

54:5-16

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2003 **CHAPTER:** 52

NJSA: 54:5-16 (Municipalities keep certificates on liens)

BILL NO: A2133 (Substituted for S1901)

SPONSOR(S): Conaway and Conners

DATE INTRODUCED: March 26, 2002

COMMITTEE: **ASSEMBLY:** Housing and Local Government

SENATE: Community and Urban Affairs

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** May 20, 2002

SENATE: February 27, 2003

DATE OF APPROVAL: April 23, 2003

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (1st reprint enacted)
(Amendments during passage denoted by superscript numbers)

A2133

[SPONSORS STATEMENT](#): (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: [ASSEMBLY:](#) [Yes](#)

[SENATE:](#) [Yes](#)

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

S1901

[SPONSORS STATEMENT](#): (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

[SENATE:](#) [Yes](#)

Identical to Senate Statement for A2133

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

P.L. 2003, CHAPTER 52, *approved April 23, 2003*
Assembly, No. 2133 (*First Reprint*)

1 AN ACT eliminating the requirement that certain certificates of
2 searches for municipal liens be kept as permanent records and
3 amending R.S.54:5-16.

4

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

7

8 1. R.S.54:5-16 is amended to read as follows:

9 54:5-16. Searches certified as correct; duplicates kept

10 All searches so made shall be certified as correct by the designated
11 official, and the fees collected shall be paid by him to the governing
12 body of the municipality. [He shall keep a duplicate copy of each
13 certificate, consecutively numbered, showing the fees charged, and
14 bound in book form as a permanent record of his office.] ¹The
15 designated official shall keep a duplicate copy of each certificate,
16 which shall be consecutively numbered and show the amount of fees
17 charged.¹ The Division of Archives and Records Management in the
18 Department of State, with the approval of the State Records
19 Committee, shall determine a retention schedule for all certificates
20 made by the designated official.

21 (cf: R.S.54:5-16)

22

23 2. This act shall take effect immediately.

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27

28 Eliminates requirement that municipalities keep copies of certain
29 certificates of searches for municipal liens as permanent record in
30 bound book form; requires Division of Archives and Records
31 Management to promulgate retention schedule.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AHO committee amendments adopted May 9, 2002.

ASSEMBLY, No. 2133

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED MARCH 26, 2002

Sponsored by:

Assemblyman HERBERT CONAWAY, JR.

District 7 (Burlington and Camden)

Assemblyman JACK CONNERS

District 7 (Burlington and Camden)

SYNOPSIS

Eliminates requirement that municipalities keep certain certificates of searches for municipal liens as permanent record; requires Division of Archives and Records Management to promulgate retention schedule.

CURRENT VERSION OF TEXT

As introduced.



A2133 CONAWAY, CONNERS

2

1 AN ACT eliminating the requirement that certain certificates of
2 searches for municipal liens be kept as permanent records and
3 amending R.S.54:5-16.

4

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

7

8 1. R.S.54:5-16 is amended to read as follows:

9 54:5-16. Searches certified as correct; duplicates kept

10 All searches so made shall be certified as correct by the designated
11 official, and the fees collected shall be paid by him to the governing
12 body of the municipality. [He shall keep a duplicate copy of each
13 certificate, consecutively numbered, showing the fees charged, and
14 bound in book form as a permanent record of his office.] The
15 Division of Archives and Records Management in the Department of
16 State, with the approval of the State Records Committee, shall
17 determine a retention schedule for all certificates made by the
18 designated official.

19 (cf: R.S.54:5-16)

20

21 2. This act shall take effect immediately.

22

23

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STATEMENT

25

26 This bill amends R.S.54:5-16 to eliminate the requirement that a
27 municipality keep a duplicate copy of all certificates of searches for
28 municipal liens as a permanent record and to instead require the
29 Division of Archives and Records Management to promulgate a
30 records retention schedule for the certificates.

31 The purpose of eliminating this statutory requirement is to allow the
32 Division of Archives and Records Management in the Department of
33 State, in conjunction with the State Records Committee, to determine
34 a records retention schedule for these documents that conforms with
35 the actual need for the documents and avoids unnecessary or
36 ineffective retention. Pursuant to section 6 of P.L.1994, c.140
37 (C.47:1-12), the Division of Archives and Records Management, with
38 the approval of the State Records Committee, promulgates rules
39 governing the retention of documents by State and local agencies.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

ASSEMBLY HOUSING AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2133

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 9, 2002

The Assembly Housing and Local Government Committee reports favorably and with committee amendments Assembly Bill No. 2133.

This bill, as amended by the committee, amends R.S.54:5-16 to allow that the duplicate copies of all certificates of searches for municipal liens, which must be kept by a municipality, be kept in alternate formats to the bound book format currently required under the statute. In addition, the bill requires the Division of Archives and Records Management to promulgate a records retention schedule for the certificates.

The purpose of eliminating this statutory requirement is permit the archiving outside of a municipality of certain older search certificates, thereby reducing municipal storage costs. In addition, our statutes currently permit the storage of documents by photography, image processing or data processing, in accordance with the regulations promulgated by the Division of Archives and Records Management in the Department of State. The bill will permit the division, in conjunction with the State Records Committee, and pursuant to section 6 of P.L.1994, c.140 (C.47:1-12), to determine a records retention schedule for these documents that conforms with the actual need for the documents and avoids unnecessary or ineffective retention.

COMMITTEE AMENDMENTS

The committee amendments reinstate the requirement that records of certified searches be initially retained by a municipality until a schedule is determined by the Division of Archives and Records Management in the Department of State, and eliminate the requirement that the records be maintained in bound book format.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2133

STATE OF NEW JERSEY

DATED: DECEMBER 9, 2002

The Senate Community and Urban Affairs Committee reports favorably Assembly Bill No. 2133 (1R).

This bill would allow municipalities to keep duplicate copies of certificates of searches for municipal liens in alternate formats to the bound book format currently required under statute. Additionally, the bill would require the Division of Archives and Records Management to promulgate a records retention schedule for the certificates.

The purpose of eliminating this statutory requirement is to permit the archiving outside of a municipality of certain older search certificates, thereby reducing municipal storage costs. In addition, the statutes currently permit the storage of documents by photography, image processing or data processing, in accordance with the regulations promulgated by the Division of Archives and Records Management in the Department of State. The bill will permit the division, in conjunction with the State Records Committee, and pursuant to section 6 of P.L.1994, c.140 (C.47:1-12), to determine a records retention schedule for these documents that conforms with the actual need for the documents and avoids unnecessary or ineffective retention.

SENATE, No. 1901

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED SEPTEMBER 30, 2002

Sponsored by:

Senator BARBARA BUONO

District 18 (Middlesex)

Co-Sponsored by:

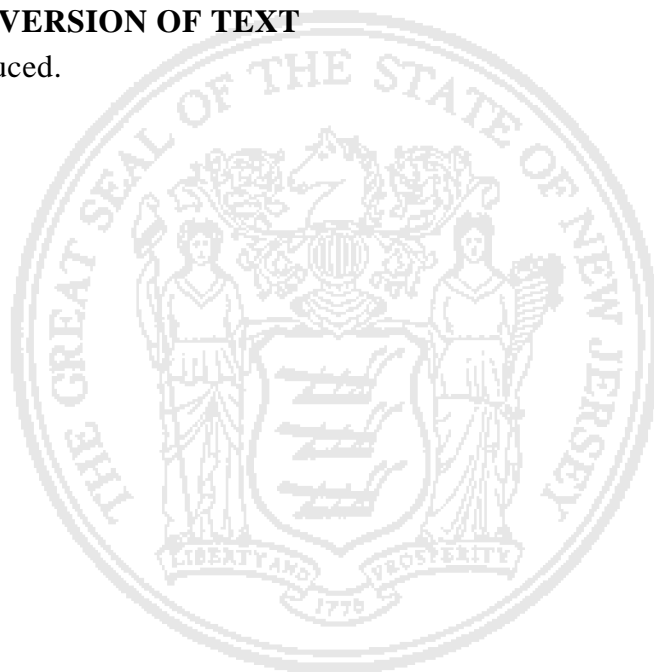
Senator Suliga

SYNOPSIS

Eliminates requirement that municipalities keep copies of certain certificates of searches for municipal liens as permanent record in bound book form; requires Division of Archives and Records Management to promulgate retention schedule.

CURRENT VERSION OF TEXT

As introduced.



S1901 BUONO

2

1 AN ACT eliminating the requirement that certain certificates of
2 searches for municipal liens be kept as permanent records and
3 amending R.S.54:5-16.

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

7
8 1. R.S.54:5-16 is amended to read as follows:

9 54:5-16. Searches certified as correct; duplicates kept

10 All searches so made shall be certified as correct by the designated
11 official, and the fees collected shall be paid by him to the governing
12 body of the municipality. [He shall keep a duplicate copy of each
13 certificate, consecutively numbered, showing the fees charged, and
14 bound in book form as a permanent record of his office.] The
15 designated official shall keep a duplicate copy of each certificate,
16 which shall be consecutively numbered and show the amount of fees
17 charged. The Division of Archives and Records Management in the
18 Department of State, with the approval of the State Records
19 Committee, shall determine a retention schedule for all certificates
20 made by the designated official.

21 (cf: R.S.54:5-16)

22

23 2. This act shall take effect immediately.

24

25 STATEMENT

26

27 This bill amends R.S.54:5-16 to allow that the duplicate copies of
28 all certificates of searches for municipal liens, which must be kept by
29 a municipality, be kept in alternate formats to the bound book format
30 currently required under the statute. In addition, the bill requires the
31 Division of Archives and Records Management to promulgate a
32 records retention schedule for the certificates.

33 The purpose of eliminating this statutory requirement is permit the
34 archiving outside of a municipality of certain older search certificates,
35 thereby reducing municipal storage costs. In addition, our statutes
36 currently permit the storage of documents by photography, image
37 processing or data processing, in accordance with the regulations
38 promulgated by the Division of Archives and Records Management in
39 the Department of State. The bill will permit the division, in
40 conjunction with the State Records Committee, and pursuant to
41 section 6 of P.L.1994, c.140 (C.47:1-12), to determine a records
42 retention schedule for these documents that conforms with the actual
43 need for the documents and avoids unnecessary or ineffective
44 retention.

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.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 1901

STATE OF NEW JERSEY

DATED: DECEMBER 9, 2002

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 1901.

This bill would allow municipalities to keep duplicate copies of certificates of searches for municipal liens in alternate formats to the bound book format currently required under statute. Additionally, the bill would require the Division of Archives and Records Management to promulgate a records retention schedule for the certificates.

The purpose of eliminating this statutory requirement is to permit the archiving outside of a municipality of certain older search certificates, thereby reducing municipal storage costs. In addition, the statutes currently permit the storage of documents by photography, image processing or data processing, in accordance with the regulations promulgated by the Division of Archives and Records Management in the Department of State. The bill will permit the division, in conjunction with the State Records Committee, and pursuant to section 6 of P.L.1994, c.140 (C.47:1-12), to determine a records retention schedule for these documents that conforms with the actual need for the documents and avoids unnecessary or ineffective retention.