan, or is a resident of a continuing care retirement
46 community pursuant to a contract for continuing care for the life of
47 that person which requires the resident to bear a share of the
48 property taxes that are assessed upon the continuing care retirement

1 community, if a share is attributable to the unit that the resident
2 occupies;

3 b. a unit in a cooperative or mutual housing corporation which
4 constitutes the place of domicile of a residential shareholder or
5 lessee therein, or of a lessee, or shareholder who is not a residential
6 shareholder therein, and which is used by the claimant as the
7 claimant's principal residence; and

8 c. a unit of residential rental property which unit constitutes the
9 place of the claimant's domicile and is used by the claimant as the
10 claimant's principal residence;

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

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

21 "Manufactured home" or "mobile home" means a unit of housing
22 which:

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

26 (2) Is built on a permanent chassis;

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

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

37 "Mobile home park" means a parcel of land, or two or more
38 parcels of land, containing no fewer than 10 sites equipped for the
39 installation of manufactured or mobile homes, where these sites are
40 under common ownership and control for the purpose of leasing
41 each site to the owner of a manufactured or mobile home for the
42 installation thereof, and where the owner or owners provide
43 services, which are provided by the municipality in which the park
44 is located for property owners outside the park, which services may
45 include but shall not be limited to:

46 (1) The construction and maintenance of streets;

47 (2) Lighting of streets and other common areas;

48 (3) Garbage removal;

1 (4) Snow removal; and

2 (5) Provisions for the drainage of surface water from home sites
3 and common areas;

4 "Mutual housing corporation" means a corporation not-for-profit,
5 incorporated under the laws of this State on a mutual or cooperative
6 basis within the scope of section 607 of the Lanham Act (National
7 Defense Housing), Pub.L.849, 76th Congress (42 U.S.C. s.1521 et
8 seq.), as amended, which acquired a National Defense Housing
9 Project pursuant to that act;

10 "Principal residence" means a homestead actually and
11 continually occupied by a claimant as the claimant's permanent
12 residence, as distinguished from a vacation home, property owned
13 and rented or offered for rent by the claimant, and other secondary
14 real property holdings;

15 "Property tax" means payments to a municipality based upon an
16 assessment made by the municipality upon real property on an ad
17 valorem basis on land and improvements, and shall include the
18 amount of property tax credit as defined in section 1 of P.L.2018,
19 c.11 (C.54:4-66.6), but shall not include payments made in lieu of
20 taxes;

21 "Rent" means the amount due in an arm's-length transaction
22 solely for the right of occupancy of a homestead that is a unit of
23 residential rental property. Rent shall not include any amount paid
24 under the federal Housing Choice Voucher (Section 8) Program or
25 paid as a rental assistance grant under section 1 of P.L.2004, c.140
26 (C.52:27D-287.1). If the director finds that the parties in a rental
27 transaction have not dealt with each other in an arm's-length
28 transaction and that the rent due was excessive, the director may,
29 for purposes of the homestead rebate claim, adjust the rent claimed
30 in the homestead rebate application to a reasonable amount of rent;

31 "Rent constituting property taxes" means 18% of the rent paid by
32 the homestead rebate claimant during the tax year on a unit of
33 residential rental property which constitutes the claimant's
34 homestead, and in the case of a manufactured home or mobile home
35 in a mobile home park which constitutes the claimant's homestead
36 means 18% of the site fee paid by the claimant during the tax year
37 to the owner of the mobile home park. Provided however, that for
38 tax year 2004 and for each tax year thereafter, rent constituting
39 property taxes shall equal 18% of annualized rent, and in the case of
40 a manufactured home or mobile home in a mobile home park rent
41 constituting property taxes shall equal 18% of a similarly
42 annualized site fee;

43 "Resident" means an individual:

44 a. who is domiciled in this State, unless he maintains no
45 permanent place of abode in this State, maintains a permanent place
46 of abode elsewhere, and spends in the aggregate no more than 30
47 days of the tax year in this State; or

1 b. who is not domiciled in this State but maintains a permanent
2 place of abode in this State and spends in the aggregate more than
3 183 days of the tax year in this State, unless the individual is in the
4 Armed Forces of the United States;

5 "Residential rental property" means:

6 a. any building or structure or complex of buildings or
7 structures in which dwelling units are rented or leased or offered for
8 rental or lease for residential purposes;

9 b. a rooming house, hotel or motel, if the rooms constituting
10 the homestead are equipped with kitchen and bathroom facilities;

11 c. any building or structure or complex of buildings or
12 structures constructed under the following sections of the National
13 Housing Act (Pub.L.73-479) as amended and supplemented: section
14 202, Housing Act of 1959 (Pub.L.86-372) and as subsequently
15 amended, section 231, Housing Act of 1959; and

16 d. a site in a mobile home park equipped for the installation of
17 manufactured or mobile homes, where these sites are under
18 common ownership and control for the purpose of leasing each site
19 to the owner of a manufactured or mobile home for the installation
20 thereof;

21 "Residential shareholder in a cooperative or mutual housing
22 corporation" means a tenant or holder of a membership interest in
23 that cooperative or corporation, whose residential unit therein
24 constitutes the tenant or holder's domicile and principal residence,
25 and who may deduct real property taxes for purposes of federal
26 income tax pursuant to section 216 of the federal Internal Revenue
27 Code of 1986, 26 U.S.C. s.216; and

28 "Tax year" means the calendar year in which property taxes are
29 due and payable.

30 (cf: P.L.2018, c.11, s.10)

31

32 14. Section 3 of P.L.1999, c.63 (C.54:4-8.58a) is amended to
33 read as follows:

34 3. a. For tax year 2003, the director shall determine the amount
35 of the homestead rebate that shall be paid to each claimant pursuant
36 to P.L.1990, c.61 (C.54:4-8.57 et al.), and P.L.1999, c.63 (C.54:4-
37 8.58a et al.), as amended by P.L.2004, c.40, based upon the
38 information provided by the individual applicant in the application
39 for either a NJ SAVER rebate or for a homestead rebate, or from
40 any other information as may be available to the director in order
41 that each individual applicant shall be paid the homestead rebate
42 that may be allowed to the claimant pursuant to sections 3 through 5
43 of P.L.1990, c.61 (C.54:4-8.59 through 54:4-8.61), as the director
44 determines is appropriate.

45 b. (1) For tax year 2003, a resident of this State who has paid
46 property taxes for the tax year on a homestead that is owned as
47 such, who has filed an application for an NJ SAVER rebate
48 pursuant to the provisions of P.L.1999, c.63 (C.54:4-8.58a et al.), or

1 pursuant to that act as amended and supplemented by P.L.2004,
2 c.40, and who meets the prerequisites for an NJ SAVER rebate at
3 12:01 A.M. on October 1, 2003 for that tax year, shall be
4 considered to have applied for a homestead rebate and shall be
5 allowed a homestead rebate instead of an NJ SAVER rebate for that
6 tax year pursuant to P.L.1990, c.61 (C.54:4-8.57 et al.), and
7 P.L.1999, c.63 (C.54:4-8.58a et al.), as amended by P.L.2004, c.40.
8 An application for an NJ SAVER rebate shall be allowed as a
9 homestead rebate for a homestead the title to which is held by a
10 partnership, to the extent of the applicant's interest as a partner
11 therein, and by a guardian, trustee, committee, conservator or other
12 fiduciary for any individual who would otherwise be eligible for an
13 NJ SAVER rebate. An application for an NJ SAVER rebate shall
14 not be allowed for a homestead, the title to which is held partially
15 or entirely by a corporate entity of any type, except as otherwise
16 specifically allowed for applications from residents of properties
17 owned by continuing care retirement community, cooperative or
18 mutual housing corporations.

19 (2) For tax year 2004 and tax year 2005, any rebates applied for
20 and paid pursuant to P.L.1990, c.61 (C.54:4-8.57 et al.), and
21 P.L.1999, c.63 (C.54:4-8.58a et al.), as amended and supplemented
22 by P.L.2004, c.40, shall be homestead rebates.

23 (3) For tax year 2006 and for tax years thereafter, any
24 homestead benefit applied for and provided pursuant to this act
25 shall be a rebate or credit, as annually determined by the Director of
26 the Division of Taxation.

27 (4) After the effective date of P.L. , c (C.) (pending
28 before the Legislature as this bill), and with respect to the payment
29 of ANCHOR rebates to eligible claimants, payments to eligible
30 claimants in calendar year 2026 shall be based on property taxes
31 billed for tax year 2025. Thereafter, payments to eligible claimants
32 in any succeeding benefit year shall be based on the immediately
33 preceding tax year.

34 (cf: P.L.2007, c.62, s.22)

35
36 15. (New section) Notwithstanding the provisions of any other
37 law to the contrary, after the effective date of P.L. , c. (C.)
38 (pending before the Legislature as this bill), ANCHOR rebates shall
39 be paid to eligible claimants on or before September 15 of each tax
40 year annually, whether such rebates are to be paid by check, direct
41 deposit, or as a credit on the eligible claimant's property tax bill.

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

45 1. As used in **[this act]** P.L.1997, c.348 (C.54:4-8.67 et seq.):

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

1 December 31, 1997, the tax year in which the person first becomes
2 an eligible claimant. In the case of an eligible claimant who
3 subsequently moves from the homestead for which the initial
4 eligibility was established, the base year shall be the first full tax
5 year during which the person resides in the new homestead.
6 Provided however, a base year for an eligible claimant after such a
7 move shall not apply to tax years commencing prior to January 1,
8 2009. In the case of an eligible claimant who receives a Stay NJ
9 property tax credit in lieu of a homestead property tax
10 reimbursement pursuant to section 4 of P.L.2023, c.75 (C.54:4-
11 8.75d), the base year of that eligible claimant shall remain
12 unchanged.

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

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

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

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

35 "Eligible claimant" means a person who:

36 is 65 or more years of age on or before December 31 of any tax
37 year for which a homestead property tax reimbursement is sought,
38 or who is a disabled person;

39 is an owner of a homestead, or the lessee of a site in a mobile
40 home park on which site the applicant owns a manufactured or
41 mobile home for the entire tax year for which a homestead property
42 tax reimbursement is sought;

43 has an annual income of less than \$17,918 in tax year 1998, less
44 than \$18,151 in tax year 1999, or less than \$37,174 in tax year
45 2000, if single, or, if married, whose annual income combined with
46 that of the spouse is less than \$21,970 in tax year 1998, less than
47 \$22,256 in tax year 1999, or less than \$45,582 in tax year 2000,
48 which income eligibility limits for single and married persons shall

1 be subject to adjustments in tax years 2001 through 2006 pursuant
2 to section 9 of P.L.1997, c.348 (C.54:4-8.68);

3 has an annual income of \$60,000 or less in tax year 2007,
4 \$70,000 or less in tax year 2008, or \$80,000 or less in tax year
5 2009, if single or married, which income eligibility limits shall be
6 subject to adjustments in tax years 2010 through 2021 pursuant to
7 section 9 of P.L.1997, c.348 (C.54:4-8.68);

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

12 has, for at least three calendar years, including the entire tax year
13 for which a homestead property tax reimbursement is sought,
14 owned and resided in 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
48 years or more, is entitled to and actually takes possession of the

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;

8 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.

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

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

27 "Income" means all New Jersey gross income required to be
28 reported pursuant to the "New Jersey Gross Income Tax Act,"
29 N.J.S.54A:1-1 et seq., before the application of any authorized
30 exclusion or deduction, except also including: interest income
31 excluded from taxation pursuant to N.J.S.54A:6-14; pension and
32 annuity income excluded from taxation pursuant to N.J.S.54A:6-10;
33 income derived from distributions from, or roll over to, a Roth IRA
34 excluded from taxation pursuant to N.J.S.54A:6-28; other
35 retirement income excluded from taxation pursuant to N.J.S.54A:6-
36 15; and Social Security income excluded from taxation pursuant to
37 N.J.S.54A:6-2, as self-reported by the homeowner.

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

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

43 (2) Is built on a permanent chassis;

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

46 (4) Is manufactured in accordance with the standards
47 promulgated for a manufactured home by the Secretary of the
48 United States Department of Housing and Urban Development

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

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

15 (1) The construction and maintenance of streets;

16 (2) Lighting of streets and other common areas;

17 (3) Garbage removal;

18 (4) Snow removal; and

19 (5) Provisions for the drainage of surface water from home sites
20 and common areas.

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

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

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

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

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

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

47 (cf: P.L.2023, c.75, s.13)

1 17. Section 3 of P.L.1997, c.348 (C.54:4-8.70) is amended to
2 read as follows:

3 3. **【An】** a. For tax years before the implementation of the
4 single combined application required pursuant to section 6 of
5 P.L.2023, c.75 (C.54:4-8.75f), an application for a homestead
6 property tax reimbursement hereunder shall be filed with the
7 director annually beginning April 1 and ending October 31 of the
8 year following the year for which the claim is being made and shall
9 reflect the prerequisites for a homestead property tax
10 reimbursement on December 31 of the tax year for which the claim
11 is being made; provided, however, that the director may, by rule,
12 designate a later date as the date by which the application shall be
13 filed or waive the requirement for filing an annual application for
14 any year or years subject to any limitations and conditions the
15 director may deem appropriate. The application shall be on a form
16 prescribed by the director and provided for the use of applicants
17 hereunder. Each applicant making a claim for a homestead property
18 tax reimbursement under this act shall provide, if required by the
19 director, to the director a copy of his or her current year property
20 tax bill or current year site fee bill on the homestead constituting
21 that person's principal residence and a copy of his or her property
22 tax bill for the base year or site fee bill for the base year on the
23 same homestead, or other equivalent proof as permitted by the
24 director.

25 It shall be the duty of every eligible claimant to inform the
26 director of any change in his or her status or homestead which may
27 affect his or her right to continuance of the homestead property tax
28 reimbursement.

29 If an eligible claimant receives an additional homestead property
30 tax reimbursement to which the claimant was not entitled or greater
31 than the reimbursement to which the claimant was entitled, the
32 director shall permit the claimant to enter into an installment
33 payment agreement for a reasonable period of time that will enable
34 the claimant to completely satisfy the amount of the reimbursement
35 paid to which the claimant was not entitled. If the claimant does
36 not enter into an installment payment agreement, the director may,
37 in addition to all other available legal remedies, offset such amount
38 against a gross income tax refund or amount due pursuant to
39 P.L.1990, c.61.

40 b. For tax years on and after the implementation of the single
41 combined application required pursuant to section 6 of P.L.2023,
42 c.75 (C.54:4-8.75f), an application for a homestead property tax
43 reimbursement hereunder shall be filed with the director annually,
44 beginning February 1 and ending October 31 of the year following
45 the year for which the claim is being made, using the single
46 combined application and in accordance with the requirements of
47 section 6 of P.L.2023, c.75 (C.54:4-8.75f).

48 (cf: P.L.2017, c.370, s.1)

1 18. Section 4 of P.L.1997, c.348 (C.54:4-8.71) is amended to
2 read as follows:

3 4. a. The director shall administer the homestead property tax
4 reimbursement program. A payment for the homestead property tax
5 reimbursement amount, as calculated by the director, shall be
6 **【mailed】** paid, by check, direct deposit, or credit against the
7 eligible claimant's property tax bill, to each person determined by
8 the director to be an eligible claimant **【under this act】** pursuant to
9 P.L.1997, c.348 (C.54:4-8.67 et seq.) and shall be made according
10 to the following schedule: **【**on or before July 15, 1999 and July 15
11 annually thereafter, except that the payment of any homestead
12 property tax reimbursement amount for an eligible claimant whose
13 application is filed during the period May 1 through June 1 shall be
14 mailed on or before September 1 annually. Provided further,
15 however, that the payment of any homestead property tax
16 reimbursement amount for an eligible claimant whose application is
17 filed during a period after June 1 pursuant to an extended
18 application deadline as may be designated by the director shall be
19 mailed on or before such latter mailing date as the director may
20 determine.**】**

21 (1) for applications received on or before May 1 of the tax year,
22 the reimbursement amount shall be paid on or before July 15 of that
23 tax year; and

24 (2) for applications received on or after May 1 of the tax year,
25 the reimbursement amount shall be made on a rolling monthly
26 basis.

27 b. All payments made pursuant to this section shall be
28 appropriated from receipts in the Casino Revenue Fund.
29 (cf: P.L.2003, c.30, s.2)

30
31 19. (New section) The Director of the Division of Taxation in
32 the Department of the Treasury is authorized to take any
33 administrative action with respect to the Stay NJ program,
34 P.L.2023, c.75 (C.54:4-8.75a et al.), the homestead property tax
35 reimbursement program, P.L.1997, c.348 (C.54:4-8.67 et seq.), or
36 the ANCHOR Property Tax Relief Program that may be necessary
37 to implement the provisions of P.L. , c. (C.) (pending
38 before the Legislature as this bill).

39
40 20. Section 3 of P.L.2021, c.371 (C.47:1B-3) is amended to read
41 as follows:

42 3. a. The following exceptions shall apply to the requirement to
43 redact, and the prohibition against the disclosure of, a home address
44 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2) in accordance
45 with section 2 of P.L.2015, c.226 (C.47:1-17), section 1 of
46 P.L.1995, c.23 (C.47:1A-1.1), or section 6 of P.L.2001, c.404
47 (C.47:1A-5):

1 (1) Copies of voter registration files maintained in the Statewide
2 voter registration system pursuant to section 2 of P.L.2005, c.145
3 (C.19:31-32) and maintained by the commissioner of registration in
4 each county pursuant to R.S.19:31-3 shall be provided as redacted
5 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2), except that
6 copies of the files as unredacted pursuant thereto shall be provided
7 to the following individuals, upon the individual's signing of an
8 affidavit attesting to the individual's qualifying status pursuant
9 hereto:

10 (a) the chairperson of the county or municipal committee of a
11 political party, as appropriate under R.S.19:7-1, or a designee
12 thereof, for distribution to any person authorized to serve as a
13 challenger pursuant to R.S.19:7-1 or section 2 of P.L.2021, c.40
14 (C.19:15A-2), subject to the limitations in section 1 of P.L.1960,
15 c.82 (C.19:7-6.1); and the unredacted copies may only be used for
16 the purpose specified in R.S.19:7-5;

17 (b) a candidate, or a designee thereof, for distribution to a
18 challenger appointed thereby pursuant to section 2 of P.L.2021, c.40
19 (C.19:15A-2) for the person's use in accordance with R.S.19:7-5;

20 (c) a candidate acting as a challenger pursuant to R.S.19:7-2 or
21 the other person appointed thereunder, for use in accordance with
22 R.S.19:7-5;

23 (d) any vendor, contractor, or organization carrying out a
24 function of a county or of the State concerning the administration or
25 conduct of elections; and

26 (e) upon order of a judge of the Superior Court after a finding
27 that the unredacted copy is necessary to determine the merits of a
28 petition filed in accordance with R.S.19:29-3, a person filing such
29 petition or the respondent or both.

30 This paragraph shall apply to registry lists as described in section
31 2 of P.L.1947, c.347 (C.19:31-18.1).

32 (2) Other than as provided in subparagraphs (d) and (e) of
33 paragraph (4) of this subsection, a document affecting the title to
34 real property, as defined by N.J.S.46:26A-2, recorded and indexed
35 by a county recording officer, or as otherwise held or maintained by
36 the Division of Taxation, a county board of taxation, a county tax
37 administrator, or a county or municipal tax assessor, that contains
38 an address subject to redaction or nondisclosure consistent with this
39 act, P.L.2021, c.371 (C.47:1B-1 et al.):

40 may instead or in addition include the redaction and
41 nondisclosure of the names or other information of approved
42 covered persons, as specified by the Director of the Division of
43 Taxation, which redaction and nondisclosure may include masking
44 of such names or other information, and

45 shall be provided as unredacted to the following persons when
46 requested in such person's ordinary course of business:

- 1 (a) a title insurance company, a title insurance agent, or an
2 approved attorney, as defined in section 1 of P.L.1975, c.106
3 (C.17:46B-1);
- 4 (b) a mortgage guarantee insurance company, as described in
5 section 4 of P.L.1968, c.248 (C.17:46A-4);
- 6 (c) a mortgage loan originator, as defined in section 3 of
7 P.L.2009, c.53 (C.17:11C-53);
- 8 (d) a registered title search business entity, as defined in section
9 4 of P.L.2021, c.371 (C.17:46B-1.1);
- 10 (e) a real estate broker, a real estate salesperson, a real estate
11 broker-salesperson, a real estate salesperson licensed with a real
12 estate referral company, or a real estate referral company, as such
13 terms are defined in R.S.45:15-3; and
- 14 (f) an individual or business that has made or received an offer
15 for the purchase of real estate and real property, or any portion
16 thereof, to or from a covered person whose address is subject to
17 redaction or nondisclosure pursuant to section 2 of P.L.2021, c.371
18 (C.47:1B-2).
- 19 This act shall not be construed to prohibit a county recording
20 officer from returning a document as unredacted to any person who
21 submitted the document for recordation.
- 22 (3) A home address as unredacted may be provided by a public
23 agency to the majority representative of such agency's employees.
- 24 (4) The following shall not be subject to redaction or
25 nondisclosure pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2):
- 26 (a) records and documents, including Uniform Commercial
27 Code filings and financing statements, maintained by the Division
28 of Revenue and Enterprise Services in the Department of the
29 Treasury;
- 30 (b) petitions naming candidates for office pursuant to R.S.19:13-
31 1 and R.S.19:13-4;
- 32 (c) petitions signed in accordance with R.S.19:13-6;
- 33 (d) records evidencing any lien, judgement, or other
34 encumbrance upon real or other property;
- 35 (e) assessment lists subject to inspection pursuant to R.S.54:4-
36 38 when inspected in person;
- 37 (f) the index of all recorded documents maintained by a county
38 recording officer as under N.J.S.46:26A-8 when inspected in
39 person; and
- 40 (g) property that is presumed abandoned under the "Uniform
41 Unclaimed Property Act," P.L.1989, c.58 (C.46:30B-1 et seq.).
- 42 (5) A public agency may share unredacted information with any
43 vendor, contractor, or organization to carry out the purposes for
44 which the public agency entered into an agreement with the vendor,
45 contractor, or organization. The vendor, contractor, or organization
46 shall not use such information in any manner other than as
47 necessary to carry out the purposes of the agreement.

1 (6) For a record or other document containing a home address
2 required to be redacted pursuant to section 2 of P.L.2021, c.371
3 (C.47:1B-2) that, because of the characteristics or properties of the
4 record or document, is only available to be viewed in person, a
5 custodian or other government official shall make every reasonable
6 effort to hide such address when allowing an individual without
7 authority to view such address as unredacted to view the record or
8 document.

9 (7) For the purposes of the calculation of property tax benefits
10 and the administration of property tax credits for eligible claimants
11 pursuant to the "Stay NJ Act," P.L.2021, c.75 (C.54:4-8.75a et al.),
12 municipalities may share unredacted property tax information with
13 the Director of the Division of Taxation in the Department of the
14 Treasury, and the director may provide to municipalities unredacted
15 amounts of property tax credits to be applied against property tax
16 bills of eligible claimants.

17 b. Nothing in this act shall be construed to require redaction or
18 nondisclosure of any information in any document, record,
19 information, or database shared with or otherwise provided to any
20 other government entity.

21 c. Information otherwise subject to redaction or nondisclosure
22 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2) may be
23 provided as unredacted upon order of a judge of the Superior Court
24 or of any other court of competent jurisdiction.

25 d. This section shall not be construed to require a record to be
26 made available that is not otherwise required to be made available
27 under any other law or regulation.

28 e. The Director of the Division of Taxation may issue any
29 guidance, guidelines, or rules and regulations necessary to
30 effectuate the purposes of this section. The rules and regulations
31 shall be effective immediately upon filing with the Office of
32 Administrative Law for a period not to exceed 18 months, and shall,
33 thereafter, be amended, adopted, or readopted in accordance with
34 the provisions of the "Administrative Procedure Act," P.L.1968,
35 c.410 (C.52:14B-1 et seq.).

36 (cf: P.L.2021, c.371, s.3)

37
38 21. R.S.54:50-8 is amended to read as follows:

39 54:50-8. a. The records and files of the director respecting the
40 administration of the State Uniform Tax Procedure Law or of any
41 State tax law, or respecting the administration of the Stay NJ
42 property tax credit, the ANCHOR Property Tax Relief Program, and
43 the homestead property tax reimbursement program, shall be
44 considered confidential and privileged and neither the director nor
45 any employee engaged in the administration thereof or charged with
46 the custody of any such records or files, nor any former officer or
47 employee, nor any person who may have secured information
48 therefrom under subsection d., e., f., g., p., q., r., or s. of R.S.54:50-

1 9 or any other provision of State law, shall divulge, disclose, use for
2 their own personal advantage, or examine for any reason other than
3 a reason necessitated by the performance of official duties any
4 information obtained from the said records or files or from any
5 examination or inspection of the premises or property of any
6 person. Neither the director nor any employee engaged in such
7 administration or charged with the custody of any such records or
8 files shall be required to produce any of them for the inspection of
9 any person or for use in any action or proceeding except when the
10 records or files or the facts shown thereby are directly involved in
11 an action or proceeding under the provisions of the State Uniform
12 Tax Procedure Law or of the State tax law affected, or where the
13 determination of the action or proceeding will affect the validity or
14 amount of the claim of the State under some State tax law, or in any
15 lawful proceeding for the investigation and prosecution of any
16 violation of the criminal provisions of the State Uniform Tax
17 Procedure Law or of any State tax law.

18 b. The prohibitions of this section, against unauthorized
19 disclosure, use or examination by any present or former officer or
20 employee of this State or any other individual having custody of
21 such information obtained pursuant to the explicit authority of State
22 law, shall specifically include, without limitation, violations
23 involving the divulgence or examination of any information from or
24 any copy of a federal return or federal return information required
25 by New Jersey law to be attached to or included in any New Jersey
26 return. Any person violating this section by divulging, disclosing or
27 using information shall be guilty of a crime of the fourth degree.
28 Any person violating this section by examining records or files for
29 any reason other than a reason necessitated by the performance of
30 official duties shall be guilty of a disorderly persons offense.

31 c. Whenever records and files are used in connection with the
32 prosecution of any person for violating the provisions of this section
33 by divulging, disclosing or using records or files or examining
34 records and files for any reason other than a reason necessitated by
35 the performance of official duties, the defendant shall be given
36 access to those records and files. The court shall review such
37 records and files in camera, and that portion of the court record
38 containing the records and files shall be sealed by the court.

39 (cf: P.L.2021, c.167, s.5)

40

41 22. Section 3 of P.L.1996, c.60 (C.54A:3A-17) is amended to
42 read as follows:

43 3. a. A resident taxpayer under the "New Jersey Gross Income
44 Tax Act," N.J.S.54A:1-1 et seq., shall be allowed a deduction from
45 gross income for the amount of property tax credit, as defined in
46 section 1 of P.L.2018, c.11 (C.54:4-66.6), plus property taxes paid
47 by the resident taxpayer, the total of which shall not exceed
48 \$15,000, subject to the limitations of subsection f. of this section.

1 Property taxes deductible under this section shall be due and paid
2 for the calendar year in which the taxes are due and payable on the
3 taxpayer's homestead.

4 b. A deduction for property taxes or property tax credits shall
5 be allowed pursuant to this section in relation to the amount of the
6 property taxes or property tax credits actually paid by **【**or allocable
7 to**】** a resident taxpayer who has more than one homestead, but the
8 aggregate amount of the property taxes or property tax credits
9 claimed shall not exceed the total of the proportionate amounts of
10 property taxes **【**assessed and levied against or allocable to**】** paid for
11 each homestead for the portion of the taxable year for which the
12 taxpayer occupied it as the taxpayer's principal residence.

13 c. If title to a homestead is held by more than one individual as
14 joint tenants or tenants in common, each individual shall be allowed
15 a deduction pursuant to this section only in relation to the
16 individual's proportionate share of the property taxes assessed and
17 levied against the homestead. The proportionate share shall be
18 equal to that of all other individuals who hold the title, but if the
19 conveyance under which the title is held provides for unequal
20 interests therein, a taxpayer's share of the property taxes shall be in
21 proportion to the taxpayer's interest in the title.

22 d. If title to a homestead is held by a husband and wife who
23 own the homestead as tenants by the entirety, or if that husband and
24 wife are both residential shareholders of a cooperative or mutual
25 housing corporation and occupy the same homestead therein, and
26 who elect to file separate income tax returns pursuant to the "New
27 Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq., that husband
28 and wife shall each be entitled to one-half of the deduction for
29 property taxes for which they may be jointly eligible pursuant to
30 this section.

31 e. If the homestead is a dwelling house consisting of more than
32 one unit, that taxpayer shall be allowed a deduction for property
33 taxes or property tax credits only in relation to the proportionate
34 share of the property taxes assessed and levied against the
35 residential unit occupied by the taxpayer, as determined by the local
36 tax assessor.

37 f. Notwithstanding the provisions of subsection a. of this
38 section to the contrary: (1) a resident taxpayer shall be allowed a
39 deduction for a taxpayer's taxable year beginning during 1996 based
40 on 50% of the property taxes not in excess of \$5,000 paid on the
41 taxpayer's homestead; and (2) a resident taxpayer shall be allowed a
42 deduction for a taxpayer's taxable year beginning during 1997 based
43 on 75% of the property taxes not in excess of \$7,500 paid on the
44 taxpayer's homestead.

45 g. Notwithstanding any other provision of this section, the
46 deduction allowed under this section to a resident taxpayer eligible
47 to receive a homestead property tax reimbursement pursuant to
48 P.L.1997, c.348 (C.54:4-8.67 et al.) shall not exceed that resident

1 taxpayer's base year property tax liability as determined pursuant to
2 P.L.1997, c.348 (C.54:4-8.67 et al.).

3 h. Notwithstanding any other provision of this section, for the
4 taxable year beginning January 1, 2009, a taxpayer who has gross
5 income for the taxable year of more than \$250,000 and is not:

6 (1) 65 years of age or older at the close of the taxable year; or

7 (2) allowed to claim a personal deduction as a blind or disabled
8 taxpayer pursuant to subsection (b) of N.J.S.54A:3-1, shall not be
9 allowed a deduction pursuant to this section;

10 provided however, the deduction for a taxpayer who has gross
11 income for the taxable year of more than \$150,000 but not
12 exceeding \$250,000 and is not:

13 (1) 65 years of age or older at the close of the taxable year; or

14 (2) allowed to claim a personal deduction as a blind or disabled
15 taxpayer pursuant to subsection (b) of N.J.S.54A:3-1, shall not
16 exceed \$5,000.

17 (cf: P.L.2018, c.45, s.1)

18

19 23. Section 5 of P.L.1996, c.60 (C.54A:3A-19) is amended to
20 read as follows:

21 5. a. If a taxpayer who is eligible for a deduction for property
22 taxes paid under section 3 of **【this act】** P.L.1996, c.60 (C.54A:3A-
23 17) for a part of the taxable year is also eligible for a deduction for
24 rent constituting property taxes under section 4 of this act for a part
25 of the taxable year, the taxpayer shall be allowed a deduction, not in
26 excess of \$15,000, subject to the limitations of subsection b. of this
27 section, the amount of which shall be equal to the sum of the
28 amount of property tax credit, as defined in section 1 of P.L.2018,
29 c.11 (C.54:4-66.6), plus the amount of property taxes due and paid
30 for the calendar year in which the property taxes are due and
31 payable on a homestead that is not a unit of residential rental
32 property and the amount of rent constituting property taxes due and
33 paid for the calendar year in which the rent constituting property
34 taxes is due and payable for the occupancy of a homestead that is a
35 unit of residential rental property, provided however, that the
36 amount of property taxes and property tax credits shall be subject to
37 the limitations set forth in subsections b. through e. of section 3 of
38 P.L.1996, c.60 (C.54A:3A-17) and the amount of rent constituting
39 property taxes shall be subject to the limitations set forth in
40 subsections b. and c. of section 4 of P.L.1996, c.60 (C.54A:3A-18)
41 as may be applicable.

42 b. Notwithstanding the provisions of subsection a. of this
43 section to the contrary: (1) a taxpayer who is eligible for a
44 deduction for property taxes paid under section 3 of **【this act】**
45 P.L.1996, c.60 (C.54A:3A-17) for a part of the taxable year and is
46 also eligible for a deduction for rent constituting property taxes
47 under section 4 of **【this act】** P.L.1996, c.60 (C.54A:3A-18) for a
48 part of the taxable year, shall be allowed a deduction for the

1 taxpayer's taxable year beginning during 1996 based on 50% of an
2 amount not in excess of \$5,000, the amount of which shall be equal
3 to the sum of the amount of property taxes paid on a homestead that
4 is not a unit of residential rental property and the amount of rent
5 constituting property taxes paid for the occupancy of a homestead
6 that is a unit of residential rental property; and (2) a taxpayer who is
7 eligible for a deduction for property taxes paid under section 3 of
8 **【this act】** P.L.1996, c.60 (C.54A:3A-17) for a part of the taxable
9 year and is also eligible for a deduction for rent constituting
10 property taxes under section 4 of **【this act】** P.L.1996, c.60
11 (C.54A:3A-18) for a part of the taxable year, shall be allowed a
12 deduction for the taxpayer's taxable year beginning during 1997
13 based on 75% of an amount not in excess of \$7,500, the amount of
14 which shall be equal to the sum of the amount of property taxes
15 paid on a homestead that is not a unit of residential rental property
16 and the amount of rent constituting property taxes paid for the
17 occupancy of a homestead that is a unit of residential rental
18 property.

19 (cf: P.L.2018, c.45, s.3)

20

21 24. This act shall take effect immediately.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 3693

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 7, 2024

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 3693.

As amended, this bill amends and supplements the statutes concerning the homestead property tax benefit program, the homestead property tax reimbursement program, and the Stay NJ property tax credit program in order to implement the recommendations of the Stay NJ Task Force. The statutes controlling the homestead property tax benefit program also provide statutory authority for the Affordable New Jersey Communities for Homeowners and Renters (ANCHOR) Property Tax Relief Program established by the Fiscal Year 2023 Appropriations Act. The proposed changes to these statutes are intended to align the various administrative and eligibility requirements methods for these programs in order to provide for the efficient implementation of property tax benefits.

Age and Residency Requirements. Current law establishes a different statutory residency date for qualification under each property tax relief program. In order to provide consistency in these dates, the bill amends current law to require an eligible claimant to be a State resident as of December 31 of the year for which a benefit is sought. The bill also requires senior citizens participating in each program to be age 65 as of December 31 of the benefit year.

Application Process and Timeline. Current law establishes different application timelines for each property tax relief program. The bill amends current law to provide that the period during which an eligible claimant may submit the combined property tax relief application would include February 1 through October 31 of each year. The bill also requires the Director of the Division of Taxation in the Department of the Treasury to promulgate a single combined application to be used for all three programs by no later than February 1, 2025, provided that the bill is enacted at least 90 days before that date. However, if this bill is enacted less than 90 days before February 1, 2025, the director would not be required to promulgate the single combined application until no earlier than the 91st day following the date of enactment of this bill. To the extent practicable, the bill

requires this single combined application to resemble the application currently used for the homestead property tax reimbursement program.

Benefit Calculation. The bill alters the method for determining the amount of an eligible claimant's Stay NJ property tax credit. Current law entitles an eligible claimant 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 maximum Stay NJ property tax credit is 50 percent of an eligible claimant's property tax bill, not to exceed a maximum amount of \$6,500 in tax year 2026, with annual adjustments based on the annual increase in the average residential property tax bill.

Under the bill, the amount of the Stay NJ property tax credit would continue to be based on 50 percent of an eligible claimant's property tax bill, up to the maximum allowable credit for the tax year. However, the bill provides that an eligible claimant would be entitled to receive a Stay NJ property tax credit, ANCHOR property tax rebate, and homestead property tax reimbursement in the same year. In this circumstance, the bill specifies that for each eligible claimant, the amount of the Stay NJ property tax credit, together with the combined amount of the ANCHOR property tax rebate and the homestead property tax reimbursement received by the eligible claimant for the tax year, may not exceed the maximum allowable credit amount for that tax year. The bill would not, however, reduce the amount of the homestead property reimbursement or ANCHOR property tax rebate that is required to be paid to an eligible claimant for any tax year in which the combined value of these benefits exceeds the amount of the maximum allowable Stay NJ property tax credit.

Accordingly, if the sum total of an eligible claimant's homestead property tax reimbursement and ANCHOR property tax rebate exceeds the lesser of 50 percent of their property tax bill or the maximum benefit amount, then the eligible claimant would receive the full amount of the homestead property tax reimbursement and ANCHOR property tax rebate for that tax year, but would not receive an additional Stay NJ property tax credit. Alternatively, if the combined amount of an eligible claimant's homestead property tax benefit and ANCHOR property tax rebate is less than the Stay NJ benefit amount, then the eligible claimant would receive a Stay NJ property tax credit equal to 50 percent of their property tax bill, not to exceed the maximum benefit amount, less the sum total of their homestead property tax reimbursement and ANCHOR property tax rebate.

Benefit Distribution. Under current law, eligible claimants receive benefit payments under each of the property tax relief programs at different times. The bill requires the sequential distribution of property tax benefits in accordance with a statutory schedule, with the homestead property tax reimbursement provided beginning in July, ANCHOR property tax rebates provided beginning in September, and the Stay NJ property tax credit provided beginning in November.

Additionally, current law requires a Stay NJ benefit to be provided as a credit against an eligible claimant's property tax bill. The bill allows benefits distributed through each property tax relief program to be provided as a check, direct deposit, or property tax credit. The bill allows municipalities and the Division of Taxation in the Department of the Treasury to share unredacted property tax information for the purpose of calculating and distributing property tax credits.

Calculation of Income. Under current law, there are different definitions of "income" for the purpose of determining eligibility for the homestead property tax reimbursement and the Stay NJ property tax credit. For the homestead property tax reimbursement, income is determined based on an eligible claimant's total income, including income that is excluded in gross income under the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq. For the Stay NJ property tax credit, income is determined based on an eligible claimant's gross income, which does not include income that is excluded from gross income under the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq.

The bill establishes a uniform definition of income for purposes of determining eligibility for the homestead property tax reimbursement and the Stay NJ property tax credit. Under the new definition, an eligible claimant's income would be determined using the person's gross income, before the application of any deductions or exclusions, plus income from the following sources of excluded income: (1) all payments received under the federal Social Security Act; (2) pension and annuity income; (3) interest income; (4) other retirement income; and (5) distributions from a Roth Individual Retirement Account. Since Social Security payments are excluded from gross income and not reported on annual gross income tax returns, the bill requires eligible claimants to report those amounts when applying for property tax benefits.

Budgetary Surplus Target. Current law establishes the maintenance of a budgetary surplus of 12 percent of total expenditures from the General Fund and Property Tax Relief Fund in a given State fiscal year as one of the prerequisites for funding and implementing the Stay NJ property tax credit program. Total expenditures from the General Fund and Property Tax Relief Fund are usually not quantifiable until the publication of the Annual Comprehensive Financial Report for each fiscal year. In order to establish an identifiable and measurable amount for determining whether the budgetary surplus target is satisfied for each fiscal year, the bill requires the maintenance of a budgetary surplus of 12 percent of total appropriations from the General Fund and Property Tax Relief Fund. Total appropriations from the General Fund and Property Tax Relief Fund are calculated and published in the annual Appropriations Act.

Gross Income Tax Deduction for Property Taxes. Current law allows taxpayers to deduct up to \$15,000 from gross income for property taxes paid in a tax year. According to guidance published by the Division of Taxation, taxpayers are not required to deduct property tax relief payments from the amount of property taxes deducted from gross income. In order to prevent taxpayers from claiming a gross income tax deduction for the value of property taxes that were not required to be paid due to the receipt of a property tax credit, the bill amends current law to clarify that amounts deducted from gross income would be limited to the property taxes paid by the taxpayer, as opposed to the amounts billed.

Program Administration. The bill requires the Director of the Division of Taxation, in consultation with other State and local officials, to develop a process for the payment of benefits provided through the homestead property tax reimbursement program and the Stay NJ program as property tax credits.

The bill also requires the Stay NJ Task Force to continue to meet monthly to assist the Director of the Division of Taxation in developing this process and collecting information from local officials regarding how to effectively implement property tax credits in future years for those programs. Under current law, the task force would otherwise be required to disband 30 days after the enactment of this bill.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 4706, which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amendments provide technical changes to the bill to clarify the calculation of the Stay NJ property tax credit. Specifically, the committee amendments provide that for each eligible claimant of the Stay NJ property tax credit program, the amount of the Stay NJ credit, together with the combined amount of the ANCHOR property tax rebate and the homestead property tax reimbursement received by the eligible claimant for the tax year, may not exceed the maximum allowable credit amount for that tax year. The committee amendments also clarify that the bill would not reduce the amount of the homestead property reimbursement or ANCHOR property tax rebate that is required to be paid to an eligible claimant for any tax year in which the combined value of these benefits exceeds the amount of the maximum allowable Stay NJ property tax credit.

Additionally, the committee amendments revise the time period in which the Director of the Division of Taxation in the Department of the Treasury would be required to provide written notice of the amounts awarded to each applicant for an ANCHOR property tax rebate, homestead property tax reimbursement, and Stay NJ property tax credit. As introduced, the bill would have required the director to issue this notice no later than October 15 of each year. Instead, the

committee amendments provide that this notice may be issued at such time as the director deems appropriate.

The committee amendments also revised the definition of “eligible claimant” under the Stay NJ property tax credit program to clarify that the person is required to be a State resident.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that the bill will have an indeterminate net impact on State costs and result in an increase in State revenues.

Although the bill changes the method for determining the amount of property tax relief benefits that may be provided to eligible claimants, it will not impact the State costs related to the homestead property tax reimbursement, ANCHOR, and Stay NJ property tax credit programs. Instead, the bill will result in a redistribution of the cost of property tax relief benefits among those programs.

Under current law, most eligible claimants will receive property tax benefits only through the Stay NJ property tax credit program. The bill provides that eligible claimants will receive property tax benefits through the homestead property tax reimbursement, ANCHOR, and Stay NJ property tax credit programs. The OLS notes that the bill will not affect the total amount of property tax relief benefits provided to eligible claimants.

The bill’s establishment of a uniform definition of income for purposes of determining eligibility for the homestead property tax reimbursement and Stay NJ property tax credit programs will result in an indeterminate reduction in State costs. Some property taxpayers will no longer qualify for a Stay NJ property tax credit because their income will exceed the \$500,000 eligibility limit under the new definition.

The State may incur additional costs associated with the Stay NJ property tax credit program for the printing and mailing of checks to eligible claimants. Current law requires Stay NJ benefits to be provided as a credit against an eligible claimant’s property tax bill. These costs may be offset by a reduction in costs associated with the printing and mailing of checks to eligible claimants who receive a homestead property tax reimbursement. Current law requires reimbursements to be provided by check; the bill allows reimbursements to be provided by direct deposit.

The bill will result in a State revenue increase of approximately \$60 million to \$120 million per year, beginning in Fiscal Year 2025, because taxpayers will be required to reduce the amount of property taxes deducted from gross income by the value of ANCHOR and Stay NJ property tax benefits. As a result, taxpayers will report a higher amount of gross income and have higher gross income tax liabilities.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 3693

STATE OF NEW JERSEY 221st LEGISLATURE

DATED: OCTOBER 22, 2024

SUMMARY

- Synopsis:** Revises statutes implementing certain property tax relief programs pursuant to recommendations promulgated by Stay NJ Task Force.
- Type of Impact:** Net impact on State costs.
Increase in State revenues.
- Agencies Affected:** Department of the Treasury.
Municipalities.

Office of Legislative Services Estimate

Fiscal Impact	<u>FY 2025 & FY 2026</u>	<u>FY 2027 & FY 2028</u>
Net State Cost Impact	Indeterminate	Indeterminate
State Revenue Increase	\$60 million to \$70 million	\$102 million to \$120 million

- The Office of Legislative Services (OLS) concludes that the bill will have an indeterminate impact on State costs and result in an increase in State revenues.
- The provisions of the bill modifying the method for calculating Stay NJ benefits will have a net neutral impact on State costs. The revised method for calculating these benefits will not increase total State expenditures for the Affordable New Jersey Communities for Homeowners and Renters, or ANCHOR, property tax relief program; the homestead property tax reimbursement (“Senior Freeze”) program; and the Stay NJ Property Tax Credit (“Stay NJ”) program. Instead, these provisions will result in the realignment of the State costs of property tax relief benefits among these programs.
- By establishing a new definition of “income” for purposes of determining eligibility for the Senior Freeze and Stay NJ programs, the bill may result in an indeterminate reduction in State costs. The OLS notes that this definition of income, which includes certain categories of previously excluded income, may cause property taxpayers to lose their eligibility for the Stay NJ program to the extent that their income would now exceed the \$500,000 eligibility limit.

- The bill extends the duration of the Stay NJ Task Force. To the extent that the State incurs additional expenditures related to the Task Force, the bill will result in increased State cost. The FY 2025 Appropriations Act provided \$2 million for the Stay NJ Task Force.
- The bill is also expected to increase State revenues by limiting the amount of the gross income tax deduction that may be claimed for property taxes paid. Specifically, the bill requires the amount of allowable deduction from gross income to be reduced by the value of ANCHOR and Stay NJ property tax benefits received by the taxpayer. As a result, taxpayers will report a higher amount of gross income and have higher gross income tax liabilities.

BILL DESCRIPTION

The bill amends and supplements the statutes concerning the homestead property tax benefit program, the homestead property tax reimbursement program, and the Stay NJ property tax credit program in order to implement the recommendations of the Stay NJ Task Force. The statutes controlling the homestead property tax benefit program also provide statutory authority for the ANCHOR Property Tax Relief Program established by the FY 2023 Appropriations Act. The changes to current law proposed by the bill are intended to align the various administrative and eligibility requirements in order to provide for the efficient implementation of property tax benefits. This bill description addresses only those aspects of the bill that have a fiscal impact.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

When considered in its entirety, the OLS concludes that the bill have an indeterminate net impact on State costs. The bill will also result in an increase in State revenues associated with the reduction in the allowable gross income tax deduction for property taxes paid.

State Costs – Property Tax Relief Programs

The OLS concludes that the provisions of the bill modifying the method for calculating Stay NJ benefits will have a net neutral impact on State costs. Although the bill changes the method for determining the amount of property tax relief benefits that may be distributed to eligible claimants through the ANCHOR, Senior Freeze, and Stay NJ programs, the bill will not change the total State costs related to the provision of property tax relief benefits under the programs. Instead, the bill will result in a redistribution of the cost of property tax relief benefits among those programs.

Benefit Calculation. Current law entitles an eligible claimant to the greater of the Stay NJ property tax credit or the combined amount of the ANCHOR property tax rebate and the Senior Freeze reimbursement. The maximum Stay NJ property tax credit is 50 percent of an eligible claimant's property tax bill, not to exceed \$6,500 in tax year 2026, with annual adjustment in future years based on the annual increase in the average residential property tax bill. Under current law,

nearly all eligible claimants would receive their property tax benefits through the Stay NJ Program because the Stay NJ property tax credit is likely to be greater than the combined amounts provided through other property tax relief programs.

The bill provides that an eligible claimant will receive the full amount of the Senior Freeze reimbursement and an ANCHOR property tax rebate during any year in which they qualify for those benefits. If an eligible claimant also qualifies for a Stay NJ property tax credit, the amount of the credit would be equal to the amount of the claimant's allowable Stay NJ property tax credit, less the amount of the ANCHOR rebate and the Senior Freeze reimbursement. If the total amount provided to an eligible claimant through the ANCHOR and Senior Freeze programs exceeds 50 percent of their property tax bill, they will not receive a Stay NJ property tax credit in that year.

If the bill is enacted into law, most eligible claimants will receive property tax benefits through a combination of the Senior Freeze, ANCHOR, and Stay NJ programs rather than through the Stay NJ property tax credit program only. Although the proposed changes to the Stay NJ program will affect the amount of property tax relief benefits that an eligible claimant receives through each property tax relief program, these changes will not affect the total amount of property tax relief benefits provided to each eligible claimant or the total cost of these programs collectively.

Calculation of Income. The bill revises the definition of income for purposes of determining eligibility for the Senior Freeze and Stay NJ property tax credit programs. The OLS anticipates that the proposed definition of income will result in an indeterminate decrease in State costs.

Under the Stay NJ program, income is determined based on an eligible claimant's gross income, not including any category of excluded income, before the application of any deduction, exemption, or credit. For the Senior Freeze, income is currently determined based on an eligible claimant's total income, including income that is excluded from gross income under the New Jersey Gross Income Tax Act. Under the new definition of income for both programs, an eligible claimant's income will be determined using gross income, before the application of exclusions and deductions, plus income from the following sources that are excluded from income under current law: (1) all payments received under the federal Social Security Act; (2) all pension and annuity income; (3) interest income; (4) other retirement income; and (5) distributions from a Roth Individual Retirement Account.

If the bill is enacted into law, certain sources of income that are currently included in the definition of income for the purposes of determining Senior Freeze eligibility would no longer be included in that calculation. The proposed changes to the definition of income may allow some applicants to gain eligibility for the Senior Freeze because the amount of income reported for purposes of the Senior Freeze would be lower than the amount required to be reported under current law.

The OLS notes that the income eligibility limit for the calendar year 2024 (or FY 2025) Senior Freeze is \$163,050. Current law requires the income eligibility limit to increase annually based on the Social Security cost-of-living increase. The United States Social Security Administration has announced that the Social Security cost-of-living increase for calendar year 2024 will be 2.5 percent. At that rate, the income eligibility limit will increase to \$167,126. The income eligibility limit for the Stay NJ program is \$500,000. Therefore, a property taxpayer who is currently not eligible for Senior Freeze may be eligible for the Stay NJ property tax credit. Under the bill, the Stay NJ property tax credit would equal the difference between the total amount of an eligible claimant's allowable Stay NJ benefit, less the combined amount of the claimant's ANCHOR and Senior Freeze benefits. To the extent that the bill allows an eligible claimant to receive a homestead property tax reimbursement, they will receive a lower Stay NJ property tax credit. This aspect of the revised definition of income will have no impact on State costs.

In contrast, the revised definition of income for the Stay NJ program would be more inclusive than the definition provided in current law, thereby causing some claimants to lose eligibility for

the Stay NJ program. The OLS anticipates that this will result in an indeterminate decrease in State costs, but anticipates that this provision of the bill will impact a small number of eligible claimants. As previously noted, the income eligibility limit for the Stay NJ property tax credit program is \$500,000. Information published by the Department of the Treasury in the Statistics of Income: 2018 Gross Income Tax Returns indicates that about 27,800 of tax returns with at least one filer over age 65 reported income of \$250,000 to \$500,000. This represents about 3.6 percent of all gross income tax returns with at least one filer over age 65. The OLS cannot predict how many property taxpayers would not qualify for a Stay NJ property tax credit because their income will exceed the eligibility limit under the new definition.

Benefit Distribution. Under current law, there are different methods of distribution for property tax relief benefits. The Senior Freeze is distributed as a check while the ANCHOR rebate is provided by check or direct deposit. Current law also requires the Stay NJ benefit to be provided as a credit against an eligible claimant's property tax bill. The bill requires Stay NJ property tax credits to be paid and distributed as either a check or by direct deposit in the first year the program is implemented. The bill also permits the distribution of Senior Freeze reimbursements by check, direct deposit, or as a property tax credit.

The OLS estimates that these provisions of the bill will have an indeterminate impact on State costs. The State will incur additional costs associated with the printing and mailing of Stay NJ checks to eligible claimants. However, these costs may be offset by a reduction in expenditures associated with the printing and mailing of checks to eligible claimants who receive a Senior Freeze reimbursement if these benefits are instead provided through direct deposit or as a property tax credit.

State Costs – Stay NJ Task Force

The bill extends the duration of the Stay NJ Task Force. Under current law, the Stay NJ Task Force is scheduled to expire on the 30th day following the enactment of legislation implementing the task force's recommendations. The bill requires the Stay NJ Task Force to continue to meet quarterly to assist the Director of the Division of Taxation in developing a process for the payment of the homestead property tax reimbursement and Stay NJ property tax benefits as property tax credits. To the extent that the State incurs additional expenditures related to the task force, the bill would result in increased State costs. The OLS notes that the FY 2025 Appropriations Act provided \$2 million for the Stay NJ Task Force; of that amount, about \$7,000 has been expended.

State Revenues

The Property Tax Deduction Act allows homeowners who pay property taxes on a primary residence in New Jersey, either directly or through rent, to deduct the total amount of property taxes paid, not to exceed \$15,000, from their gross income. Tenants may deduct 18 percent of rent paid during the tax year. According to guidance published by the Division of Taxation, taxpayers are not required to deduct property tax relief payments from the amount of property taxes deducted from gross income. The bill amends current law to clarify that amounts deducted from gross income will be limited to property taxes paid by the taxpayer as opposed to the amount billed to the taxpayer.

The bill requires taxpayers to reduce the total amount of property taxes or rent deducted from gross income by the total amount of ANCHOR rebates and Stay NJ credits received during the tax year. This will reduce the amount of property taxes that taxpayers deduct from their gross income for property taxes or rent. As a result, taxpayers will report a higher amount of gross income that is subject to State taxation, and in turn, result in higher gross income tax liabilities. The OLS notes that this provision of the bill applies to all gross income taxpayers who receive ANCHOR property tax rebates and Stay NJ property tax credits.

This provision of the bill takes effect immediately and will first apply to property tax relief benefits received by taxpayers in calendar year 2024. Calendar year 2024 gross income tax returns will be filed in FY 2025. The OLS estimates that this provision of the bill will result in additional State revenues of approximately \$60 million to \$70 million per year in fiscal years 2025 and 2026. The State revenue gain will increase to \$101.7 million to \$119.7 million per year in fiscal years 2027 and 2028 because taxpayers will be able to reduce the amount of property taxes deducted from gross income by the value of Stay NJ property tax credits total amount of property taxes they received in calendar years 2026 and 2027.

The OLS notes taxpayers who receive the Senior Freeze only are allowed to deduct from gross income the amount of property taxes paid in their base year. The amount they deduct from gross income has already been adjusted to reflect the amount of the homestead property tax reimbursement. Accordingly, the estimated amount of Senior Freeze benefits to be provided in FY 2025 through FY 2028 were not included in the calculation of the additional State revenues resulting from this provision of the bill.

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.).

Governor Murphy Takes Action on Legislation

11/1/2024

TRENTON – Today, Governor Murphy signed the following bill into law:

A-4706/S-3693 (Coughlin, Greenwald, Freiman, Swain, Katz, Donlon, Peterpaul, Bailey, Simmons, Drulis/Scutari, Turner) – w/STATEMENT - Revises statutes implementing certain property tax relief programs pursuant to recommendations promulgated by Stay NJ Task Force

[Copy of Statement](#)

**GOVERNOR'S STATEMENT UPON SIGNING
ASSEMBLY BILL NO. 4706
(First Reprint)**

Today I am signing Assembly Bill No. 4706 (First Reprint), which amends various provisions of law that govern the State's property tax relief programs to effectuate the recommendations of the Stay NJ Task Force (the "task force").

On June 30, 2023, I was pleased to sign the "Stay NJ Act," P.L.2023, c.75, into law. The purpose of that act was to simplify and streamline the State's two existing major property tax relief programs: the Affordable New Jersey Communities for Homeowners and Renters (ANCHOR) program and the Property Tax Reimbursement program, commonly known as Senior Freeze. The act also set forth a loose framework for a new property tax relief program, the Stay NJ Program, which endeavors to provide a new benefit to eligible homeowners equal to 50 percent of property taxes paid, not to exceed \$3,250 in State Fiscal Year 2026 and \$6,500 in each fiscal year thereafter. The Stay NJ benefit will be available to all senior citizen homeowners earning less than \$500,000 annually, with income defined in the bill as gross income reported before the Pension and Retirement Income Exclusion and the Other Retirement Income Exclusion, and adding back excludable pension, annuity, and IRA distributions and withdrawals; tax exempt interest income; income derived from distributions from or roll overs to a Roth IRA; and Social Security income.

In recognition of the expense and complexity inherent in the establishment of a new property tax relief program, paired with a full overhaul of the State's existing property tax relief programs, the "Stay NJ Act" convened a task force to develop recommendations for delivering uniform property tax relief for eligible seniors. Assembly Bill No. 4706 (First Reprint) is the result of the task force's efforts. The task force wrestled with multiple difficult technical issues, including the need to pay benefits by check or direct deposit due to the immediate impossibility of issuing the benefit through a property tax credit. The task force met its statutory charge to advance a unified framework that will better enable the State's seniors to substantially lessen their property tax burdens. Months of hard work led to this legislation, which will allow our residents to more conveniently access their property tax benefits through a single combined application form that will be available in February 2025. Timely enactment of this bill is fundamental to ensuring that the Division of Taxation can deliver a single combined application by the statutory deadline required for the delivery of benefits in the upcoming year.

When the Stay NJ proposal was first put forward, it was significantly more expansive and did not include an income eligibility threshold. While I have always been strongly

supportive of increasing property tax relief for seniors, I raised serious concerns with the initial proposal that focused on the recurring cost of the program and whether it would be sustainable in the context of a budget facing a structural imbalance. After extensive and good faith negotiations with the Speaker and Senate President, I was pleased to be able to reach an agreement on a program that included a \$500,000 income cap and a benefit capped at \$6,500, to ensure that the relief was focused on middle class residents and to make the cost of the program more manageable.

Most importantly, my negotiations with legislative leadership resulted in an agreement that the Stay NJ program would not be implemented if it would endanger the fiscal progress that New Jersey has made due to my Administration's partnership with the Legislature. As a result, in the law that I ultimately signed, there are explicit provisions that state that the implementation of the program "shall not supersede, impact, or interfere" with a number of other commitments. Most notably, those commitments include 1) full funding of K-12 education; 2) the full payment into the State's pension system; and 3) the maintenance of no less than a 12 percent budgetary surplus.

These commitments are deeply important to me. When I first ran for Governor, the issue that concerned me as much as any other was that New Jersey's credit rating had been downgraded 11 times under my predecessor. Equally troubling was New Jersey's failure to meet its commitments to those most in need - specifically our children, who were in a school system that had been underfunded by billions of dollars, and our retirees, whose hard-earned pensions were dependent on a system that was woefully insolvent.

When I came into office, my Administration and the Legislature completely reoriented our budgetary priorities. Because of New Jersey's economic growth and increased recurring sources of revenue, including a millionaire's tax, we have been able to do what almost no one thought possible - fully fund our K-12 school system, make the full annual payment into our pension system for four years in a row, and achieve a surplus that peaked at \$10 billion and was over \$6 billion last year. And credit rating agencies took notice of our willingness to live up to our commitments. Prior to my Administration, New Jersey had one credit rating upgrade since 1977. During my tenure, New Jersey's credit rating has been upgraded not once, not twice - but seven times.

While I am very proud of the fiscal progress we have made, like many other states around the country, New Jersey faces a structural budget deficit that if unaddressed will wipe away the surplus that we have worked so hard to amass. I am signing this bill because I believe the streamlining of Senior Freeze and Anchor will be of benefit to our seniors, and I am hopeful that the State budget will be able to support the implementation of Stay NJ while maintaining a 12 percent surplus and fully funding our pensions

and K-12 school system. I am committed to maintaining these guardrails while working with my partners in the Legislature to achieve the goal of sustainable property tax relief for seniors.

Date: November 1, 2024

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor