

LEGISLATIVE HISTORY CHECKLIST
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(Property tax exemption and abatement--
 continue ordinances invalidated by 1991 c. 441)

NJSA: 40A:21-1

LAWS OF: 1993 **CHAPTER:** 62

BILL NO: S1264

SPONSOR(S) Cowan

DATE INTRODUCED: October 15, 1992

COMMITTEE: **ASSEMBLY:** Local Government
SENATE: Community Affairs

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** February 25, 1993
SENATE: October 29, 1992

DATE OF APPROVAL: March 4, 1993

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

P.L.1993, CHAPTER 82, approved March 4, 1993
1992 Senate No. 1264

1 AN ACT concerning the effect of municipal ordinances adopted
2 pursuant to certain obsolete tax exemption and abatement
3 statutes and amending P.L.1991, c.441.

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

7 1. Section 23 of P.L.1991, c.441 is amended to read as follows:

8 23. a. No exemption or abatement granted, or tax agreement
9 entered into, pursuant to an ordinance adopted pursuant to an act
10 repealed by this act shall be affected or terminated by virtue of
11 that repeal, but shall remain in effect for the time and under the
12 terms granted as if the act authorizing the ordinance had not
13 been so repealed. Notwithstanding that repeal, any restriction or
14 limitation contained in that act against a property being granted
15 an additional exemption or abatement thereunder shall apply with
16 respect to granting an exemption or abatement under this act,
17 and no property which was granted an exemption or abatement
18 under an act so repealed shall be granted an exemption or
19 abatement under this act unless the property would have qualified
20 for an additional exemption or abatement under the act so
21 repealed.

22 b. Any ordinance adopted pursuant to an act repealed by this
23 act shall continue in effect until the effective date of an
24 ordinance either repealing that ordinance or adopting an
25 ordinance pursuant to section 4 of P.L.1991, c.441 (C.40A:21-4)
26 or until January 18, 1994, whichever occurs earlier.

27 (cf: P.L.1991, c.441, s.23)

28 2. This act shall take effect immediately and shall be
29 retroactive to January 18, 1992.

30

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32 STATEMENT

33

34 The "Five-Year Exemption and Abatement Law," P.L.1991,
35 c.441 (C.40A:21-1 et seq.), was intended to replace and
36 consolidate separate statutes providing for five-year tax
37 exemptions and abatements for improvements to one- and
38 two-family dwellings, multiple dwellings and commercial and
39 industrial properties. It also had the effect of invalidating all
40 existing ordinances adopted under the statutes it replaced, except
41 with regard to existing exemptions and abatements. As a result,
42 municipalities were left without the ability to continue to grant

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 exemptions and abatements under existing approved ordinances
2 while reviewing their options under the new law. This bill is
3 intended to allow municipalities and taxpayers a reasonable
4 transition period within which to adopt new ordinances without
5 creating a break in the availability of exemptions and abatements.
6
7
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10 Extends effect of ordinances adopted under certain obsolete tax
11 exemption and abatement statutes.

SENATE, No. 1264
STATE OF NEW JERSEY

INTRODUCED OCTOBER 15, 1992

By Senator COWAN

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15 an additional exemption or abatement thereunder shall apply with
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ASSEMBLY LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 1264

STATE OF NEW JERSEY

DATED: JANUARY 11, 1993

The Assembly Local Government Committee favorably reports Senate Bill No. 1264.

Senate Bill No. 1264 corrects an oversight in the "Five-Year Exemption and Abatement Law," P.L.1991, c.441 (C.40A:21-1 et seq.). This law was intended to replace and consolidate separate statutes providing for five-year tax exemptions and abatements for improvements to one- and two-family dwellings, multiple dwellings and commercial and industrial properties. It also had the effect of invalidating all existing ordinances adopted under the statutes it replaced, except with regard to existing exemptions and abatements. As a result, municipalities were left without the ability to continue to grant exemptions and abatements under existing ordinances while reviewing their options under the new law. This bill is intended to allow municipalities and taxpayers a reasonable transition period within which to adopt new ordinances without creating a break in the availability of exemptions and abatements.

SENATE COMMUNITY AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 1264

STATE OF NEW JERSEY

DATED: OCTOBER 22, 1992

The Senate Community Affairs Committee favorably reports Senate Bill No. 1264.

Senate Bill No. 1264 is intended to correct a problem inadvertently created by the separate enactment of the "Five-Year Exemption and Abatement Law," P.L.1991, c.441 (C.40A:21-1 et seq.) and the "Housing and Redevelopment Law," P.L.1992, c.79 (C.40A:12A-1 et seq.).

The "Five-Year Exemption and Abatement Law," P.L.1991, c.441 (C.40A:21-1 et seq.), was intended to replace and consolidate separate statutes providing for five-year tax exemptions and abatements for improvements to one- and two-family dwellings, multiple dwellings and commercial and industrial properties. It also had the effect of invalidating all existing ordinances adopted under the statutes it replaced, except with regard to existing exemptions and abatements.

A companion bill in the 1991 legislative session, Senate Bill No. 380, which contained language authorizing short-term tax abatements and exemptions failed to be enacted. As a result, municipalities were left without the ability to continue to grant exemptions and abatements under existing approved ordinances while reviewing their options under the new law.

This bill is intended to allow municipalities and taxpayers a reasonable transition period within which to adopt new ordinances without creating a break in the availability of exemptions and abatements.