

54:5-59

LEGISLATIVE HISTORY CHECKLIST

NJSA: 54:5-59 (Tax sale-- redemption of property
-- clarify payment of delinquent taxes)

CHAPTER 168

Laws Of: 1986

Bill No: S912

Sponsor(s): Laskin

Date Introduced: Pre-filed

Committee: Assembly: Municipal Government

Senate: County & Municipal Government

Amended during passage: No

Date of Passage: Assembly: October 23, 1986

Senate: May 15, 1986

Date of Approval: December 4, 1986

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

12-4-86

SENATE, No. 912

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Senator LASKIN

AN ACT concerning the payment of delinquent taxes and redemption of real property and amending R. S. 54:5-59.

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

1 1. R. S. 54:5-59 is amended to read as follows:

2 54:5-59. If the certificate of sale is held by the municipality, the
3 amount required for redemption shall include all subsequent mu-
4 nicipal liens, *except so much of the taxes for the year in which*
5 *the redemption is made as are not delinquent as of the date of*
6 *redemption under the provisions of R. S. 54:4-66*, with interest
7 thereon at the rate chargeable by the municipality on delinquent
8 taxes and costs, but with the consent of the governing body re-
9 demption may be made in installments. The first installment
10 shall include all past due taxes with interest thereon, all costs re-
11 quired to be paid upon redemption, and all installments of assess-
12 ments past due, together with interest in the assessments to the
13 date of the payment of the installment. The balance of the assess-
14 ments shall be paid in such installments and at such times as they
15 would have been payable but for a default in payment thereof, or
16 for such sale or unpaid taxes or assessments. After the payment of
17 the first installment, the municipality shall not assign the certifi-
18 cate or take any action to cut off or foreclose the right of redemp-
19 tion so long as the installments shall be paid when due and no
20 default shall exist in the payment of municipal liens accruing
21 subsequent to the date of the payment of the first installment. If
22 redemption is made after the claim of the municipality under any

Matter printed in italics thus is new matter.

23 sale for the enforcement of the taxes or other municipal liens or
24 charges has been apportioned, the amount required for redemption
25 shall be the charge or charges as apportioned to the subdivision
26 being redeemed, with interest and costs, including all subsequent
27 municipal liens thereon with interest from the date of such ap-
28 portionment.

1 2. This act shall take effect immediately.

TAXATION—PROPERTY

Provides that only that portion of taxes assessed which is then delinquent shall be paid at the time of redemption of real property from tax sale.

24 said for the enforcement of the taxes or other municipal liens or
25 charges has been apportioned, the amount required for redemption
26 shall be the charge or charges as apportioned to the subdivision
27 being redeemed, with interest and costs, including all subsequent
28 municipal liens thereon with interest from the date of such ap-
portionment.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to clarify the requirement contained in R. S. 54:5-59 concerning payment of taxes by persons redeeming real property from tax sale. As presently worded, the section could be interpreted to require payment of the entire year's taxes, including installments not then delinquent, at the time of redemption. The bill amends this section to provide that only that portion of the taxes assessed for the current year which is then delinquent shall be paid at the time of redemption.

5912 (1986)

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE
STATEMENT TO
SENATE BILL NO. 912
DATED: September 11, 1986

The Assembly Municipal Government Committee favorably reports Senate Bill No. 912.

This bill provides that in redemption of a tax sale certificate held by a municipality, the amount required for redemption shall not include so much of the taxes for the year in which the redemption is made as are not delinquent as of the date of redemption under the provisions of R.S. 54:4-66.

R.S. 54:4-66 provides that taxes shall be payable in installments on February first, May first, August first and November first, after which dates if unpaid they shall become delinquent. Therefore, under this bill, a person redeeming a tax sale certificate on the fifth day of May, would have to pay the first two tax installments to redeem the certificate, but not the final two installments due August first and November first.

This bill was pre-filed for introduction in the 1986 session pending technical review, as reported, the bill includes the changes required by technical review which has been performed.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO

SENATE, No. 912

STATE OF NEW JERSEY

DATED: MARCH 6, 1986

The Senate County and Municipal Government Committee reports favorably Senate Bill No. 912.

Senate Bill No. 912 clarifies the requirement contained in R. S. 54:5-59 concerning the payment of taxes by persons redeeming real property from tax sale. As presently worded, the section could be interpreted to require payment of the entire year's taxes, including installments not then delinquent, at the time of redemption. The bill amends this section to provide that only that portion of the taxes assessed for the current year which is then delinquent shall be paid at the time of redemption.

This bill was pre-filed for introduction in the 1986 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.