Article VIII, Section I, Paragraphs 4-6
New Jersey Constitution

LEGISLATIVE HISTORY CHECKLIST

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(Grants senior citizens, homestad rebates or credits and property tax abatement)

New Jersey Constitution: Article VIII, Section I, Paragraphs 4-6

BILL NO: ACR175, ACR177, ACR178

SPONSOR: LeFante, Hamilton, Woodson, Burstein, Wilson, Barbour, Martin, Sinsimer, Newman, Doyle, Klein, Patero, Perskie

DATE INTRODUCED: 6/13/1974

COMMITTEE: **Assembly:** Taxation

Senate: Revenue, Finance, and Appropriations

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 6/16/1975

SENATE: 8/4/1975

FILED WITH SECRETARY OF STATE: 8/4/1975

DATE OF ADOPTION: 11/4/1975

EFFECTIVE: 12/4/1975

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced bill enacted) Yes

SPONSOR'S STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY**: No

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 103 or mailto:refdesk@njstatelib.org.

REPORTS: No

HEARINGS: Yes

974.90 T235 1975e — Public hearing on Assembly Committee Substitute for ACR 175, 177 and 178 (Amendments to tax clause allowing for homestead exemptions and tax abatements), held June 4, 1975.

974.90 T235 1974h — Public hearing on SCR120, 121, 122, 137, 139, 140 : Assembly Committee substitute for ACR175, 177, 178; ACR176, as amended; and ACR180 and 187; (Re: Taxes) held July 16, 1974, by Senate Revenue, Finance and Appropriations Committee and Assembly Taxation Committee.

NEWSPAPER ARTICLES: Yes

Barto, Wilson, '20 Reform Bills Introduced In Governor's Tax Package', *The Evening Times*, 6/14/1974, pg 32
Hladick, Dave, 'Great Tax Fing In N.J. Nears A Showdown', *The Evening Times*, 6/19/1974, pg 8
'Hopeless Case', *The Evening Times*, 7/26/1974, pg 23
'Would favor urban building Development taxe measures moved', *The Evening Times*, 4/15/1975, pg 24

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ASSEMBLY CONCURRENT RESOLUTION No. 175

STATE OF NEW JERSEY

INTRODUCED JUNE 13, 1974

By Assemblymen LEFANTE, HAMILTON, WOODSON, BURSTEIN, Assemblywoman WILSON, Assemblymen BARBOUR, MARTIN and SINSIMER

Referred to Committee on Taxation

A CONCURRENT RESOLUTION proposing to amend Article VIII, Section I of the Constitution of the State of New Jersey to add a new paragraph to provide for a homestead tax rebate or credit.

BE IT RESOLVED *by the General Assembly of the State of New Jersey (the Senate concurring):*

1. The following proposed amendment of the Constitution of New Jersey is hereby agreed to:

PROPOSED AMENDMENT

Amend Article VIII, Section I by adding a new paragraph 6 as follows:

6. The Legislature shall adopt a homestead statute which entitles homeowners and residential tenants to a rebate or a credit of a sum of money related to property taxes paid by or allocable to them, according to the following table:

If household income (rounded to the nearest dollars) is:	then the claimant is entitled to a rebate or credit for payments of real property taxes or rent constituting property taxes in excess of this percent of household income:
Under $5,000	5
$5,000 to 10,000	6
10,001 to 15,000	7
15,001 to 20,000	8
20,001 to 25,000	9
25,001 and over	10

The Legislature shall define "household income" and "rent constituting property taxes."

2. When this proposed amendment to the Constitution is finally agreed to, pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted to the people at the next general election

occurring more than 3 months after such final agreement and shall be published at least once in at least one newspaper of each county designated by the President of the Senate and the Speaker of the General Assembly and the Secretary of State not less than 3 months prior to said general election.

3. This proposed amendment to the Constitution shall be submitted to the people at said general election in the following manner and form:

There shall be printed on each official ballot to be used at such general election, the following:

1. In every municipality in which voting machines are not used, a legend which shall immediately precede the question as follows:

If you favor the proposition printed below make a cross (×), plus (+) or check (√) in the square opposite the word "Yes."

If you are opposed thereto make a cross (×), plus (+) or check (√) in the square opposite the word "No."

2. In every municipality the following question:

	Yes	CONSTITUTIONAL AMENDMENT REQUIRING A HOMESTEAD REBATE OR CREDIT Shall the amendment to Article VIII, Section I of the Constitution, agreed to by the Legislature providing a homestead rebate or a credit to homeowners and residential tenants related to property taxes and income, be adopted?
	No	

STATEMENT

This concurrent resolution mandates the adoption of a homestead statute entitling homeowners and residential tenants to a rebate or a credit for property taxes paid or imputed above a percentage of income reflected in the table included in the resolution. This resolution therefore guarantees that no homeowner or tenant will pay an excessive percentage of his income in property taxes, no matter what the local tax rate.

ASSEMBLY CONCURRENT RESOLUTION No. 177

STATE OF NEW JERSEY

INTRODUCED JUNE 13, 1974

By Assemblymen NEWMAN, DOYLE, LEFANTE, HAMILTON, BARBOUR, KLEIN, Assemblywoman WILSON, Assemblymen WOODSON, MARTIN, PATERO and SINSIMER

Referred to Committee on Taxation

A CONCURRENT RESOLUTION proposing to amend Article VIII, Section I, paragraph 4 of the Constitution of the State of New Jersey to permit senior citizens to receive a homestead tax rebate or credit.

BE IT RESOLVED *by the General Assembly of the State of New Jersey (the Senate concurring):*

1. The following proposed amendment to the Constitution of the State of New Jersey is hereby agreed to:

PROPOSED AMENDMENT

Amend Article VIII, Section I, paragraph 4 of the Constitution to read as follows:

4. The Legislature may, from time to time, enact laws granting an annual deduction from the amount of any tax bill for taxes on the real property of any citizen and resident of this State of the age of 65 or more years residing in a dwelling house owned by him which is a constituent part of such real property but no such deduction shall be in excess of $160.00 and such deduction shall be restricted to owners having an income not in excess of $5,000.00 per year exclusive of benefits under any one of the following:

a. The Federal Social Security Act and all amendments and supplements thereto;

b. Any other program of the Federal Government or pursuant to any other Federal law which provides benefits in whole or in part in lieu of benefits referred to in, or for persons excluded from coverage under, a. hereof including but not limited to the Federal Railroad Retirement Act and Federal pension, disability and retirement programs; or

c. Pension, disability or retirement programs of any state or

its political subdivisions, or agencies thereof, for persons not covered under a. hereof;

provided, however, that the total amount of benefits to be allowed exclusion by any owner under b. or c. hereof shall not be in excess of the maximum amount of benefits payable to, and allowable for exclusion by, an owner in similar circumstances under a. hereof.

Any such deduction when so granted by law shall be granted so that it will not be in addition to any other deduction or exemption to which the said citizen and resident may be entitled, *except for any homestead rebate or credit provided by law.* The State shall annually reimburse each taxing district in an amount equal to one-half of the tax loss to the district resulting from the allowance of tax deductions pursuant to this paragraph.

2. When this proposed amendment to the Constitution is finally agreed to, pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted to the people at the next general election occurring more than 3 months after such final agreement and shall be published at least once in at least one newspaper of each county designated by the President of the Senate and the Speaker of the General Assembly and the Secretary of State, not less than 3 months prior to said general election.

3. This proposed amendment to the Constitution shall be submitted to the people at said election in the following manner and form:

There shall be printed on each official ballot to be used at such general election, the following:

1. In every municipality in which voting machines are not used, a legend which shall immediately precede the question, as follows:

If you favor the proposition printed below make a cross (×), plus (+) or check (√) in the square opposite the word "Yes."

If you are opposed thereto make a cross (×), plus (+) or check (√) in the square opposite the word "No."

2. In every municipality the following question:

	Yes.	CONSTITUTIONAL AMENDMENT RELATING TO SENIOR CITIZENS Shall the amendment to Article VIII, Section I of the Constitution, agreed to by the Legislature authorizing the Legislature to provide a homestead tax rebate or credit to senior citizens for taxes paid on real property regardless of any other deduction or exemption to which said senior citizens may be entitled, be adopted?
	No.	

STATEMENT

This concurrent resolution permits senior citizens to be eligible for the homestead rebate or credit being provided by a companion bill. The State Constitution in effect at this time, precludes a senior citizen receiving the senior citizen's property tax reduction from receiving any other deduction or exemption, such as the homestead rebate or credit. Particularly in view of the low income of most senior citizens, it would be inequitable to preclude their eligibility for the homestead rebate or credit.

ASSEMBLY CONCURRENT RESOLUTION No. 178

STATE OF NEW JERSEY

INTRODUCED JUNE 13, 1974

By Assemblyman PERSKIE

Referred to Committee on Taxation

A CONCURRENT RESOLUTION proposing to amend Article VIII, Section I of the Constitution of the State of New Jersey, by adding thereto a new paragraph to be numbered 5.

BE IT RESOLVED *by the General Assembly of the State of New Jersey (the Senate concurring):*

1. The following proposed amendment to the Constitution of the State of New Jersey is hereby agreed to:

PROPOSED AMENDMENT

Amend Article VIII, Section I by adding thereto the following paragraph:

5. The Legislature may enact general laws under which municipalities may adopt ordinances granting exemptions or abatements from taxation on improvements to buildings and structures in areas declared in need of rehabilitation in accordance with statutory criteria, within such municipalities and to the land comprising the premises upon which such buildings or structures are erected and which is necessary for the fair enjoyment thereof. Such exemptions shall be for limited periods of time as specified by law, but not in excess of 5 years, shall not be in excess of the additional value of the real property resulting from the improvement, and may be limited according to the nature and extent of the improvement but shall not be granted on any improvement which increases the size of any building or structure by more than 10%.

2. When this proposed amendment to the Constitution is finally agreed to, pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted to the people at the next general election occurring more than 3 months after such final agreement and shall be published at least once in at least one newspaper of each county designated by the President of the Senate and the Speaker of the General Assembly and the Secretary of State, not less than 3 months prior to said general election.

3. This proposed amendment to the Constitution shall be submitted to the people at said election in the following manner and form:

There shall be printed on each official ballot to be used at such general election, the following:

1. In every municipality in which voting machines are not used, a legend which shall immediately precede the question, as follows:

If you favor the proposition printed below make a cross (×), plus (+) or check (√) in the square opposite the word "Yes." If you are opposed thereto make a cross (×), plus (+) or check (√) in the square opposite the word "No."

2. In every municipality the following question:

	Yes.	Shall the amendment adding a new paragraph 5 to Article VIII, Section I of the Constitution, agreed to by the Legislature and authorizing the Legislature to enact general laws under which municipalities may grant exemptions from taxation on improvements to buildings and structures in areas declared to be in need of rehabilitation in accordance with statutory criteria and the land upon which they are erected, in limited amounts and for periods not in excess of 5 years, and which may be limited according to the nature and extent of the improvement, as prescribed by law, provided such improvement does not increase the size of the building or structure by more than 10%, be adopted?
	No.	

STATEMENT

This proposed amendment to the Constitution would authorize the Legislature to adopt statutes enabling municipalities to provide for tax abatements to encourage the rehabilitation of buildings and structures.