54:4-63.1 to 54:4-63.11

LEGISLATIVE HISTORY CHECKLIST

NJSA: 54:4-63.1 to 54:4-63.11 (Building--assessment)

LAWS OF: 1941 **CHAPTER:** 397

Bill No: A343

Sponsor(s): Towe

Date Introduced: April 21, 1941

Committee: **Assembly:** Taxation

Senate: Taxation

Amended during passage: Yes Committee substitute (2nd OCR enacted)

Date of Passage: **Assembly:** June 9, 1941

Senate: December 22, 1941

Date of Approval: December 27, 1941

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: **Assembly:** No

Senate: No

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

ASSEMBLY, No. 343

STATE OF NEW JERSEY

INTRODUCED APRIL 21, 1941

By Mr. TOWE

Referred to Committee on Taxation

AN ACT concerning the assessment and collection of taxes on real estate, and supplementing chapter four of Title 54, of the Revised Statutes.

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

1. Any building which may be hereafter erected or constructed shall be assessed by the assessor of the municipality in which such building is located, according to its full and fair value, at the date of its completion. The assessor shall forthwith notify the collector of taxes as to the date of such completion and the amount of such assessment and the collector shall thereupon mail to the owner of such property, at his last known address, a properly apportioned tax bill computed from the date of such completion to the end of the year ending December thirty-first next. A building shall be deemed to be completed for the purpose of this act when it is substantially ready for occupancy.

2. Thereafter every such building or structure shall be assessed each year according to the full and fair value thereof, in the same form and manner as applies to the assessment of all existing real estate.

3. The owner of such property who shall be subject to a proportionate assessment as hereinabove stated, may appeal such assessment by filing a written notice of appeal with the county board of taxation within thirty days after notice of such assessment shall have been mailed to him. In all other

respects such appeals shall be governed by the laws concerning appeals of real estate assessments.

4. This act shall take effect immediately.

SPONSORS STATEMENT

The purpose of this bill is to increase municipal revenues without imposing any new form of taxation. Inasmuch as the owner of a new building receives, or is entitled to receive, all of the municipal services offered to other existing real estate, there seems to be no valid reason why such new buildings should not be assessed for the purpose of taxation from the date of their completion.

Under our present system of taxation new construction unduly escapes taxation for a varying period of time, and in some instances pays no taxes at all for as high as twelve months. This bill would provide for the assessment of such new construction from the date of completion and would thereby increase municipal ratables and more equitably distribute the tax burden.

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COMMITTEE SUBSTITUTE FOR

ASSEMBLY, No. 343

STATE OF NEW JERSEY

ADOPTED MAY 19, 1941

AN ACT concerning the assessment and collection of taxes, and supplementing chapter four of Title 54 of the Revised Statutes.

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

1. As used in this act "completed" shall mean substantially ready for the use for which it was intended.

2. When any parcel of real property contains any building or other structure which has been erected, added to or improved after October first and completed before January first following, the assessor shall, after examination and inquiry, determine the full and fair value of such parcel of real property as of said January first, and if such value so determined exceeds the assessment made as of October first preceding, the assessor shall enter the amount of such excess, as an added assessment against such parcel of real property, in a list to be known as the "Added Assessment List, 19" (inserting the name of the year in which the assessment is made); such entry to be made opposite the name of the owner and the description and area of the parcel of real property.

3. When any parcel of real property contains any building or other structure which has been erected, added to or improved after October first and completed between January first and October first following, the assessor shall, after examination and inquiry, determine the full and fair value of such parcel of real property as of the first of the month following the date of its completion, and if such value so determined exceeds the as-

sessment made as of October first preceding, the assessor shall enter an assessment, as an added assessment against such parcel of real property, in the "Added Assessment List, 19," which assessment shall be determined as follows: by multiplying the amount of such excess by the number of months of the calendar year following the date of completion and dividing the result by twelve.

4. In listing the names and properties in the added assessment list the assessor shall follow such forms and methods as may be prescribed by the State Tax Commissioner.

5. On October first the assessor shall file the added assessment list and a true copy thereof, to be called the assessor's added assessment duplicate, with the county board of taxation. The county board of taxation shall meet for the purpose of examining, revising and correcting the added assessment list and duplicates, and on or before October tenth in each year cause the corrected revised and completed duplicates, certified by it to be a true record of the added taxes assessed, to be delivered to the collectors of the various taxing districts in the county, and the added assessment lists shall remain in the office of the board as a public record.

6. Added assessments shall be entered on the appropriate columns upon the added assessment lists and duplicates and there shall be extended on the duplicates the amount of tax computed on each assessment at the same rate as real property in the particular municipality is obliged to pay in the particular year.

7. As soon as the added assessment duplicate is delivered to the collector of the taxing district, he shall at once begin the work of preparing, completing, mailing or otherwise delivering the tax bills to the individuals assessed for added assessments and shall complete that work at least one week before November first. The validity of any added 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 him or his property for added assessments.

8. Taxes assessed under this act shall be payable on November first of the year of levy after which date, if unpaid, they shall become delinquent.

9. All taxes received by a municipality in any year on account of assessments entered in the added assessment list shall be held by the municipality, during such year, as surplus revenue.

10. The municipality on February fifteenth of each year shall, in addition to the regular installment of county taxes to be paid on said date, pay to the county an amount determined by multiplying the total amount of assessments in the added assessment list for the previous year by the county and State rate for the preceding year.

11. Appeals from added assessments shall be made to the county board of taxation on or before December first of the year of levy, and the county board of taxation shall hear all such appeals within one month after the last day for filing such appeals. Appeals to the State Board of Taxation from the judgment of the county board of taxation shall be made within one month from the date fixed for final decisions by the county board of taxation on appeals from added assessments. In all other respects such appeals shall be governed by the laws concerning appeals from real property assessments.

12. This act shall take effect October first, one thousand nine hundred and forty-one.

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COMMITTEE SUBSTITUTE FOR

ASSEMBLY, No. 343

STATE OF NEW JERSEY

ADOPTED MAY 19, 1941

AN ACT concerning the assessment and collection of taxes, and supplementing chapter four of Title 54 of the Revised Statutes.

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3. When any parcel of real property contains any building or other structure which has been erected, added to or improved after October first and completed between January first and October first following, the assessor shall, after examination and inquiry, determine the full and fair value of such parcel of real property as of the first of the month following the date of its completion, and if such value so determined exceeds the as-

sessment made as of October first preceding, the assessor shall enter an assessment, as an added assessment against such parcel of real property, in the "Added Assessment List, 19," which assessment shall be determined as follows: by multiplying the amount of such excess by the number of whole months remaining in the calendar year after the date of completion and dividing the result by twelve.

4. In listing the names and properties in the added assessment list the assessor shall follow such forms and methods as may be prescribed by the State Tax Commissioner.

5. On October first following the assessor shall file the added assessment list and a true copy thereof, to be called the assessor's added assessment duplicate, with the county board of taxation. The county board of taxation shall meet for the purpose of examining, revising and correcting the added assessment list and duplicates, and on or before October tenth in each year cause the corrected, revised and completed duplicates, certified by it to be a true record of the added taxes assessed, to be delivered to the collectors of the various taxing districts in the county, and the added assessment lists shall remain in the office of the board as a public record.

6. Added assessments shall be entered on the appropriate columns upon the added assessment lists and duplicates and there shall be extended on the duplicates the amount of tax computed on each assessment at the same rate as real property in the particular municipality is obliged to pay in the particular year.

7. As soon as the added assessment duplicate is delivered to the collector of the taxing district, he shall at once begin the work of preparing, completing, mailing or otherwise delivering the tax bills to the individuals assessed for added assessments and shall complete that work at least one week before November first. The validity of any added 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 him or his property for added assessments.

8. Taxes assessed under this act shall be payable on November first of the year of levy after which date, if unpaid, they shall become delinquent.

9. All taxes on account of assessments entered in the added assessment list shall be collected and accounted for in the same manner as other taxes.

10. The municipality on February fifteenth of each year shall, in addition to the regular installment of county taxes to be paid on said date, pay to the county an amount determined by multiplying the total amount of assessments in the added assessment list for the previous year by the county and State rate for the preceding year, and such amount shall be for the use of the county.

11. Appeals from added assessments shall be made to the county board of taxation on or before December first of the year of levy, and the county board of taxation shall hear all such appeals within one month after the last day for filing such appeals. Appeals to the State Board of Taxation from the judgment of the county board of taxation shall be made within one month from the date fixed for final decisions by the county board of taxation on appeals from added assessments. In all other respects such appeals shall be governed by the laws concerning appeals from real property assessments.

12. This act shall take effect October first, one thousand nine hundred and forty-one.