

54:5-14 + 54:5-15

LEGISLATIVE HISTORY CHECKLIST

HJSA 54:5-14 and 54:5-15

LAWS OF 1977

CHAPTER 78 (Municipal Liens-- Increase Search Fees.)

Bill No. S200

Sponsor(s) Zane

Date Introduced Pre-filed

Committee: Assembly Municipal Government

Senate County and Municipal Government

Amended during passage Yes No

Date of Passage: Assembly February 10, 1977

Senate July 22, 1976

Date of approval May 2, 1977

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto Message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

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9/1/78

SENATE, No. 200

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Senator ZANE

AN ACT concerning fees for official searches for municipal liens and amending R. S. 54:5-14 and R. S. 54:5-15.

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

1 1. R. S. 54:5-14 is amended to read as follows:

2 54:5-14. The official appointed as provided in section 54:5-11 of
3 this Title shall receive, for each certificate issued by him, [reason-
4 able fees, not in excess of those hereinafter provided:

5 a. When the property described in the application is shown on the
6 assessment map of the municipality subdivided into city lots, and
7 does not exceed 5,000 square feet in area, \$3.00, and for each addi-
8 tional 5,000 square feet in area, or fraction thereof, an additional
9 \$0.50.

10 b. When the property is shown on the assessment map of the
11 municipality as acreage or is so assessed, and lies wholly within
12 the limits of a single block, \$3.00, and if within the limits of two
13 or more blocks, an additional \$1.00 for each block.

14 c. When the property described in the application is, or has been
15 subdivided and assessed as more than one item, an additional fee of
16 \$1.00 shall be allowed for each subdivision separately assessed.

17 d. No charge in excess of \$5.00 shall be made for a certificate
18 covering lands lying wholly within one block, as shown on the
19 assessment map of the municipality, unless there is a subdivision
20 of proprietorship indicated by the assessment] *a fee of \$10.00.*

1 2. R. S. 54:5-15 is amended to read as follows:

2 54:5-15. When the holder of a certificate issued as hereinbefore
3 provided shall, within 3 years from the date thereof, apply for a
4 continuation thereof, the fees charged therefor shall not exceed
5 ~~[\$1.00]~~ \$2.00 per calendar year.

1 3. 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.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO
SENATE, No. 200

—◆—
STATE OF NEW JERSEY
—◆—

DATED: DECEMBER 20, 1976

Senate Bill No. 200 would set a flat fee of \$10.00 as the amount which shall be charged for the issuances of an official certificate of search for municipal liens. These fees currently range from \$3.00 to \$5.00. In addition, the bill would authorize a fee of up to \$2.00 for the issuance of a continuance of such a certificate. The law currently authorizes up to \$1.00 for such a continuance.

The committee had some question as to whether such \$10.00 fee would cover liens held by municipal authorities, as well as the usual municipal liens for property taxes, improvement assessments, municipal public utility bills, etc. The committee has, however, ascertained to its satisfaction that municipal authorities are required to report and register their liens with the municipal officer charged with registering such liens and with issuing search certificates. Therefore, the \$10.00 search fee does cover searches for municipal authority liens as well as other municipal liens. (For municipal sewerage authorities, see R. S. 40:14A-22; for municipal water and sewerage disposal authorities, see R. S. 40:14B-42; for municipal solid waste management authorities, see R. S. 40:66A-51; for municipal incinerator authorities, see R. S. 40:66A-18).

The committee received from the New Jersey Association of Municipal Receivers, Tax Collectors and Treasurers a strong letter of support for this bill stating that the current fees, which were set over 10 years ago, are not sufficient to cover the costs of the search, and that a flat fee of \$10.00 is preferable to the confusing existing fee schedule.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO

SENATE, No. 200

—♦—
STATE OF NEW JERSEY
—♦—

DATED: APRIL 12, 1976

Senate Bill No. 200 authorizes an increase in the fees that may be charged for the issuance of an official certificate of search as to liability for assessment for municipal improvements, and for the periodic issuance of a continuation thereof.