

40:55D-8

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40:55D-8 (Municipal Land Use Law - fees - exempt certain charitable & religious organizations)

LAWS OF: 1983

CHAPTER: 322

Bill No: A773

Sponsor(s): Doyle

Date Introduced: February 22, 1982

Committee: **Assembly:** Municipal Government

Senate: County and Municipal Government

Amended during passage: Yes **A amendments during passage denoted by asterisks**

Date of Passage: **Assembly:** May 20, 1982

Senate: June 23, 1983

Date of Approval: September 1, 1983

Following statements are attached if available:

Sponsor statement: Yes (Below)

Committee statement: **Assembly** Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: ~~No~~ *yes*

Following were printed:

Reports: No

Hearings: No

Sponsor's statement:

This bill authorizes municipalities to exempt charitable philanthropic, fraternal and religious organizations from the payment of fees charged under the "Municipal Land Use Law".

[OFFICIAL COPY REPRINT]
ASSEMBLY, No. 773

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 22, 1982

By Assemblyman DOYLE

Referred to Committee on Municipal Government

AN ACT to amend the "Municipal Land Use Law," approved
January 14, 1976 (P. L. 1975, c. 291).

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

1 1. Section 4 of P. L. 1975, c. 291 (C. 40:55D-8) is amended to
2 read as follows:

3 4. Administrative procedures; fees. a. Every municipal agency
4 shall adopt, and may amend reasonable rules and regulations, not
5 inconsistent with this act or with any applicable ordinance, for the
6 administration of its functions, powers and duties, and shall fur-
7 nish a copy thereof to any person upon request and may charge a
8 reasonable fee for such copy. Copies of all such rules and regula-
9 tions and amendments thereto shall be maintained in the office of
10 the administrative officer.

11 b. *Fees to be charged* (1) an applicant for review of an appli-
12 cation for development by a municipal agency, and (2) an appellant
13 pursuant to section 8 of this act *shall be reasonable and shall be*
14 *established by ordinance.*

15 c. *A municipality may by ordinance exempt, according to uniform*
16 *standards, charitable, philanthropic, fraternal and religious *non-*
17 *profit* organizations *holding a tax exempt status under the*
18 *Federal Internal Revenue Code of 1954 (26 U. S. C. § 501 (c) or*
19 *(d))* from the payment of any fee charged under this act.*

1 2. This act shall take effect immediately.

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Senate committee amendments adopted March 7, 1983.

ASSEMBLY, No. 773

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 22, 1982

By Assemblyman DOYLE

Referred to Committee on Municipal Government

AN ACT to amend the "Municipal Land Use Law," approved
January 14, 1976 (P. L. 1975, c. 291).

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

1 1. Section 4 of P. L. 1975, c. 291 (C. 40:55D-8) is amended to
2 read as follows:

3 4. Administrative procedures; fees. a. Every municipal agency
4 shall adopt, and may amend reasonable rules and regulations, not
5 inconsistent with this act or with any applicable ordinance, for the
6 administration of its functions, powers and duties, and shall fur-
7 nish a copy thereof to any person upon request and may charge a
8 reasonable fee for such copy. Copies of all such rules and regula-
9 tions and amendments thereto shall be maintained in the office of
10 the administrative officer.

11 b. *Fees to be charged* (1) an applicant for review of an appli-
12 cation for development by a municipal agency, and (2) an appellant
13 pursuant to section 8 of this act *shall be reasonable and shall be*
14 *established by ordinance.*

15 c. *A municipality may by ordinance exempt, according to uniform*
16 *standards, charitable, philanthropic, fraternal and religious orga-*
17 *nizations from the payment of any fee charged under this act.*

1 2. This act shall take effect immediately.

STATEMENT

This bill authorizes municipalities to exempt charitable philan-
thropic, fraternal and religious organizations from the payment of
fees charged under the "Municipal Land Use Law."

Matter printed in italics thus is new matter.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 773

STATE OF NEW JERSEY

DATED: MARCH 8, 1982

Assembly Bill No. 773 amends the "Municipal Land Use Law" (P. L. 1975, c. 291; C. 40:55D-8) to permit a municipality to adopt an ordinance to exempt charitable, philanthropic, fraternal and religious organizations from paying any of the fees charged to an applicant for a review of an application for development and to an appellant appealing a decision of the local planning board or local board of adjustment.

The bill further provides that the exemption granted by any such ordinance must be based on uniform standards.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 773

STATE OF NEW JERSEY

DATED: MARCH 7, 1983

Assembly Bill No. 773 amends the "Municipal Land Use Law" (P. L. 1975, c. 291; C. 40:55D-8) to permit a municipality to adopt an ordinance to exempt charitable, philanthropic, fraternal and religious organizations from paying any of the fees charged to an applicant for a review of an application for development and to an appellant appealing a decision of the local planning board or local board of adjustment.

The bill further provides that the exemption granted by any such ordinance must be based on uniform standards.

The Senate committee amendments require that the organizations exempted under an ordinance be nonprofit in character, and hold a tax exempt status under the Federal Internal Revenue Code.

Bill Signings

Thursday, September 1, 1983

Page Two

A-773, sponsored by Assemblyman John P. Doyle, D-Ocean, which permits municipalities to exempt by ordinance charitable, philanthropic, fraternal and religious non-profit organizations from the payment of fees under the Municipal Land Use Law.

A-3717, sponsored by Assemblyman Robert C. Janiszewski, D-Hudson, which permits the New Jersey Student Assistance Board to establish tuition aid grant levels for students at public and private colleges. It requires that the amount established shall not exceed the maximum tuition charged at public institutions or 50 percent of the average tuition charges at independent institutions.

#

#

#