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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

'7 new laws boost protection for sexual assault victims in NJ', Associated Press State Wire: New Jersey (online), 19 Apr 2021

RH/CL

1 effective date of P.L. c. (C.) (pending before the
2 Legislature as this bill).

3 h. The division shall develop an open process pursuant to
4 which the division will accept bids by organizations to assist in
5 developing and providing the training required by this section.

6

7 2. Section 8 of P.L.2001, c.81 (C.52:4B-56) is amended to read
8 as follows:

9 8. The Attorney General shall establish a sexual assault unit
10 within the Department of Law and Public Safety which shall
11 include a sexual assault investigator and a certified forensic sexual
12 assault nurse examiner.

13 The unit shall oversee the operation of the county sexual assault
14 nurse examiner programs, and provide assistance to counties in the
15 investigation and prosecution of sexual assaults. The unit shall
16 review all complaints received regarding a county's investigation
17 and prosecution of a sexual assault and shall provide
18 recommendations to the Attorney General regarding the county's
19 investigation and prosecution of the case. The unit also shall
20 provide training to law enforcement officials and county
21 prosecutors, on an ongoing basis, in the investigation and
22 prosecution of sexual assault. Any training the unit may provide to
23 county prosecutors and assistant county prosecutors shall comply
24 with the requirements of section 1 of P.L. , c. (C.) (pending
25 before the Legislature as this bill).

26 (cf: P.L.2001, c.81, s.8)

27

28 3. This act shall take effect on the first day of the fourth month
29 next following enactment.

30

31

32

33

34

Requires sexual assault training for prosecutors.

SENATE, No. 3076

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED OCTOBER 22, 2020

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator NIA H. GILL

District 34 (Essex and Passaic)

Co-Sponsored by:

Senator Pou

SYNOPSIS

Requires sexual assault training for prosecutors.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/29/2020)

S3076 WEINBERG, GILL

2

1 AN ACT concerning prosecutor training, supplementing chapter 4B
2 of Title 52 of the Revised Statutes, and amending P.L.2001, c.81.

3

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

6

7 1. (New section) a. The Division of Criminal Justice shall
8 develop or approve a triennial in-service training course and
9 curriculum specifically for county prosecutors and assistant county
10 prosecutors on how to appropriately handle, investigate, and
11 respond to reports of sexual assault.

12 b. The training course and curriculum shall include a
13 component emphasizing the value of restorative justice in sexual
14 assault cases.

15 c. The division shall make the training course and curriculum
16 available to all county prosecutor's offices in the State.

17 d. The division shall review the training course and curriculum
18 every two years, in conjunction with nationally recognized trainers
19 with expertise in trauma informed care and the New Jersey
20 Coalition Against Sexual Assault, and make any necessary
21 modifications.

22 e. The division may make the training course and curriculum
23 available in an online format, but prosecutors shall complete the
24 course and curriculum in person every six years.

25 f. The Attorney General shall be responsible for ensuring that
26 all county prosecutors and assistant county prosecutors triennially
27 complete the in-service training on handling sexual assault matters
28 required by this section.

29 g. A county prosecutor or assistant county prosecutor
30 appointed after the effective date of P.L. c. (C.) (pending
31 before the Legislature as this bill) shall complete the training course
32 and curriculum within 60 days of the prosecutor's initial
33 appointment. The division shall determine whether training in the
34 handling of sexual assault cases completed by a prosecutor
35 appointed prior to the effective date of P.L. c. (C.)
36 (pending before the Legislature as this bill) complies with the
37 requirements of this section. If the training does not comply with
38 these requirements, the prosecutor shall complete the training
39 course and curriculum required by this section within 60 days of the
40 effective date of P.L. c. (C.) (pending before the
41 Legislature as this bill).

42 h. The division shall develop an open process pursuant to
43 which the division will accept bids by organizations to assist in
44 developing and providing the training required by this section.

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 2. Section 8 of P.L.2001, c.81 (C.52:4B-56) is amended to read
2 as follows:

3 8. The Attorney General shall establish a sexual assault unit
4 within the Department of Law and Public Safety which shall
5 include a sexual assault investigator and a certified forensic sexual
6 assault nurse examiner.

7 The unit shall oversee the operation of the county sexual assault
8 nurse examiner programs, and provide assistance to counties in the
9 investigation and prosecution of sexual assaults. The unit shall
10 review all complaints received regarding a county's investigation
11 and prosecution of a sexual assault and shall provide
12 recommendations to the Attorney General regarding the county's
13 investigation and prosecution of the case. The unit also shall
14 provide training to law enforcement officials and county
15 prosecutors, on an ongoing basis, in the investigation and
16 prosecution of sexual assault. Any training the unit may provide to
17 county prosecutors and assistant county prosecutors shall comply
18 with the requirements of section 1 of P.L. , c. (C.) (pending
19 before the Legislature as this bill).

20 (cf: P.L.2001, c.81, s.8)

21

22 3. This act shall take effect on the first day of the fourth month
23 next following enactment.

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25

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STATEMENT

27

28 This bill requires the Division of Criminal Justice (DCJ) in the
29 Department of Law and Public Safety to develop or approve a
30 triennial in-service training course and curriculum specifically for
31 county prosecutors and assistant county prosecutors on handling,
32 investigating, and responding to reports of sexual assault. The
33 training course and curriculum required by the bill is to include
34 instruction on the value of restorative justice in sexual assault cases.

35 The DCJ is to make the curriculum available to all county
36 prosecutor's offices in the State. The Attorney General is
37 responsible for ensuring that all county prosecutors and assistant
38 county prosecutors complete this training.

39 The bill requires the DCJ to review and make necessary revisions
40 to the training course and curriculum every two years. The DCJ is
41 to consult with nationally recognized trainers with expertise in
42 trauma informed care and the New Jersey Coalition Against Sexual
43 Assault in this review.

44 The training course and curriculum may be made available in an
45 online format, but prosecutors are to complete the course and
46 curriculum in person every six years.

47 A county prosecutor or assistant county prosecutor appointed
48 after the bill's effective date is to complete the training course and

S3076 WEINBERG, GILL

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1 curriculum within 60 days of appointment. If a prosecutor
2 appointed on the effective date of the bill has completed training in
3 the handling of sexual assault cases, the DCJ is required to
4 determine whether that training complies with the bill's provisions.
5 If the training does not comply with these provisions, the prosecutor
6 will be required to complete the training course and curriculum
7 required by the bill within 60 days of the bill's effective date.

8 Finally, the bill requires the DCJ to develop an open process for
9 accepting bids by organizations wishing to assist in developing and
10 providing the training required by the bill.

ASSEMBLY WOMEN AND CHILDREN COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 3076

STATE OF NEW JERSEY

DATED: FEBRUARY 23, 2021

The Assembly Women and Children Committee reports favorably Senate Bill No. 3076 (1R).

This bill requires the Division of Criminal Justice (DCJ) in the Department of Law and Public Safety to develop or approve a triennial in-service training course and curriculum specifically for county prosecutors and assistant county prosecutors who are assigned sexual assault cases on handling, investigating, and responding to reports of sexual assault. The training course and curriculum required by the bill is to include instruction on the value of restorative justice in sexual assault cases.

The DCJ is to make the curriculum available to all county prosecutor's offices in the State. The Attorney General is responsible for ensuring that all county prosecutors and assistant county prosecutors complete this training.

The bill requires the DCJ to review and make necessary revisions to the training course and curriculum every five years. The DCJ is to consult with nationally recognized trainers with expertise in trauma informed care and the New Jersey Coalition Against Sexual Assault in this review (NJ CASA).

The training course and curriculum may be made available in an online format, but prosecutors are to complete the course and curriculum in person every six years.

A county prosecutor or assistant county prosecutor appointed after the bill's effective date is to complete the training course and curriculum within 60 days of appointment. If a prosecutor appointed on the effective date of the bill has completed training in the handling of sexual assault cases, the DCJ is required to determine whether that training complies with the bill's provisions. If the training does not comply with these provisions, the prosecutor will be required to complete the training course and curriculum required by the bill within 60 days of the bill's effective date.

Finally, the bill requires the DCJ to develop an open process for accepting bids by organizations wishing to assist in developing and providing the training required by the bill.

As reported by the committee, Senate Bill No. 3076 (1R) is identical to Assembly Bill No. 4890 (Vainieri Huttie/McKnight/Reynolds-Jackson), which was amended and reported by the committee on this date.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 3076

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 11, 2020

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 3076.

As amended and reported by the committee, this bill requires the Division of Criminal Justice (DCJ) in the Department of Law and Public Safety to develop or approve a triennial in-service training course and curriculum specifically for county prosecutors and assistant county prosecutors who are assigned sexual assault cases on handling, investigating, and responding to reports of sexual assault. The training course and curriculum required by the bill is to include instruction on the value of restorative justice in sexual assault cases.

The DCJ is to make the curriculum available to all county prosecutor's offices in the State. The Attorney General is responsible for ensuring that all county prosecutors and assistant county prosecutors complete this training.

The amended bill requires the DCJ to review and make necessary revisions to the training course and curriculum every five years. The DCJ is to consult with nationally recognized trainers with expertise in trauma informed care and the New Jersey Coalition Against Sexual Assault in this review (NJ CASA).

The training course and curriculum may be made available in an online format, but prosecutors are to complete the course and curriculum in person every six years.

A county prosecutor or assistant county prosecutor appointed after the bill's effective date is to complete the training course and curriculum within 60 days of appointment. If a prosecutor appointed on the effective date of the bill has completed training in the handling of sexual assault cases, the DCJ is required to determine whether that training complies with the bill's provisions. If the training does not comply with these provisions, the prosecutor will be required to complete the training course and curriculum required by the bill within 60 days of the bill's effective date.

Finally, the bill requires the DCJ to develop an open process for accepting bids by organizations wishing to assist in developing and providing the training required by the bill.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- 1) limit its applicability to assistant prosecutors who are assigned to sexual assault cases;
- 2) require DCJ to review the course every six years rather than every two years; and
- 3) clarify that DCJ is to review the course in “consultation,” rather than in “conjunction,” with nationally recognized expert trainers in trauma informed care and NJ CASA.

ASSEMBLY, No. 4890

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED OCTOBER 26, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Assemblywoman Lopez, Assemblymen Johnson, Giblin and Zwicker

SYNOPSIS

Requires sexual assault training for prosecutors.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/29/2020)

1 AN ACT concerning prosecutor training, supplementing chapter 4B
2 of Title 52 of the Revised Statutes, and amending P.L.2001, c.81.

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16 available to all county prosecutor's offices in the State.

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27 complete the in-service training on handling sexual assault matters
28 required by this section.

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A4890 VAINIERI HUTTLE, MCKNIGHT

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ASSEMBLY WOMEN AND CHILDREN COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4890

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 23, 2021

The Assembly Women and Children Committee reports favorably and with committee amendments Assembly Bill No. 4890.

As amended by the committee, this bill requires the Division of Criminal Justice (DCJ) in the Department of Law and Public Safety to develop or approve a triennial in-service training course and curriculum specifically for county prosecutors and assistant county prosecutors who are assigned sexual assault cases on handling, investigating, and responding to reports of sexual assault. The training course and curriculum required by the bill is to include instruction on the value of restorative justice in sexual assault cases.

The DCJ is to make the curriculum available to all county prosecutor's offices in the State. The Attorney General is responsible for ensuring that all county prosecutors and assistant county prosecutors complete this training.

The amended bill requires the DCJ to review and make necessary revisions to the training course and curriculum every five years. The DCJ is to consult with nationally recognized trainers with expertise in trauma informed care and the New Jersey Coalition Against Sexual Assault in this review (NJ CASA).

The training course and curriculum may be made available in an online format, but prosecutors are to complete the course and curriculum in person every six years.

A county prosecutor or assistant county prosecutor appointed after the bill's effective date is to complete the training course and curriculum within 60 days of appointment. If a prosecutor appointed on the effective date of the bill has completed training in the handling of sexual assault cases, the DCJ is required to determine whether that training complies with the bill's provisions. If the training does not comply with these provisions, the prosecutor will be required to complete the training course and curriculum required by the bill within 60 days of the bill's effective date.

The bill also requires the DCJ to develop an open process for accepting bids by organizations wishing to assist in developing and providing the training required by the bill.

As amended by the committee, Assembly Bill No. 4890 is identical to Senate Bill No. 3076 (1R) (Weinberg/Gill), which was reported by the Senate Law and Public Safety Committee on December 10, 2020.

COMMITTEE AMENDMENTS:

The committee amended the bill to limit its applicability to assistant prosecutors who are assigned to sexual assault cases.

The committee amendments require DCJ to review the course every six years rather than every two years.

The committee amendments also clarify that DCJ is to review the course in “consultation,” rather than in “conjunction,” with nationally recognized expert trainers in trauma informed care and NJ CASA.

As reported by the committee, Assembly Bill No. 4890 is identical to Senate Bill No. 3076 (1R) which was also reported by the committee on this date.

Governor Murphy Signs Bills Strengthening How Law Enforcement Agencies in New Jersey Manage Sexual Assault Cases

04/19/2021

TRENTON – Governor Phil Murphy today signed a series of bills strengthening how law enforcement agencies handle sexual assault cases. These bills direct law enforcement agencies to allocate additional resources to sexual assault cases, increase training for prosecutors on how to manage these cases, and change reporting structures to ensure that survivors are properly notified about their cases. As part of this package of bills, Attorney General Gurbir Grewal will also be tasked with publishing an annual report detailing the scope of sexual assault incidents statewide.

"It is imperative that we take steps to make sure that survivors in New Jersey know they can seek justice," **said Governor Murphy**. "Giving our law enforcement agencies clear directives and guidance on how to manage sexual assault cases will ensure that these cases are handled with survivors in mind. These long-overdue reforms will change how survivors interact with law enforcement agencies and provide additional information on the scope of these incidents. I am proud to sign these bills into law."

Previously, Governor Murphy signed the Sexual Assault Victim's Bill of Rights, legislation to protect survivors, and legislation to create a new commission on campus sexual assault. Attorney General Grewal also issued a directive to law enforcement in 2018 that created fourteen protocols prioritizing the needs and concerns of sexual assault victims in New Jersey and ensuring that victims are treated with respect and understanding by law enforcement in the days, weeks, and months after reporting an assault. Many of today's actions codify and expand on that 2018 directive.

Governor Murphy today signed the following legislation:

- **S3070/A4884** (Weinberg, Turner/Vainieri Huttles, McKnight, Reynolds-Jackson) Establishes "Sexual Violence Restorative Justice Pilot Program."
- **S3071/4885** (Weinberg, Ruiz/Vainieri Huttles, Lopez, Reynolds-Jackson) Requires law enforcement provide victim of sexual assault with initial incident report; provides victim with option to review initial incident report and submit corrective form.
- **S3072/A4886** – (Weinberg, Cunningham/Vainieri Huttles, Murphy, Reynolds-Jackson) Requires resources be made available to victims of sexual assault.
- **S3073/A4887** – (Weinberg, Corrado/Vainieri Huttles, Jasey, Timberlake) Establishes right of victims to be notified of county prosecutor's charging decision in sexual assault cases.
- **S3074/A4888** – (Weinberg, Greenstein/Vainieri Huttles, Lopez) Requires the Office of the Attorney General to issue an annual report concerning sexual assault cases.
- **S3075/A4889** – (Weinberg, Pou/Vainieri Huttles, Quijano, Speight) Establishes sexual violence liaison officer in Division of State Police and local police departments.
- **S3076/A4890** – (Weinberg, Gill/Vainieri Huttles, McKnight, Reynolds-Jackson) Requires sexual assault training for prosecutors.

"This legislation codifies and in some instances expands upon the important steps our office has taken in the last several years to improve the way law enforcement officers and prosecutors engage with victims of sexual assault, with the goal of ensuring that survivors' cases are handled in accordance with best practices by police and prosecutors," **said Attorney General Grewal**. "With the signing of these bills into

law, New Jersey stands as a model for improving survivor-focused case management and law enforcement training and reporting, so we can achieve justice while treating survivors of sex crimes with the respect and compassion they deserve."

"Today, New Jersey adds to its portfolio of survivor-centered, trauma-informed laws and transforms how our state responds to the needs of survivors of sexual violence," **said Patricia Teffenhart, Executive Director of the New Jersey Coalition Against Sexual Assault (NJCASA)**. "The signing of today's package of bills is a direct reflection of what kind of change is possible when we collectively center the lived experiences of survivors to inform necessary policy and practice reforms. NJCASA is thankful for the survivors, advocates, bill sponsors, and Governor Murphy who made this possible."

ent Demonstration Program."

[Copy of Statement](#)

April 19, 2021

SENATE BILL NO.2725
(First Reprint)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 2725 (First Reprint) with my recommendations for reconsideration.

This bill would make various changes to the assessment and appeals process in 1) counties operating under the Real Property Assessment Demonstration Program ("Demonstration Program"), currently, only Monmouth County; 2) counties operating under the Property Tax Assessment Reform Act ("Reform Act"), limited in statute to Gloucester County; and 3) counties that have adopted the alternative real property assessment calendar establishment pursuant to the Demonstration Program, currently, only Burlington County.

Among other changes, the bill would amend P.L.2017, c.306 to add a definition of what constitutes a "good-faith attempt to physically inspect" the interior of properties located in counties participating in the Demonstration Program and the Reform Act and add any county who has adopted the alternative assessment calendar to the list of counties subject to the requirements of the law. Under the bill, a county participating in a Demonstration Program would be permitted to conduct an interior inspection virtually, using smartphone technology and protocols adopted by the county board of taxation, at the discretion of the taxpayer. This virtual inspection option would be available for all assessment-related functions conducted in a Demonstration Program county.

With respect to appeals of property tax assessments, the bill provides that taxpayers in a Demonstration Program county are not entitled to appeal an assessment if the taxpayer has refused an assessor's request to internally inspect the property. In addition, the bill specifies that the so-called "Chapter 123 ratio"

shall not apply to taxpayer appeals in a Demonstration Program county in any tax year in which a municipal-wide reassessment or other form of district-wide assessment review occurs. The Chapter 123 ratio eliminates the burden of demonstrating that property was assessed at greater than true value and of proving the common level of assessment for all properties in the municipality.

I applaud the bill's sponsors for attempting to further clarify and streamline the tax assessment functions in those counties that have chosen to participate in the Demonstration Program or the Reform Act. These laws were enacted with the intent of modeling more cost-effective and accurate real property assessment administration. As participating counties' experiences reveal additional opportunities for streamlining and standardizing the assessment function, it is important that statutes keep pace.

While I support the reform measures contemplated in this bill, I am concerned that the bill may inappropriately single out participating counties in a manner that could create unconstitutional disparities among taxpayers based on where they live. The uniformity clause of the New Jersey Constitution requires all property to be assessed for taxation under "general laws," by "uniform rules" and "according to the same standard of value." N.J. Const. Art. 8, Sec. 1, par. 1. By mandating the automatic dismissal of an appeal whenever a taxpayer refuses a virtual inspection only in the case of those taxpayers located in a Demonstration Program county, the bill denies these taxpayers a right to relief that is available to other taxpayers. The same is true for the bill's provision narrowing applicability of the Chapter 123 ratio to exclude certain appeals in a Demonstration Program county, while leaving it in place for appeals taking place in other counties under identical circumstances.

To avoid this outcome, I am recommending revisions to apply the important reform measures proposed in the bill to all counties, or, where appropriate, to all municipalities implementing annual reassessments or compliance plans. This will ensure that the rules are uniform throughout the State while also enabling all counties and taxpayers to benefit from the bill's efficiencies.

Accordingly, I herewith return Senate Bill No. 2725 (First Reprint) and recommend that it be amended as follows:

<u>Page 2, Title, Lines 1-2:</u>	Delete "in certain counties"
<u>Page 2, Section 1, Line 20:</u>	Delete "eighth"
<u>Page 2, Section 1, Line 22:</u>	Delete "eight-year"
<u>Page 2, Section 1, Line 38:</u>	Delete "However,"
<u>Page 2, Section 1, Lines 39-43:</u>	Delete in their entirety
<u>Page 3, Section 1, Lines 1-9:</u>	Delete in their entirety
<u>Page 3, Section 1, Line 10:</u>	Delete "In the case of a municipality located in a county wherein the" and insert "Notwithstanding the provisions of this section, in any municipality implementing a revaluation program approved by the Director of the Division of Taxation pursuant to P.L.1971, c.424 (C. 54:1-35.35 et seq.), district-wide reassessment program, compliance plan, or other form of municipal-wide assessment review that requires the revision of all property assessments to current market value, that is approved by the county board of taxation"
<u>Page 3, Section 1, Lines 11-12:</u>	Delete in their entirety
<u>Page 3, Section 1, Line 13:</u>	Delete "Demonstration Program," P.L.2013, c.15 (C.54:1-104),"
<u>Page 6, Section 3, Line 26:</u>	After "seq.)" insert ", district-wide reassessment program, compliance plan, or other form of municipal-wide assessment review that requires the revision of all

property assessments to current market value, that is approved by the county board of taxation pursuant to R.S.54:4-23"

- Page 6, Section 3, Lines 27-39: Delete in their entirety
- Page 6, Section 3, Line 40: Delete "Demonstration Program," P.L.2013, c.15 (C.54:1-104), at" and insert "g. At"
- Page 7, Section 3, Lines 3-5: Delete in their entirety
- Page 7, Section 3, Line 6: Delete "Demonstration Program," P.L.2013, c.15 (C.54:1-104), at" and insert "h. At"
- Page 7, Section 3, Lines 9-10: Delete "the county's online appeal system, and"
- Page 7, Section 3, Line 11: After "taxation." insert "The county board of taxation may relax the requirement of the time of the taxpayer's appeal as the needs of justice allow."
- Page 7, Section 4, Line 36: Delete "or a" and insert "district-wide reassessment program, compliance plan, or other form of municipal-wide assessment review that requires the revision of all property assessments to current market value, that is approved by the county board of taxation pursuant to R.S.54:4-23."
- Page 7, Section 4, Lines 37-47: Delete in their entirety

[seal]

Respectfully,

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor