

54:5-114.4a

LEGISLATIVE HISTORY CHECKLIST
Compiled by the NJ State Law Library

NJSA: 54:5-114.4a (Tax Sale—certificates—allow sale of those over years)

LAWS OF: 1991 CHAPTER: 403

Bill No: S2502

Sponsor(s): Cafiero

Date Introduced: March 12, 1990

Committee: Assembly: Municipal Government
Senate: County & Municipal Government

Amended during passage: No

Date of Passage: Assembly: January 9, 1992
Senate: March 14, 1991

Date of Approval: January 17, 1992

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

Do Not
DEF

KBG/dgw

P.L.1991, CHAPTER 403, approved January 17, 1992

1990 Senate No. 2502

1 AN ACT concerning certain tax sale certificates and
2 supplementing chapter 5 of Title 54 of the Revised Statutes.

3
4 BE IT ENACTED by the Senate and General Assembly of the
5 State of New Jersey:

6 1. Notwithstanding the provisions of any law, rule or
7 regulation to the contrary, a purchaser of a tax sale certificate
8 and subsequent municipal liens purchased as described in R.S.
9 54:5-113, or that purchaser's heirs or assigns, may foreclose on a
10 tax sale certificate which has been held at least 40 years by the
11 purchaser, his heirs or assigns, provided that the purchaser, or his
12 heirs or assigns, establish that the property taxes have been paid
13 by the purchaser, his heirs or assigns in each year since the
14 purchase of the tax sale certificate.

15 2. This act shall take effect immediately.

16

17

18

STATEMENT

19

20

21 This bill would permit a person who had been assigned by a
22 municipality at a private sale a tax sale certificate originally
23 held by that municipality and who has held the tax sale
24 certificate at least 40 years, to redeem the tax sale certificate
25 and foreclose on the subject property, notwithstanding any law,
26 rule or regulation to the contrary. Under the terms of the bill,
27 the purchaser, or his heirs or assigns, must establish that all
28 property taxes have been paid in each year since the purchase of
29 the tax sale certificate by the purchaser, his heirs or assigns,
30 prior to foreclosure.

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

LOCAL TAXATION

46

47

Permits redemption of certain tax sale certificates held at least
40 years.

SENATE, No. 2502

STATE OF NEW JERSEY

INTRODUCED MARCH 12, 1990

By Senator CAFIERO

1 AN ACT concerning certain tax sale certificates and
2 supplementing chapter 5 of Title 54 of the Revised Statutes.

3

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

6 1. Notwithstanding the provisions of any law, rule or
7 regulation to the contrary, a purchaser of a tax sale certificate
8 and subsequent municipal liens purchased as described in R.S.
9 54:5-113, or that purchaser's heirs or assigns, may foreclose on a
10 tax sale certificate which has been held at least 40 years by the
11 purchaser, his heirs or assigns, provided that the purchaser, or his
12 heirs or assigns, establish that the property taxes have been paid
13 by the purchaser, his heirs or assigns in each year since the
14 purchase of the tax sale certificate.

15 2. This act shall take effect immediately.

16

17

18

STATEMENT

19

20 This bill would permit a person who had been assigned by a
21 municipality at a private sale a tax sale certificate originally
22 held by that municipality and who has held the tax sale
23 certificate at least 40 years, to redeem the tax sale certificate
24 and foreclose on the subject property, notwithstanding any law,
25 rule or regulation to the contrary. Under the terms of the bill,
26 the purchaser, or his heirs or assigns, must establish that all
27 property taxes have been paid in each year since the purchase of
28 the tax sale certificate by the purchaser, his heirs or assigns,
29 prior to foreclosure.

30 The purpose of the statutes which govern the creation,
31 enforcement and collection of liens for unpaid taxes and other
32 municipal liens on real property is to provide a municipality with
33 a mechanism to insure that property taxes will be collected on all
34 real property located within municipal boundaries. This public
35 policy has been fully achieved under the circumstances set forth
36 in the bill. Therefore, a person who holds a tax sale certificate
37 purchased as described in R.S.54:5-113 and who has paid all
38 property taxes for at least 40 years on the subject real property
39 should have the right of foreclosure, notwithstanding the
40 two-year limitation set forth in section 3 of P.L.1943, c.149
41 (C.54:5-114.4).

S2502

2

LOCAL TAXATION

1

2

3

4

Permits redemption of certain tax sale certificates held at least
40 years.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 2502

STATE OF NEW JERSEY

DATED: DECEMBER, 9, 1991

The Assembly Municipal Government Committee reports favorably Senate Bill No. 2502.

This bill would permit a person who had been assigned by a municipality at a private sale a tax sale certificate originally held by that municipality and who has held the tax sale certificate at least 40 years, to redeem the tax sale certificate and foreclose on the subject property, notwithstanding any law, rule or regulation to the contrary. Under the terms of the bill, the purchaser, or his heirs or assigns, must establish that all property taxes have been paid in each year since the purchase of the tax sale certificate by the purchaser, his heirs or assigns, prior to foreclosure.

The purpose of the statutes which govern the creation, enforcement and collection of liens for unpaid taxes and other municipal liens on real property is to provide a municipality with a mechanism to insure that property taxes will be collected on all real property located within municipal boundaries. This public policy has been fully achieved under the circumstances set forth in the bill. Therefore, a person who holds a tax sale certificate purchased as described in R.S.54:5-113 and who has paid all property taxes for at least 40 years on the subject real property should have the right of foreclosure, notwithstanding the two-year limitation set forth in section 3 of P.L.1943, c.149 (C.54:5-114.4).

This bill is identical to Assembly Bill No. 2831, which also was reported by the committee on December 9, 1991.

SENATE COUNTY AND MUNICIPAL
GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 2502

STATE OF NEW JERSEY

DATED: JANUARY 24, 1991

The Senate County and Municipal Government Committee reports favorably Senate Bill No. 2502.

Senate Bill No. 2502 permits a person who had been assigned by a municipality at a private sale a tax sale certificate originally held by that municipality and who has held the tax sale certificate at least 40 years, to redeem the tax sale certificate and foreclose on the subject property, notwithstanding any law, rule or regulation to the contrary. Under the terms of the bill, the purchaser, or his heirs or assigns, must establish that all property taxes have been paid in each year since the purchase of the tax sale certificate by the purchaser, his heirs or assigns, prior to foreclosure.

The purpose of the statutes which govern the creation, enforcement and collection of liens for unpaid taxes and other municipal liens on real property is to provide a municipality with a mechanism to insure that property taxes will be collected on all real property located within municipal boundaries. This public policy has been fully achieved under the circumstances set forth in the bill. Therefore, a person who holds a tax sale certificate purchased as described in R.S.54:5-113 and who has paid all property taxes for at least 40 years on the subject real property should have the right of foreclosure, notwithstanding the two-year limitation set forth in section 3 of P.L.1943, c.149 (C.54:5-114.4).