LEGISLATIVE HISTORY CHECKLIST

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(Real property valuation -3 year)

NJSA:

54:1-35.39

LAWS OF:

1993

CHAPTER: 101

BILL NO:

A1637

SPONSOR(S)

Hartmann and Solomon

DATE INTRODUCED:

June 29, 1992

COMMITTEE:

ASSEMBLY:

Local Government

SENATE:

Ves

AMENDED DURING PASSAGE:

Senate Committee substitute (Second Reprint) adopted

Amendments during passage

denoted by superscript numbers

DATE OF PASSAGE:

ASSEMBLY:

February 25, 1993

SENATE:

March 22, 1993

DATE OF APPROVAL:

April 3, 1993

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT:

Also attached: Assembly Yes

committee substitute statement,

adopted 2-1-93

COMMITTEE STATEMENT:

ASSEMBLY:

Yes

SENATE:

No

FISCAL NOTE:

No

VETO MESSAGE:

No

MESSAGE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

REPORTS:

No

HEARINGS:

No

KBG:pp

[SECOND REPRINT]

ASSEMBLY, No. 1637

STATE OF NEW JERSEY

ADOPTED JANUARY 11, 1993

Sponsored by Assemblymen SOLOMON, BRYANT, R. Brown, Baer and Assemblywoman Weinberg

AN ACT concerning revaluations of real property and supplementing chapter 1 of Title 54 of the Revised Statutes.

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

- 1. Sections 1 through 10 of this act shall be known and may be cited as the "Revaluation Relief Act of ¹[1992] 1993¹."
 - 2. The Legislature finds and determines that:
- a. Article ¹[I] <u>VIII</u>¹, Section ¹[1] <u>I</u>¹, paragraph 1 of the Constitution of the State of New Jersey requires that all real property in this State be assessed for taxation under the same standard of value, which the Legislature has defined as "true" or "market" value, and taxed at a uniform general tax rate within each taxing district;
- b. Because of such factors as rapidly changing real estate markets, excessive workloads borne by local tax assessors and limited resources available thereto, a lack of uniform data processing standards, and the technological obsolescence of certain local assessment practices, it has been extremely difficult for many municipalities to maintain current market value assessments for all properties within their corporate boundaries;
- c. Through the statutory equalization process, the Legislature has addressed certain difficulties arising from differential assessment levels, by directing county boards of taxation to adjust aggregate assessments to presumed market levels for the purpose of equitable inter-municipal apportionment of county and school tax burdens; however, adequate resources have not been available for the provision of an ongoing adjustment process to address the assessment discrepancies which often arise within individual municipalities;
- d. When intra-municipal discrepancies become too severe, it is necessary to periodically revalue all parcels of real property within a municipality, in order to reestablish fair and equitable taxation pursuant to the intent of our constitutional mandate, and to avoid costly and time consuming litigation;
- e. While revaluations are thus necessary to maintain tax equity, they generally result in shocking, immediate increases in individual property tax bills, which severely strain the financial resources of many property owners, particularly homeowners, and

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

which threaten the stability and viability of long-standing neighborhoods and communities ¹which are often already in need 3 of rehabilitation¹; and

- f. It is, therefore, incumbent upon the Legislature, as a compelling public purpose and a matter of the general public welfare, to provide municipalities with the authority to mitigate this fiscal shock by phasing in tax increases ¹[which follow revaluations while retaining uniform general tax rates] in areas determined to be in need of rehabilitation¹, thus maintaining the stability and viability of ¹those ¹ neighborhoods and communities, while encouraging those governing bodies to conduct revaluations.
 - 3. As used in this act:

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- a. "Base year" means the tax year immediately preceding the revaluation year;
- "Constant rate factor" means the result obtained by dividing the total tax levy for a municipality, excluding any special district tax levies, for the base year by the net valuation taxable for that municipality for the revaluation year, as both are listed in the Abstract of Ratables and Exemptions compiled from the Table of Aggregates prepared for the municipality pursuant to R.S.54:4-52;
- c. "Director" means the Director of the Division of Taxation in the Department of the Treasury;
- "Eligible property" means any parcel of real property 1 containing a building or structure and located within an area declared in need of rehabilitation pursuant to this act1 in a municipality in which the director and municipal governing body have determined to implement a revaluation phase-in program, and for which the net assessed valuation of that parcel after exemptions and abatements as it appears on the assessor's duplicate for the revaluation year is scheduled to increase from the value as it appeared on the assessor's duplicate for the base year at a ratio equal to or greater than the total ratio change in net valuation taxable of that municipality for the revaluation year;
- e. "Revaluation" means the revaluation of all real property within the corporate boundaries of a municipality, performed under a contract approved by the director pursuant to P.L.1971, c.424 (C.54:1-35.35 et seq.);
- f. "Revaluation relief credit" means an ¹exemption equivalent to the 1 amount deducted from the tax liability of an eligible property, as part of a revaluation phase-in program;
- "Revaluation impact study" means a calculation1[, performed by a municipality,]1 of the difference between the tax liability for each parcel of real property situated within the municipality for the revaluation year without benefit of a revaluation phase-in credit, and that liability for the base year, and the average of all the differences within appropriate groupings of those parcels, which study is ¹conducted under procedures established by the director and is 1 reviewed and certified by the director;
- 52 "Revaluation management analysis" means a revaluation 53 impact study and a revaluation phase-in analysis;
- 54 "Revaluation phase-in analysis" means a calculation

- ¹[performed by a municipality]¹ of the increase in the tax liability for each parcel of eligible property within a municipality between the base year and the revaluation year after application of the constant rate factor, minus the revaluation relief credit the municipality is authorized to allow for that property for each of the three years of a revaluation phase-in program provided for by this act, and the average of all such calculations within such groupings of those parcels as appropriate which study is ¹conducted under procedures established by the director and is¹ reviewed and certified by the director;
 - j. "Revaluation phase-in program" means the provision of revaluation relief credits by a municipality for eligible properties pursuant to this act; and

- k. "Revaluation year" means the first tax year in which the tax liability of real property within a municipality is determined, pursuant to chapter 4 of Title 54 of the Revised Statutes, on the basis of assessed valuations of the property established by a revaluation within that municipality¹;
- l. "Area in need of rehabilitation" means a municipality or a portion of a municipality in which at least 60% of the housing units are at least 30 years of age; or which has been determined to be an area in need of rehabilitation or redevelopment pursuant to the "Local Redevelopment and Housing Law" P.L.1992, c.79, (C.40A:12A-1 et seq.) or a "blighted area" as determined pursuant to the Blighted Area Act, P.L.1949, c.187 (C.40:55-21.1 et seq.); or which has been determined to be in need of rehabilitation pursuant to the "Five-Year Exemption and Abatement Law," P.L.1991, c.441 (40A:21-1 et seq.), P.L.1975, c.104 (C.54:4-3.72 et seq.), P.L.1977, c.12 (C.54:4-3.95 et seq.), or P.L.1979, c.233 (C.54:4-3.121 et seq.)¹.
- 4. The director and the governing body of a municipality which has undertaken a revaluation may allow revaluation relief credits for eligible properties as hereinafter provided:
- a. On or before April 15 of the revaluation year for municipalities operating on the January 1 to December 31 fiscal year, or one week following the date established by law for the adoption of the municipal budget for municipalities operating on the State fiscal year, whichever is appropriate, the governing body of the municipality shall conduct a revaluation management analysis¹; provided, however, that a municipality which has conducted a revaluation that has not yet been used as the basis for a tax billing as of the effective date of this act may undertake the revaluation management analysis without regard for the deadline established herein¹. The governing body shall, at the same time, notify the county board of taxation of the county in which the municipality is situated of its intention to conduct a revaluation management analysis.
- b. Within three days of filling out the Table of Aggregates for the county, the county board of taxation shall transmit to each municipality which has notify the county board of taxation of its intention to conduct a revaluation management analysis certified copies of the assessor's duplicate for the revaluation year and the base year and include a certified copy of the Table of Aggregates for the municipality.

- c. Upon receipt of the assessor's duplicates and Tables of Aggregates, as provided in subsection b. of this section, and the certified copy of the Table of Aggregates from the county treasurer, as provided in R.S.54:4-52, the municipality shall prepare a revaluation management analysis as soon as practicable thereafter.
- d. After review of the revaluation management analysis, the governing body of the municipality may determine, by ordinance, to implement a revaluation phase-in program.

 1 That ordinance also shall contain a listing of the areas within the municipality declared in need of rehabilitation in accordance with subsection 1. of section 3 of this act. A listing, by block and lot, shall be available for public inspection in the office of the municipal assessor immediately following adoption of the ordinance.

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- e. Upon the adoption of an ordinance pursuant to subsection d. of this section, the governing body shall immediately notify and transmit certified copies of the ordinance to the director and the county board of taxation. In addition, notwithstanding the provisions of R.S.54:4-64, the governing body shall direct the collector of the taxing district not to prepare and deliver any tax bills until the county board of taxation has prepared and delivered a revised tax duplicate for the municipality. Any collector so directed shall prepare and mail, or otherwise cause to be delivered, a statement to the individuals assessed and, if so authorized, to any mortgagee or other agent in substantially the following form: "The governing body of (municipality) has determined to phase in tax increases associated with the recently completed revaluation. Your tax bill incorporating the phase-in will be forthcoming."
- 5. a. Upon the receipt of a certified copy of the ordinance, the director shall conduct a final review of the tax duplicate for the municipality, and make a final determination of which parcels of real property in the municipality are eligible properties.
- b. The director shall determine the amount of the revaluation relief credit for each eligible property for the revaluation year as follows:

RRC = 0.75 (A-B)

Where:

"RRC" equals the revaluation relief credit for the eligible property;

"A" equals the tax liability produced by multiplying the constant rate factor for the municipality for the revaluation year times the net assessed value of the eligible property as it appears on the assessor's duplicate for the revaluation year; and

"B" equals the tax liability produced by multiplying the general tax rate for the municipality for the base year times the net assessed value of the eligible property as it appeared on the assessor's duplicate for the base year.

6. a. The director shall certify to the county board of taxation the aggregate amount of revaluation relief credits to be allowed eligible properties within the municipality. The county board of taxation shall forthwith prepare a revised Table of Aggregates. In the revised Table of Aggregates, the board shall include, as part of the amount which must be raised for local municipal

purposes through taxation, the aggregate amount of the revaluation relief credits to be allowed eligible properties within the municipality. The revised Table of Aggregates for the municipality shall be signed and transmitted as provided in R.S.54:4-52.

- b. The director shall provide, at the same time, the county board of taxation with a certified list of the eligible properties within the municipality and the amount of the revaluation relief credit to which each is entitled. The county board shall immediately thereafter cause the corrected, revised and completed duplicate, certified by it to be a true record of the taxes assessed, to be delivered to the collector of the municipality. The revised tax list shall remain in the office of the board as a public record. Thereafter neither the assessor nor the collector shall make or cause to be made any change or alteration in the tax duplicate except as may be provided by law.
- 7. a. As soon as the tax duplicate is delivered to the collector of the municipality, the collector shall ¹[at once begin] proceed with¹ the work of preparing, completing, mailing or otherwise delivering tax bills to the individuals assessed [, and the collector shall complete the work at least 20 days before the third installment of taxes falls due. He shall also, at least 60 days before the first installment of taxes for the next succeeding year falls due, prepare and mail, or otherwise cause to be delivered, to the individuals assessed, a tax bill for the first and second installments for that year computed as hereinafter provided at one-half of the tax levied during the previous tax year. When any individual assessed has authorized the collector to mail or otherwise deliver his tax bill to a mortgagee or any other agent, the collector, at the same time, shall mail or otherwise cause to be delivered a duplicate tax bill to the individual assessed and shall print across the face of that duplicate tax bill the following inscription: "This is not a bill--for advice only." The validity of any tax or assessment, or the time at which it shall be payable, shall not be affected by the failure of a taxpayer to receive a tax bill, but every taxpayer is put upon notice to ascertain from the proper official of the taxing district the amount which may be due for taxes or assessments against his property] pursuant to R.S.54:4-64 and R.S.54:4-66¹.
- b. The tax bill shall be in a form prescribed by the Director of the Division of Local Government Services in the Department of Community Affairs, after consultation with the director, and shall include, in addition to such other information as may be required by law, rule or regulation, notification that the local municipal purposes tax rate for the municipality includes a rate to support the revaluation phase-in program. The bill shall also indicate the amount of the revaluation relief credit the taxpayer received for his eligible property.
- 8. The provisions of R.S.54:4-66 and R.S.54:4-67 to the contrary notwithstanding, for a municipality which has implemented a revaluation phase-in program pursuant to this act, the Director of the Division of Local Government Services in the Department of Community Affairs may order that the third installment of taxes shall be payable in the revaluation year on a

date other than that set forth in those statutes and shall not be deemed delinquent until the tenth calendar day following the new date.

9. Revaluation relief credits for eligible properties in the revaluation year shall continue to be provided in the first and second tax year next following the revaluation year.

For the first and second year following the revaluation year, the director shall calculate, forthwith each year upon the receipt of a certified copy of a resolution from the municipality, the amount of the revaluation relief credit for each eligible property.

For the purposes of this section:

"RRC" equals the revaluation relief credit for the eligible property;

"A" equals the tax liability produced by multiplying the constant rate factor for the municipality for the revaluation year by the net assessed value of the eligible property as it appeared on the assessor's duplicate for the revaluation year; and

"B" equals the tax liability produced by multiplying the general tax rate for the municipality for the base year by the net assessed value of the eligible property as it appeared on the assessor's duplicate for the base year.

For the first tax year next following the revaluation year, the director shall determine the amount of the revaluation relief credit as follows:

RRC=0.50 (A-B)

For the second tax year next following the revaluation year, the director shall determine the amount of the revaluation relief credit for each eligible property as follows:

RRC = 0.25 (A-B)

In each of those tax years the director shall certify to the county board of taxation the aggregate amount of revaluation relief credits to be provided for eligible properties within the municipality, and shall provide the county board of taxation with a certified list of eligible properties within the municipality and the amount of the revaluation relief credit to which each is entitled. The county board of taxation shall incorporate the information provided on that list into the tax duplicate prepared for the taxing district pursuant to R.S.54:4-55.

- 10. The provision of revaluation relief credits pursuant to this act shall not result in any tax year in a tax liability for an eligible property which is less than the tax liability for the base year.
- 11. a. Any post-revaluation impacted city may employ the provisions of sections 11 through 18 of this act to provide for a property tax phase-in beginning in tax year 1993.
 - b. As used in sections 11 through 18 of this act:
- "Base year" means the 1991 tax year;

"Constant rate factor" means the result obtained by dividing the total tax levy for a municipality excluding any special district tax levies for the base year by the net valuation taxable for that municipality for the evaluation year, as both are listed in the Abstract of Ratables and Exemptions compiled from the Table of Aggregates prepared for the municipality pursuant to R.S.54:4-52;

"Evaluation year" means the 1993 tax year;

"Post-revaluation impacted city" means a city that has a

population greater than 80,000 according to the most recent federal decennial census and has implemented a revaluation in the 1992 tax year.

- 12. The director and the governing body of a city eligible to employ the provisions of sections 11 through 18 of this act may allow revaluation relief credits for eligible properties as hereinafter provided:
- a. On or before April 15 of the ϵ valuation year the governing body of the city may determine, by ordinance, to implement a revaluation phase-in program.

 1 That ordinance also shall contain a listing of the areas within the municipality declared in need of rehabilitation in accordance with subsection 1. of section 3 of this act. A listing, by block and lot, shall be available for public inspection in the office of the municipal assessor immediately following adoption of the ordinance.

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- b. Upon the adoption of an ordinance to implement a revaluation phase-in program pursuant to subsection a. of this section, the governing body shall immediately notify and transmit certified copies of the ordinance to the director and the county board of taxation. In addition, the governing body shall direct, notwithstanding the provisions of R.S.54:4-64, the collector of the taxing district not to prepare and deliver any tax bills until the county board of taxation has prepared and delivered a revised tax duplicate for the city. Any collector so directed shall prepare and mail, or otherwise cause to be delivered, a statement to the individuals assessed and, if so authorized, to any mortgagee or other agent in substantially the following form: "The governing body of (city) has determined to phase in tax increases associated with the recently completed revaluation. Your tax bill incorporating the phase-in will be forthcoming."
- 13. a. Upon the receipt of a certified copy of the ordinance, the director shall conduct a review of the tax duplicate for the city and make a final determination of which parcels of real property in the city are eligible properties.

 1 The municipality and county board of taxation shall assist the director in conducting the review as the director shall require.

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- b. The director shall determine the amount of the revaluation relief credit for each eligible property for the evaluation year as follows:

RRC = 0.75 (A - B)

41 Where:

"RRC" equals the revaluation relief credit for the eligible property:

"A" equals the tax liability produced by multiplying the constant rate factor for the city for the evaluation year times the net assessed value of the eligible property as it appears on the assessor's duplicate for the evaluation year; and

"B" equals the tax liability produced by multiplying the general tax rate for the city for the base year times the net assessed value of the eligible property as it appeared on the assessor's duplicate for the base year.

14. a. The director shall certify to the county board of taxation the aggregate amount of revaluation relief credits to be allowed eligible properties within the city. The county board of

taxation shall forthwith prepare a revised Table of Aggregates. In the revised Table of Aggregates, the board shall include, as part of the amount which must be raised for local municipal purposes through taxation, the aggregate amount of the revaluation relief credits to be allowed eligible properties within the city. The revised Table of Aggregates for the city shall be

signed and transmitted as provided in R.S.54:4-52.

b. The director shall provide, at the same time, the county board of taxation with a certified list of the eligible properties within the city and the amount of the revaluation relief credit to which each is entitled. The county board shall immediately thereafter cause the corrected, revised and completed duplicate, certified by it to be a true record of the taxes assessed, to be delivered to the collector of the city. The revised tax list shall remain in the office of the board as a public record. Thereafter, neither the assessor nor the collector shall make or cause to be made any change or alteration in the tax duplicate except as may be provided by law.

15. a. As soon as the tax duplicate is delivered to the collector of the city, he shall ¹[at once begin] proceed with the work of preparing, completing, mailing or otherwise delivering tax bills to the individuals assessed¹[, and he shall complete the work as soon as practicable. He shall also, at least 60 days before the first installment of taxes for the next succeeding year falls due, prepare and mail, or otherwise cause to be delivered, to the individuals assessed, a tax bill for the first and second installments for that year computed as hereinafter provided at , one-half of the tax levied during the previous tax year. When any individual assessed has authorized the collector to mail or otherwise deliver his tax bill to a mortgagee or any other agent, the collector, at the same time, shall mail or otherwise cause to be delivered a duplicate tax bill to the individual assessed and shall print across the face of that duplicate tax bill the following inscription: "This is not a bill--for advice only." The validity of any tax or assessment, or the time at which it shall be payable, shall not be affected by the failure of a taxpayer to receive a tax bill, but every taxpayer is put upon notice to ascertain from the proper official of the taxing district the amount which may be due for taxes or assessments against his property.

b. The tax bill shall be in a form prescribed by the Director of the Division of Local Government Services in the Department of Community Affairs, after consultation with the director, and shall include, in addition to such other information as may be required by law, rule or regulation, notification that the local municipal purposes tax rate for the city includes a rate to support the revaluation phase-in program. The bill shall also indicate the amount of the revaluation relief credit the taxpayer received for his eligible property] pursuant to R.S.54:4-64 and R.S.54:4-66.

²b. The tax bill shall be in a form prescribed by the Director of the Division of Local Government Services in the Department of Community Affairs, after consultation with the director, and shall include, in addition to such other information as may be required by law, rule or regulation, notification that the local municipal purposes tax rate for the city includes a rate to support

the revaluation phase-in program. The bill shall also indicate the amount of the revaluation relief credit the taxpayer received for his eligible property.²

- 16. The provisions of R.S.54:4-66 and R.S.54:4-67 to the contrary notwithstanding, for a city which has implemented a revaluation phase-in program pursuant to sections 11 through 18 of this act, the director may order that any installment of taxes shall be payable in the evaluation year on a date other than that set forth in those statutes and shall not be deemed delinquent until the tenth calendar day following the new date.
- 17. Revaluation relief credits for eligible properties in the evaluation year shall continue to be provided in the first and second tax year next following the evaluation year.

For the first and second year following the evaluation year, the director, forthwith upon the receipt of a certified copy of a resolution from the city, shall calculate the amount of the revaluation relief credit for each eligible property.

For the purposes of this section:

"RRC" equals the revaluation relief credit for the eligible property;

"A" equals the tax liability produced by multiplying the constant rate factor for the city for the evaluation year by the net assessed value of the eligible property as it appeared on the assessor's duplicate for the evaluation year; and

"B" equals the tax liability produced by multiplying the general tax rate for the city for the base year by the net assessed value of the eligible property as it appeared on the assessor's duplicate for the base year.

For the first tax year next following the evaluation year, the director shall determine the amount of the revaluation relief credit as follows:

RRC=0.50 (A-B)

For the second tax year next following the evaluation year, the director shall determine the amount of the revaluation relief credit for each eligible property as follows:

RRC = 0.25 (A - B)

In each of those tax years the director shall certify to the county board of taxation the aggregate amount of revaluation relief credits to be provided for eligible properties within the city, and shall provide the county board of taxation with a certified list of eligible properties within the city and the amount of the revaluation relief credit to which each is entitled. The county board of taxation shall incorporate the information provided on the list in the tax duplicate prepared for the taxing district pursuant to R.S.54:4-55.

- 18. The provision of revaluation relief credits pursuant to sections 11 through 18 of this act shall not result in any tax year in a tax liability for an eligible property which is less than the tax liability for the base year.
- ¹19. The director may establish policies and procedures to address technical problems which arise in overseeing implementation of this act. ¹
- ¹[19.] <u>20.</u>¹ The director, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall

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1	promulgate rules and regulations necessary to effectuate the
2	purposes of this act.
3	$^{1}[20.] \underline{21.}^{1}$ This act shall take effect immediately.
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8	Permits municipalities to spread over three-year period the tax
9	impact of extreme increases in tax assessments resulting from
10	revaluation.

ASSEMBLY, No. 1637

STATE OF NEW JERSEY

INTRODUCED JUNE 29, 1992

By Assemblymen HARTMANN and SOLOMON

1 AN ACT concerning revaluations of real property and 2 supplementing chapter 1 of Title 54 of the Revised Statutes.

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

- 1. This act shall be known and may be cited as the "Revaluation Relief Act."
 - 2. The Legislature finds and determines that:
- a. Article I, Section 1, paragraph 1 of the Constitution of the State of New Jersey requires that all real property in this State be assessed for taxation under the same standard of value, which the Legislature has defined as "true," or "market" value, and taxed at a uniform general tax rate within each taxing district;
- b. Because of such factors as rapidly changing real estate markets, excessive workloads borne by local tax assessors and limited resources available thereto, a lack of uniform data processing standards, and the technological obsolescence of certain local assessment practices, it has been extremely difficult for many municipalities to maintain current market value assessments for all properties within their corporate boundaries;
- c. Through the statutory equalization process, the Legislature has addressed certain difficulties arising from differential assessment levels, by directing county boards of taxation to adjust aggregate assessments to presumed market levels for the purpose of equitable inter-municipal apportionment of county and school tax burdens; however, adequate resources have not been available for the provision of an ongoing adjustment process to address the assessment discrepancies which often arise within individual municipalities;
- d. When intra-municipal discrepancies become too severe, it is necessary to periodically revalue all parcels of real property within a municipality, in order to reestablish fair and equitable taxation pursuant to the intent of our constitutional mandate, and to avoid costly and time consuming litigation;
- e. While revaluations are thus necessary to maintain tax equity, they generally result in shocking, immediate increases in individual property tax bills, which severely strain the financial resources of many property owners, particularly homeowners, and which threaten the stability and viability of long-standing neighborhoods and communities; and
- f. It is, therefore, incumbent upon the Legislature, as a compelling public purpose and a matter of the general public welfare, to provide municipalities with the authority to mitigate this fiscal shock by phasing in tax increases which follow

revaluations while retaining uniform general tax rates, thus maintaining the stability and viability of neighborhoods and communities, while encouraging those governing bodies to conduct revaluations.

3. As used in this act:

- a. "Base year" means the tax year immediately preceding the revaluation year;
- b. "Constant rate factor" means the result obtained by dividing the total tax levy for a municipality for the base year by the net valuation taxable for that municipality for the revaluation year, as both are listed in the Abstract of Ratables and Exemptions compiled from the Table of Aggregates prepared for the municipality pursuant to R.S.54:4-52, and multiplying the resulting quotient by 100.00;
- c. "Director" means the Director of the Division of Taxation in the Department of the Treasury;
- d. "Eligible property" means any parcel of real property in a municipality in which the director and municipal governing body have determined to implement a revaluation phase—in program, and for which the assessed valuation of that parcel as it appears on the assessor's duplicate for the revaluation year is at least four times the assessed valuation of the parcel as it appeared on the assessor's duplicate for the base year;
- e. "Revaluation" means the revaluation of all real property within the corporate boundaries of a municipality, performed
 - under a contract approved by the director pursuant to P.L.1971, c.424 (C.54:1-35.35 et seq.);
- f. "Revaluation relief credit" means an amount deducted from the tax liability of an eligible property, as part of a revaluation phase-in program;
 - g. "Revaluation impact study" means a calculation of the difference between the tax liability for each parcel of real property situated within a municipality for the revaluation year, and that liability for the base year, and the average of all the differences within such groupings of those parcels as the director deems appropriate;
- h. "Revaluation management analysis" means a revaluation impact study and a revaluation phase-in analysis;
 - i. "Revaluation phase-in analysis" means a calculation of the increase in the tax liability for each parcel of eligible property within a municipality between the base year and the revaluation year, minus the revaluation relief credit the municipality is authorized to allow for that property for each of the three years of a revaluation phase-in program provided for by this act, and the average of all such calculations within such groupings of those parcels as the director deems appropriate;
 - j. "Revaluation phase-in program" means the provision of revaluation relief credits by a municipality for eligible properties pursuant to this act; and
- k. "Revaluation year" means the first tax year in which the tax liability of real property within a municipality is determined, pursuant to chapter 4 of Title 54 of the Revised Statutes, on the basis of assessed valuations of the property established by a revaluation within that municipality.

- 4. The Director of the Division of Taxation in the Department of the Treasury and the governing body of a municipality which has undertaken a revaluation may allow revaluation relief credits for eligible properties as hereinafter provided:
- a. On or before April 15 of the revaluation year or one week following the date established by law for the adoption of the municipal budget, whichever is later, the governing body of the municipality shall apply to the director for a revaluation management analysis. The governing body shall, at the same time, notify the county board of taxation of the county in which the municipality is situated of its application to the director.
- b. Within three days of filling out the Table of Aggregates for the county, the county board of taxation shall transmit to the director certified copies of the assessor's duplicate for the revaluation year and the base year for each municipality which has notified the county board of taxation that it has applied to the director for a revaluation management analysis, and appropriate Tables of Aggregates.
- c. Upon receipt of the assessor's duplicates and Tables of Aggregates, as provided in subsection b. of this section, and the certified copy of the county treasurer, as provided in R.S.54:4-52, the director shall prepare a revaluation management analysis for each applicant municipality. The director shall transmit the completed analysis to each applicant municipality within 10 days of receipt of the duplicates.
- d. After review of the revaluation management analysis, the governing body of the municipality may, by ordinance, determine to implement a revaluation phase-in program.
- e. Upon the adoption of that ordinance, the governing body shall immediately notify and transmit certified copies of the ordinance to the director and the county board of taxation. In addition, the governing body shall, notwithstanding the provisions of R.S.54:4-64, direct the collector of the taxing district not to prepare and deliver any tax bills until the county board of taxation has prepared and delivered a revised tax duplicate for the municipality. Any collector so directed shall prepare and mail, or otherwise cause to be delivered, a statement to the individuals assessed and, if so authorized, to any mortgagee or other agent in substantially the following form: "The governing body of (municipality) has determined to phase in tax increases associated with the recently completed revaluation. Your tax bill incorporating the phase-in will be forthcoming."
- 5. a. Upon the receipt of a certified copy of the ordinance, the director shall conduct a final review of the tax duplicate for the municipality, and make a final determination of which parcels of real property in the municipality are eligible properties.
- b. The director shall determine the amount of the revaluation relief credit for each eligible property for the revaluation year as follows:
- RRC = 0.75 (A B)
- 51 Where:

- 52 "RRC" equals the revaluation relief credit for the eligible 53 property;
- "A" equals the tax liability produced by multiplying the

constant rate factor for the municipality for the revaluation year times the assessed value of the eligible property as it appears on the assessor's duplicate for the revaluation year; and

"B" equals the tax liability produced by multiplying the general tax rate for the municipality for the base year times the assessed value of the eligible property as it appeared on the assessor's duplicate for the base year.

- 6. a. The director shall certify to the county board of taxation the aggregate amount of revaluation relief credits to be allowed eligible properties within the municipality. The county board of taxation shall forthwith prepare a revised Table of Aggregates. In the revised Table of Aggregates, the board shall include, as part of the amount which must be raised for local municipal purposes through taxation, the aggregate amount of the revaluation relief credits to be allowed eligible properties within the municipality. The revised Table of Aggregates for the municipality shall be signed and transmitted as provided in R.S.54:4-52.
- b. The director shall, at the same time, provide the county board of taxation with a certified list of the eligible properties within the municipality and the amount of the revaluation relief credit to which each is entitled. The county board shall immediately thereafter cause the corrected, revised and completed duplicate, certified by it to be a true record of the taxes assessed, to be delivered to the collector of the municipality. The revised tax list shall remain in the office of the board as a public record. Thereafter neither the assessor nor the collector shall make or cause to be made any change or alteration in the tax duplicate except as may be provided by law.
- 7. a. As soon as the tax duplicate is delivered to the collector of the municipality, he shall at once begin the work of preparing, completing, mailing or otherwise delivering tax bills to the individuals assessed, and he shall complete the work at least 20 days before the third installment of taxes falls due. He shall also, at least 60 days before the first installment of taxes for the next succeeding year falls due, prepare and mail, or otherwise cause to be delivered, to the individuals assessed, a tax bill for the first and second installments for that year computed as hereinafter provided at one-half of the tax levied during the previous tax year. When any individual assessed has authorized the collector to mail or otherwise deliver his tax bill to a mortgagee or any other agent, the collector shall, at the same time, mail or otherwise cause to be delivered a duplicate tax bill to the individual assessed and shall print across the face of that duplicate tax bill the following inscription: "This is not a bill--for advice only." The validity of any tax or assessment, or the time at which it shall be payable, shall not be affected by the failure of a taxpayer to receive a tax bill, but every taxpayer is put upon notice to ascertain from the proper official of the taxing district the amount which may be due for taxes or assessments against his property.
- b. The tax bill shall be in a form prescribed by the Director of the Division of Local Government Services in the Department of Community Affairs, after consultation with the director, and

shall include, in addition to such other information as may be required by law, rule or regulation, notification that the local municipal purposes tax rate for the municipality includes a rate to support the revaluation phase-in program. The bill shall also indicate the amount of the revaluation relief credit the taxpayer received for his eligible property.

- 8. The provisions of R.S.54:4-66 and R.S.54:4-67 to the contrary notwithstanding, for a municipality which has implemented a revaluation phase-in program pursuant to this act, the director may order that the third installment of taxes shall be payable in the revaluation year on a date other than that set forth in those statutes and shall not be deemed delinquent until the tenth calendar day thereafter.
- 9. Revaluation relief credits for eligible properties in the revaluation year shall continue to be provided in the first and second tax year next following the revaluation year.

For the first and second year following the revaluation year, the director shall, forthwith upon the receipt of a certified copy of the ordinance, calculate the amount of the revaluation relief credit for each eligible property. The director shall determine the amount of the revaluation relief credit for the first tax year next following the revaluation year as follows:

RRC=0.50 (A-B)

24 Where:

 "RRC" equals the revaluation relief credit for the eligible property;

"A" equals the tax liability produced by multiplying the constant rate factor for the municipality for the revaluation year by the assessed value of the eligible property as it appeared on the assessor's duplicate for the revaluation year; and

"B" equals the tax liability produced by multiplying the general tax rate for the municipality for the base year by the assessed value of the eligible property as it appeared on the assessor's duplicate for the base year.

For the second tax year next following the revaluation year, the director shall determine the amount of the revaluation relief credit for each eligible property as follows:

RRC = 0.25 (A-B)

In each such tax year, the director shall certify to the county board of taxation the aggregate amount of revaluation relief credits to be provided for eligible properties within the municipality, and shall provide the county board of taxation with a certified list of eligible properties within the municipality and the amount of the revaluation relief credit to which each is entitled. The county board of taxation shall incorporate the information provided on the list in the tax duplicate prepared for the taxing district pursuant to R.S.54:4-55.

- 10. The provision of revaluation relief credits pursuant to this act shall not result in any tax year in a tax liability for an eligible property which is less than the tax liability for the base year.
- 11. The director shall, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), promulgate rules and regulations necessary to effectuate the purposes of this act.

12. Any municipality that is undergoing a revaluation or has undergone but not implemented a revaluation may apply to the director on or before December 31, 1992 for a revaluation management analysis. The director shall notify the appropriate county board of taxation of the receipt of the application, shall forward a copy of this notification to the applicant municipality, and shall transmit the completed certification to the applicant municipality and to the county tax board of the applicant municipality within 10 days of receipt of the application.

The county board of taxation having jurisdiction over the applicant municipality shall, notwithstanding the certification of any tax list reflecting a revaluation of real property for the tax year 1993, revise that tax list by deleting the new values and substituting therefor, for the tax year 1993, the tax list for the tax year 1992, subject to any modifications due to changes in taxable status, and due to changes as the result of demolitions, new construction, or any decision of the county board of taxation or judgment of the Tax Court concerning tax appeals.

13. This act shall take effect immediately.

STATEMENT

This bill allows any municipality to phase in extreme property tax increases resulting from revaluations over a three year period, the phase-in to be financed solely through a municipality's own property tax base.

Under present conditions, the major impact of a revaluation is felt in the first year of implementation. The impact is accelerated by the fact that budgetary increases in county, municipal, and school tax levies are added to tax bill increases resulting from new assessed values established by the revaluation.

Rather than requiring immediate and full implementation of a revaluation, this bill provides municipalities with the authority to mitigate the fiscal shock caused by a revaluation by spreading the tax impact of the revaluation over a three year period through a series of revaluation credits for eligible property owners. This limited three year cycle ensures that owners of previously over-assessed properties obtain property tax relief without undue delay, while cushioning the blow to owners of previously under-assessed properties. The relief provided under the act would affect only properties for which the assessment increased to at least four times the previous assessment as a result of revaluation.

Through the use of a "constant rate factor," the bill restricts the amount to be phased in to increases resulting solely from changes in valuations due to the revaluation. Tax increases stemming from increased municipal, county or school budgets will not be phased in.

Finally, this bill allows any municipality which is undergoing or has undergone revaluation as of the effective date of the bill to postpone implementing the revaluation for one year.

ASSEMBLY LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1637

STATE OF NEW JERSEY

DATED: JANUARY 11, 1993

The Assembly Local Government Committee favorably reports an Assembly Committee Substitute for Assembly Bill No. 1637.

The Committee Substitute for Assembly Bill No. 1637 allows any municipality to phase in extreme property tax increases resulting from revaluations over a three-year period, the phase-in to be financed solely through a municipality's own property tax base.

Under present conditions, the major impact of a revaluation is felt in the first year of implementation. The impact is accelerated by the fact that budgetary increases in county, municipal, and school tax levies are added to tax bill increases resulting from new assessed values established by the revaluation.

This committee substitute provides municipalities with the authority to mitigate the fiscal shock caused by a revaluation by spreading the tax impact of the revaluation over a three-year period through a series of revaluation credits for eligible property owners. This limited three-year cycle ensures that owners of previously over-assessed properties obtain property tax relief without undue delay, while cushioning the blow to owners of previously under-assessed properties. The relief provided under the act would affect only properties for which the assessment increased at a rate of change equal to or greater than the overall increase in municipal assessment as a result of revaluation.

Through the use of a "constant rate factor," the committee substitute restricts the amount to be phased in to increases resulting solely from changes in valuations due to the revaluation. Tax increases stemming from increased municipal, county or school budgets will not be phased in.

Finally, sections 11 through 18 of the committee substitute allow any city with a population greater than 80,000 that has implemented a revaluation in 1992 to provide for a revaluation phase-in beginning in tax year 1993 and continuing through 1995. Camden City and Trenton City would be eligible to utilize these special provisions.

This committee substitute is identical to Senate Bill No. 1411 except for a minor change in the date of the short title.

STATEMENT TO

ASSEMBLY, No. 1637

with Assembly Floor Amendments (Proposed by Assemblymen SOLOMON and BRYANT)

ADOPTED FEBRUARY 1, 1993

These floor amendments restrict a municipal revaluation relief program to "areas in need of rehabilitation" and define a "revaluation relief credit" as an exemption in order to bring the legislation under the tax abatement and exemption provisions for areas in need of rehabilitation permitted by Article VIII, Section I, paragraph 6 of the New Jersey Constitution.

The amendments define an "area in need of rehabilitation" as: (1) a portion or all of a municipality in which at least 60 percent of the housing units are 30 years or more of age; (2) one which has been determined to be an area in need of rehabilitation or redevelopment pursuant to the "Local Redevelopment and Housing Law"; (3) a "blighted area" as determined under the Blighted Area Act; (4) one which has been determined to be in need of rehabilitation pursuant to the "Five-Year Exemption and Abatement Law"; or (5) one determined to be in need of rehabilitation pursuant to P.L.1975, c.104 (C.54:4-3.72 et seq.), P.L.1977, c.12 (C.54:4-3.95 et seq.) or P.L.1979, c.233 (C.54:4-3.121 et seq.).

These amendments also refine the definition of 'eligible property" to be a parcel of real property containing a building or structure and located within an area declared in need of rehabilitation. In addition. the amendments remove the requirement that the revaluation impact study and phase-in analysis be performed by the municipality, and provide that these works be conducted under procedures established by the director: provide that a municipality which has conducted a revaluation that has not been used as the basis for a tax billing as of the effective date of the legislation may undertake the revaluation management analysis without regard to the time deadlines which are otherwise established for municipalities which operate on either the calendar year or the State fiscal year; require that the ordinance adopted to implement the revaluation phase-in program also contain a listing of the areas within the municipality declared in need of rehabilitation in accordance with subsection 1. of section 3 of the bill and that a listing of block and lot numbers be available for public inspection in the office of the municipal assessor immediately following adoption of the ordinance; require that the municipality and county board of taxation assist the Director of the Division of Taxation in conducting the review of the tax duplicate for the city; and give the director broad power to establish policies and procedures to problems which arise address technical in overseeing implementation of this legislation.

Finally, these amendments correct the tax billing procedure to properly reflect differences in municipalities operating under the State fiscal year and the calendar year.



OFFICE OF THE GOVERNOR **NEWS RELEASE**

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April 3, 1993

GOVERNOR SIGNS TAX MITIGATION BILL

CAMDEN -- Governor Jim Florio today signed legislation that will help homeowners hard hit by tax revaluations and offer property tax relief to others who have been over assessed.

"We're here to make sure that homeowners don't get hit with sudden tax hikes their budgets can't absorb. This bill will allow homeowners, whose property taxes have soared, the time they need to absorb the increases," said Governor Florio. "Our cities are among New Jersey's greatest assets. They can become magnets for business, culture and vital community life again or they can breed crime and despair. We've got to help our cities 24 hours a day -- not just until the end of the business day. That's the heart of the Municipal Revaluation Relief bill."

The Municipal Revaluation Relief Program affects Camden and Trenton specifically, both of which have undergone recent revaluations. The bill will shield homeowners from extreme property tax increases due to revaluations by phasing increases in over the next three years. It will also deliver swift property tax relief to owners who have been over assessed. The measure will also give property owners in areas that still need revitalization additional encouragement not to abandon these fragile neighborhoods so that small businesses such as the local grocer, laundry or restaurant can stay in the neighborhood.

The bill restricts the amount to be phased-in to increases resulting solely from changes in valuations. Increases due to increased municipal, county or school budgets would not be phased in.

"Many of us remember when Camden was in its prime - when Camden worked. People with good jobs, building homes, bringing up families and planning for the future. Then Camden lost its industrial base. People began to leave. The word went out -- it's all over for Camden," he said. "Today, this great city is on the rise again. We're seeing jobs and industry come back and we're seeing new families starting to move in. This bill will help keep families in Camden.

"When we look at Camden, we see that our vision of a better future can come true with hard work, good people and a government that cares," said Governor Florio. "I'm very pleased to sign this bill and deliver a new tool for great cities like Camden as they work to bring jobs and families back home."

The bill, A 1637/S 1411, was sponsored by Assemblymen Wayne Bryant and Lee Solomon, and Senator Walter Rand.