

22A:4-4.1

LEGISLATIVE HISTORY CHECKLIST

NJSA 22A:4-4.1 (Recording fees, tax sale certificate--exem  
municipalities)

LAWS 1981 CHAPTER 443

Bill No. S3178

Sponsor(s) Weiss

Date Introduced April 27, 1981

Committee: Assembly Municipal Government

Senate County & Municipal Government

Amended during passage Yes ~~Yes~~ Amendments during passage  
denoted by asterisks

Date of Passage: Assembly Jan. 4, 1982

Senate June 22, 1981

Date of approval Jan. 9, 1982

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

6/22/81

513 102

CHAPTER 443 LAWS OF N. J. 1981  
APPROVED 1-9-82

[SECOND OFFICIAL COPY REPRINT]

SENATE, No. 3178

STATE OF NEW JERSEY

INTRODUCED APRIL 27, 1981

By Senator WEISS

Referred to Committee on County and Municipal Government

AN ACT concerning certain fees charged by county clerks or registers of deeds and mortgages and amending section 2 of P. L. 1965, c. 123.

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

1 1. Section 2 of P. L. 1965, c. 123 (C. 22A:4-4.1) is amended to  
2 read as follows:

3 2. County clerks and registers of deeds and mortgages, in coun-  
4 ties having such office, shall charge for the services herein enumer-  
5 ated the following fees:

	Fee
6 For recording veteran's discharge papers .....	No fee
7 For recording any instrument:	
8 First page .....	\$10.00
9 Each additional page or party thereof .....	\$1.00
10 Each rider, insertion*,* addition, or any map, plat or 11 sketch filed or recorded pursuant to paragraph (c) of 12 section 2 of P. L. 1957, chapter 130 .....	\$1.00
13 For entering the marginal notation of an order, judgment, 14 statement or warrant discharging annulling a notice of 15 lis pendens and for filing such order, judgment or state- 16 ment .....	\$2.00
17 For preparing and transmitting to the assessor, collector, 18 or other custodian of the assessment map of any taxing 19 district, the abstract of an instrument evidencing title 20 to realty .....	\$2.00
21 For entering the marginal notation of a discharge or re- 22 lease of a New Jersey building and loan or savings and 23 loan mortgage and forwarding abstract .....	\$2.00

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

24	For entering the marginal notation of a discharge, assign-	
25	ment, postponement or release of a mortgage, other than	
26	building and loan and savings and loan mortgages . . . .	\$2.00
27	For the cancellation of any mortgage . . . . .	\$5.00
28	For a marginal notation of the discharge of a mortgage in	
29	counties where mortgages are indexed under a system	
30	requiring a duplication of indices and description . . . .	\$2.00
31	For filing and recording notices of Federal tax liens or	
32	certificates discharging such liens . . . . .	\$5.00
33	For filing each map, plat, plan or chart (except when pre-	
34	sented by the State or its agencies or filed pursuant to	
35	paragraph (c) of section 2 of P. L. 1957, c. 130	
36	(C. 48:3-17.3) . . . . .	\$12.00
37	For recording tax sale certificate, <i>except by municipalities</i>	
38	<i>**[which are exempt from this fee]**</i> , or a redemption	
39	or assignment of tax sale certificate, first page . . . . .	\$10.00
40	each additional page or part thereof . . . . .	\$1.00
41	Certified copy of veteran's discharge . . . . .	\$0.50
42	For indexing any recorded instrument in excess of 10 par-	
43	ties, per each name in <i>*[exxcess]* *excess*</i> of 10 . . . .	\$0.20
44	<i>For recording tax sale certificates, liens, deeds, or related</i>	
45	<i>instruments by a municipality . . . . .**[No fee]** **\$3.00**</i>	
1	2. This act shall take effect immediately.	

SENATE, No. 3178  
STATE OF NEW JERSEY

INTRODUCED APRIL 27, 1981

By Senator WEISS

Referred to Committee on County and Municipal Government

AN ACT concerning certain fees charged by county clerks or registers of deeds and mortgages and amending section 2 of P. L. 1965, c. 123.

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

1 1. Section 2 of P. L. 1965, c. 123 (C. 22A:4-4.1) is amended to  
2 read as follows:

3 2. County clerks and registers of deeds and mortgages, in coun-  
4 ties having such office, shall charge for the services herein enumer-  
5 ated the following fees:

	Fee
6 For recording veteran's discharge papers .....	No fee
7 For recording any instrument:	
8 First page .....	\$10.00
9 Each additional page or party thereof .....	\$1.00
10 Each rider, insertion addition, or any map, plat or sketch	
11 filed or recorded pursuant to paragraph (c) of sec-	
12 tion 2 of P. L. 1957, chapter 130 .....	\$1.00
13 For entering the marginal notation of an order, judgment,	
14 statement or warrant discharging annulling a notice of	
15 lis pendens and for filing such order, judgment or state-	
16 ment .....	\$2.00
17 For preparing and transmitting to the assessor, collector,	
18 or other custodian of the assessment map of any taxing	
19 district, the abstract of an instrument evidencing title	
20 to realty .....	\$2.00
21 For entering the marginal notation of a discharge or re-	
22 lease of a New Jersey building and loan or savings and	
23 loan mortgage and forwarding abstract .....	\$2.00
24 For entering the marginal notation of a discharge, assign-	
25 ment, postponement or release of a mortgage, other than	
26 building and loan and savings and loan mortgages .....	\$2.00

27	For the cancellation of any mortgage .....	\$5.00
28	For a marginal notation of the discharge of a mortgage in	
29	counties where mortgages are indexed under a system	
30	requiring a duplication of indices and description .....	\$2.00
31	For filing and recording notices of Federal tax liens or	
32	certificates discharging such liens .....	\$5.00
33	For filing each map, plat, plan or chart (except when pre-	
34	sented by the State or its agencies or filed pursuant to	
35	paragraph (c) of section 2 of P. L. 1957, c. 130	
36	(C. 48:3-17.3) .....	\$12.00
37	For recording tax sale certificate, <i>except by municipalities</i>	
38	<i>which are exempt from this fee</i> , or a redemption or as-	
39	signment of tax sale certificate, first page .....	\$10.00
40	each additional page or part thereof .....	\$1.00
41	Certified copy of veteran's discharge .....	\$0.50
42	For indexing any recorded instrument in excess of 10 par-	
43	ties, per each name in excess of 10 .....	\$0.20
44	<i>For recording tax sale certificates, liens, deeds, or related</i>	
45	<i>instruments by a municipality</i> .....	No fee
1	2. This act shall take effect immediately.	

---

STATEMENT

A municipality must collect the county taxes and pay the county 100% as charged but the municipality does not collect 100% and must pay the difference out of its own funds.

The county is charging the municipality \$11.00 to record tax sale certificates on property where the taxes are unpaid but where the municipality has paid the county taxes.

This bill will exempt municipalities from the recording fees for the filing of tax sale certificates, liens, deeds or other related instruments.

SENATE COUNTY AND MUNICIPAL  
GOVERNMENT COMMITTEE

STATEMENT TO

**SENATE, No. 3178**

with Senate committee amendments

**STATE OF NEW JERSEY**

DATED: JUNE 15, 1981

Senate Bill No. 3178 would exempt municipalities from paying fees to the county for the recording of tax sale certificates, liens, deeds or related instruments.

Currently, municipalities are required to pay a fee of \$10.00 for a tax sale certificate recording, plus \$1.00 for each additional page. This was recently increased by P. L. 1980, c. 58 (effective July 1, 1980) from a flat \$3.00 fee. Municipalities would pay \$10.00 for recording other instruments, plus \$1.00 for each additional page. P. L. 1980, c. 58 increased this fee from \$5.00, and \$1.00 for each additional page.

The sponsor states: "A municipality must collect the county taxes and pay the county 100% as charged but the municipality does not collect 100% and must pay the difference out of its own funds.

The county is charging the municipality \$11.00 to record tax sale certificates on property where the taxes are unpaid but where the municipality has paid the county taxes."

The Senate committee amendments merely correct printing errors.

SENATE COMMITTEE AMENDMENTS TO

**SENATE, No. 3178**

**STATE OF NEW JERSEY**

ADOPTED JUNE 15, 1981

Amend page 1, section 1, line 10, after "insertion", insert ",".

Amend page 2, section 1, line 43, omit "exxcess", insert "excess".

[OFFICIAL COPY REPRINT]

SENATE, No. 3178

STATE OF NEW JERSEY

INTRODUCED APRIL 27, 1981

By Senator WEISS

Referred to Committee on County and Municipal Government

AN ACT concerning certain fees charged by county clerks or registers of deeds and mortgages and amending section 2 of P. L. 1965, c. 123.

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

1 1. Section 2 of P. L. 1965, c. 123 (C. 22A:4-4.1) is amended to  
2 read as follows:

3 2. County clerks and registers of deeds and mortgages, in coun-  
4 ties having such office, shall charge for the services herein enumer-  
5 ated the following fees:

	Fee
6 For recording veteran's discharge papers .....	No fee
7 For recording any instrument:	
8 First page .....	\$10.00
9 Each additional page or party thereof .....	\$1.00
10 Each rider, insertion*,* addition, or any map, plat or 11 sketch filed or recorded pursuant to paragraph (e) of 12 section 2 of P. L. 1957, chapter 130 .....	\$1.00
13 For entering the marginal notation of an order, judgment, 14 statement or warrant discharging annulling a notice of 15 lis pendens and for filing such order, judgment or state- 16 ment .....	\$2.00
17 For preparing and transmitting to the assessor, collector, 18 or other custodian of the assessment map of any taxing 19 district, the abstract of an instrument evidencing title 20 to realty .....	\$2.00
21 For entering the marginal notation of a discharge or re- 22 lease of a New Jersey building and loan or savings and 23 loan mortgage and forwarding abstract .....	\$2.00
24 For entering the marginal notation of a discharge, assign- 25 ment, postponement or release of a mortgage, other than 26 building and loan and savings and loan mortgages .....	\$2.00

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



27	For the cancellation of any mortgage .....	\$5.00
28	For a marginal notation of the discharge of a mortgage in	
29	counties where mortgages are indexed under a system	
30	requiring a duplication of indices and description .....	\$2.00
31	For filing and recording notices of Federal tax liens or	
32	certificates discharging such liens .....	\$5.00
33	For filing each map, plat, plan or chart (except when pre-	
34	sented by the State or its agencies or filed pursuant to	
35	paragraph (c) of section 2 of P. L. 1957, c. 130	
36	(C. 48:3-17.3)) .....	\$12.00
37	For recording tax sale certificate, <i>except by municipalities</i>	
38	<i>which are exempt from this fee</i> , or a redemption or as-	
39	signment of tax sale certificate, first page .....	\$10.00
40	each additional page or part thereof .....	\$1.00
41	Certified copy of veteran's discharge .....	\$0.50
42	For indexing any recorded instrument in excess of 10 par-	
43	ties, per each name in * <b>[exxcess]</b> * <i>*excess*</i> of 10 .....	\$0.20
44	<i>For recording tax sale certificates, liens, deeds, or related</i>	
45	<i>instruments by a municipality</i> .....	<i>No fee</i>
1	2. This act shall take effect immediately.	

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

SENATE No. 3178

STATE OF NEW JERSEY

DATED: DECEMBER 17, 1981

Senate Bill No. 3178 would exempt municipalities from paying fees to the county for the recording of tax sales certificates, liens, deeds or related instruments.

Subsequent to the passage of P. L. 1980, c. 58 (effective July 1, 1980) municipalities have been required to pay a fee of \$10.00 for a tax sale certificate recording, plus \$1.00 for each additional page. Prior to July 1, 1980, municipalities had been paying \$3.00 to file the certificates with the county.

Since a municipality must collect all county taxes and pay the county 100% the amount owed, the municipality must pay the balance in tax revenues owed to the counties which the municipality is unable to collect out of its own funds.

By eliminating filing charges with the county for tax sale certificates, the bill will reduce tax collection costs for municipalities.

ASSEMBLY COMMITTEE AMENDMENTS TO

**SENATE, No. 3178**

[OFFICIAL COPY REPRINT]

**STATE OF NEW JERSEY**

ADOPTED DECEMBER 17, 1981

Amend page 2, section 2, line 38, omit "which are exempt from this fee".

Amend page 2, section 2, line 45, omit "No fee"; insert "\$3.00".

[ASSEMBLY REPRINT]  
**SENATE, No. 3178**  
[OFFICIAL COPY REPRINT]

with Assembly committee amendments adopted December 17, 1981

**STATE OF NEW JERSEY**

INTRODUCED APRIL 27, 1981

By Senator WEISS

Referred to Committee on County and Municipal Government

AN ACT concerning certain fees charged by county clerks or registers of deeds and mortgages and amending section 2 of P. L. 1965, c. 123.

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

1 1. Section 2 of P. L. 1965, c. 123 (C. 22A:4-4.1) is amended to  
2 read as follows:

3 2. County clerks and registers of deeds and mortgages, in coun-  
4 ties having such office, shall charge for the services herein enumer-  
5 ated the following fees:

	Fee
6 For recording veteran's discharge papers .....	No fee
7 For recording any instrument:	
8 First page .....	\$10.00
9 Each additional page or party thereof .....	\$1.00
10 Each rider, insertion*,* addition, or any map, plat or 11 sketch filed or recorded pursuant to paragraph (c) of 12 section 2 of P. L. 1957, chapter 130 .....	\$1.00
13 For entering the marginal notation of an order, judgment, 14 statement or warrant discharging annulling a notice of 15 lis pendens and for filing such order, judgment or state- 16 ment .....	\$2.00
17 For preparing and transmitting to the assessor, collector, 18 or other custodian of the assessment map of any taxing 19 district, the abstract of an instrument evidencing title 20 to realty .....	\$2.00
21 For entering the marginal notation of a discharge or re- 22 lease of a New Jersey building and loan or savings and 23 loan mortgage and forwarding abstract .....	\$2.00

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

24	For entering the marginal notation of a discharge, assign-	
25	ment, postponement or release of a mortgage, other than	
26	building and loan and savings and loan mortgages .....	\$2.00
27	For the cancellation of any mortgage .....	\$5.00
28	For a marginal notation of the discharge of a mortgage in	
29	counties where mortgages are indexed under a system	
30	requiring a duplication of indices and description .....	\$2.00
31	For filing and recording notices of Federal tax liens or	
32	certificates discharging such liens .....	\$5.00
33	For filing each map, plat, plan or chart (except when pre-	
34	sented by the State or its agencies or filed pursuant to	
35	paragraph (c) of section 2 of P. L. 1957, c. 130	
36	(C. 48:3-17.3)) .....	\$12.00
37	For recording tax sale certificate, <i>except by municipalities</i>	
38	<i>**[which are exempt from this fee]**</i> , or a redemption	
39	or assignment of tax sale certificate, first page .....	\$10.00
40	each additional page or part thereof .....	\$1.00
41	Certified copy of veteran's discharge .....	\$0.50
42	For indexing any recorded instrument in excess of 10 par-	
43	ties, per each name in <i>*[exxcess]* *excess*</i> of 10 .....	\$0.20
44	<i>For recording tax sale certificates, liens, deeds, or related</i>	
45	<i>instruments by a municipality</i> ..... <i>**[No fee]** **\$3.00**</i>	
1	2. This act shall take effect immediately.	

JANUARY 11, 1982 -A-

S-3338, sponsored by Senator Matthew Feldman (D-Bergen), permitting any part-time officer or employee of the legislature who is a member of the Public Employees' Retirement System (PERS) to purchase credit in PERS for prior public service with a county or the legislature.

S-3154, also sponsored by Senator Perskie, incorporating numerous recommendations of the County and Municipal Government Study (Musto) Commission regarding voter initiatives on the number of elected representatives and terms of office in municipalities

Specifically, the bill allows voters to increase the number of commissioners in Commission Government forms from three to five; to increase or decrease the number of councilmen in Manager forms from three to five, seven or nine; to limit the number of wards in towns and increase the mayor's term of office, among other provisions.

S-3178, also sponsored by Senator Weiss, reducing the fee municipalities must pay to counties for recording tax sale certificates, liens, deeds or related documents from \$10.00 to \$3.00.

S-3127, sponsored by Senator Wynona Lipman (D-Essex) and designated the "Prevention of Domestic Violence Act," strengthening the civil and criminal remedies available to the victims of domestic violence. Domestic violence under the bill is defined as violence between people of the opposite sex either living together or together, parents of a child. Child abuse situations are excluded.

The bill requires the Police Training Commission to provide training for officers on the handling of domestic violence complaints, and permits law enforcement agencies to establish domestic violence teams. A court would be authorized to impose as a condition of release or sentence provisions restricting the defendant's contact with the victim, and the victim would be able to seek civil compensation, including a division of property, child support, financial damages, and an order requiring the defendant seek professional counseling.