

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

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: No

NEWSPAPER ARTICLES: No

CL/MM

P.L. 2023, CHAPTER 289, *approved January 16, 2024*
Senate, No. 4209 (*Second Reprint*)

1 AN ACT concerning school elections ²**[**, supplementing chapter 60
2 of Title 19 of the Revised Statutes, ²**]** and revising various parts
3 of the statutory law.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 ²**[**1. (New section) Notwithstanding any other provision of law
9 to the contrary, a school district that holds its annual school election
10 in November may submit to the voters at the April school election a
11 proposal for additional funds pursuant to paragraph (9) of
12 subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5) or a
13 proposal to issue school bonds. ²**]**
14

15 ²**[**2. 1. ² Section 5 of P.L.1996, c.138 (C.18A:7F-5) is amended
16 to read as follows:

17 5. As used in this section, "cost of living" means the CPI as
18 defined in section 3 of P.L.2007, c.260 (C.18A:7F-45).

19 a. Within 30 days following the approval of the Educational
20 Adequacy Report, the commissioner shall notify each district of the
21 base per pupil amount, the per pupil amounts for full-day preschool,
22 the weights for grade level, county vocational school districts, at-
23 risk pupils, bilingual pupils, and combination pupils, the cost
24 coefficients for security aid and for transportation aid, the State
25 average classification rate and the excess cost for general special
26 education services pupils, the State average classification rate and
27 the excess cost for speech-only pupils, and the geographic cost
28 adjustment for each of the school years to which the report is
29 applicable.

30 Annually, within two days following the transmittal of the State
31 budget message to the Legislature by the Governor pursuant to
32 section 11 of P.L.1944, c.112 (C.52:27B-20), the commissioner
33 shall notify each district of the maximum amount of aid payable to
34 the district in the succeeding school year pursuant to the provisions
35 of P.L.2007, c.260 (C.18A:7F-43 et al.), and shall notify each
36 district of the district's adequacy budget for the succeeding school
37 year.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹**Senate SED committee amendments adopted December 14, 2023.**

²**Senate SBA committee amendments adopted January 4, 2024.**

1 For the 2008-2009 school year and thereafter, unless otherwise
2 specified within P.L.2007, c.260 (C.18A:7F-43 et al.), aid amounts
3 payable for the budget year shall be based on budget year pupil
4 counts, which shall be projected by the commissioner using data
5 from prior years. Adjustments for the actual pupil counts of the
6 budget year shall be made to State aid amounts payable during the
7 school year succeeding the budget year. Additional amounts
8 payable shall be reflected as revenue and an account receivable for
9 the budget year.

10 Notwithstanding any other provision of this act to the contrary,
11 each district's State aid payable for the 2008-2009 school year, with
12 the exception of aid for school facilities projects, shall be based on
13 simulations employing the various formulas and State aid amounts
14 contained in P.L.2007, c.260 (C.18A:7F-43 et al.). The
15 commissioner shall prepare a report dated December 12, 2007
16 reflecting the State aid amounts payable by category for each
17 district and shall submit the report to the Legislature prior to the
18 adoption of P.L.2007, c.260 (C.18A:7F-43 et al.). Except as
19 otherwise provided pursuant to this subsection and paragraph (3) of
20 subsection d. of section 5 of P.L.2007, c.260 (C.18A:7F-47), the
21 amounts contained in the commissioner's report shall be the final
22 amounts payable and shall not be subsequently adjusted other than
23 to reflect the phase-in of the required general fund local levy
24 pursuant to paragraph (4) of subsection b. of section 16 of
25 P.L.2007, c.260 (C.18A:7F-58) and to reflect school choice aid to
26 which a district may be entitled pursuant to section 20 of that act.
27 The projected pupil counts and equalized valuations used for the
28 calculation of State aid shall also be used for the calculation of
29 adequacy budget, local share, and required local share. For 2008-
30 2009, extraordinary special education State aid shall be included as
31 a projected amount in the commissioner's report dated December
32 12, 2007 pending the final approval of applications for the aid. If
33 the actual award of extraordinary special education State aid is
34 greater than the projected amount, the district shall receive the
35 increase in the aid payable in the subsequent school year pursuant
36 to the provisions of subsection c. of section 13 of P.L.2007, c.260
37 (C.18A:7F-55). If the actual award of extraordinary special
38 education State aid is less than the projected amount, other State aid
39 categories shall be adjusted accordingly so that the district shall not
40 receive less State aid than as provided in accordance with the
41 provisions of sections 5 and 16 of P.L.2007, c.260 (C.18A:7F-47
42 and C.18A:7F-58).

43 In the event that the commissioner determines, following the
44 enactment of P.L.2007, c.260 (C.18A:7F-43 et al.) but prior to the
45 issuance of State aid notices for the 2008-2009 school year, that a
46 significant district-specific change in data warrants an increase in
47 State aid for that district, the commissioner may adjust the State aid

1 amount provided for the district in the December 12, 2007 report to
2 reflect the increase.

3 b. Each district shall have a required local share. For districts
4 that receive educational adequacy aid pursuant to subsection b. of
5 section 16 of P.L.2007, c.260 (C.18A:7F-58), the required local
6 share shall be calculated in accordance with the provisions of that
7 subsection.

8 For all other districts, the required local share shall equal the
9 lesser of the local share calculated at the district's adequacy budget
10 pursuant to section 9 of P.L.2007, c.260 (C.18A:7F-51), or the
11 district's budgeted local share for the prebudget year.

12 In order to meet this requirement, each district shall raise a
13 general fund tax levy which equals its required local share.

14 No municipal governing body or bodies or board of school
15 estimate, as appropriate, shall certify a general fund tax levy which
16 does not meet the required local share provisions of this section.

17 c. Annually, on or before March 4, or on or before March 20 in
18 the case of a school district with an annual school election in
19 November, each district board of education shall adopt, and submit
20 to the commissioner for approval, together with such supporting
21 documentation as the commissioner may prescribe, a budget that
22 provides for a thorough and efficient education. Notwithstanding
23 the provisions of this subsection to the contrary, the commissioner
24 may adjust the date for the submission of district budgets if the
25 commissioner determines that the availability of preliminary aid
26 numbers for the subsequent school year warrants such adjustment.

27 Notwithstanding any provision of this section to the contrary, for
28 the 2005-2006 school year each district board of education shall
29 submit a proposed budget in which the advertised per pupil
30 administrative costs do not exceed the lower of the following:

31 (1) the district's advertised per pupil administrative costs for the
32 2004-2005 school year inflated by the cost of living or 2.5 percent,
33 whichever is greater; or

34 (2) the per pupil administrative cost limits for the district's
35 region as determined by the commissioner based on audited
36 expenditures for the 2003-2004 school year.

37 The executive county superintendent of schools may disapprove
38 the school district's 2005-2006 proposed budget if he determines
39 that the district has not implemented all potential efficiencies in the
40 administrative operations of the district. The executive county
41 superintendent shall work with each school district in the county
42 during the 2004-2005 school year to identify administrative
43 inefficiencies in the operations of the district that might cause the
44 superintendent to reject the district's proposed 2005-2006 school
45 year budget.

46 For the 2006-2007 school year and each school year thereafter,
47 each district board of education shall submit a proposed budget in

1 which the advertised per pupil administrative costs do not exceed
2 the lower of the following:

3 (1) the district's prior year per pupil administrative costs; except
4 that the district may submit a request to the commissioner for
5 approval to exceed the district's prior year per pupil administrative
6 costs due to increases in enrollment, administrative positions
7 necessary as a result of mandated programs, administrative
8 vacancies, nondiscretionary fixed costs, and such other items as
9 defined in accordance with regulations adopted pursuant to section
10 7 of P.L.2004, c.73. In the event that the commissioner approves a
11 district's request to exceed its prior year per pupil administrative
12 costs, the increase authorized by the commissioner shall not exceed
13 the cost of living or 2.5 percent, whichever is greater; or

14 (2) the prior year per pupil administrative cost limits for the
15 district's region inflated by the cost of living or 2.5 percent,
16 whichever is greater.

17 d. (1) A district's general fund tax levy shall not exceed the
18 district's adjusted tax levy as calculated pursuant to sections 3 and 4
19 of P.L.2007, c.62 (C.18A:7F-38 and 18A:7F-39).

20 (2) (Deleted by amendment, P.L.2007, c.260).

21 (3) (Deleted by amendment, P.L.2007, c.260).

22 (4) Any debt service payment made by a school district during
23 the budget year shall not be included in the calculation of the
24 district's adjusted tax levy.

25 (5) (Deleted by amendment, P.L.2007, c.260).

26 (6) (Deleted by amendment, P.L.2007, c.260).

27 (7) (Deleted by amendment, P.L.2004, c.73).

28 (8) (Deleted by amendment, P.L.2010, c.44)

29 (9) Any district may submit at the annual school budget
30 election, in accordance with subsection c. of section 4 of P.L.2007,
31 c.62 (C.18A:7F-39), a separate proposal or proposals for additional
32 funds, including interpretive statements, specifically identifying the
33 program purposes for which the proposed funds shall be used, to the
34 voters, who may, by voter approval, authorize the raising of an
35 additional general fund tax levy for such purposes. In the case of a
36 district with a board of school estimate, one proposal for the
37 additional spending shall be submitted to the board of school
38 estimate. Any proposal or proposals submitted to the voters or the
39 board of school estimate shall not: include any programs and
40 services that were included in the district's prebudget year net
41 budget unless the proposal is approved by the commissioner upon
42 submission by the district of sufficient reason for an exemption to
43 this requirement; or include any new programs and services
44 necessary for students to achieve the thoroughness standards
45 established pursuant to subsection a. of section 4 of P.L.2007, c.260
46 (C.18A:7F-46).

47 The executive county superintendent of schools may prohibit the
48 submission of a separate proposal or proposals to the voters or

1 board of school estimate if he determines that the district has not
2 implemented all potential efficiencies in the administrative
3 operations of the district, which efficiencies would eliminate the
4 need for the raising of an additional general fund tax levy.

5 (10) Notwithstanding any provision of law to the contrary, if a
6 district proposes a budget with a general fund tax levy and
7 equalization aid which exceed the adequacy budget, the following
8 statement shall be published in the legal notice of public hearing on
9 the budget pursuant to N.J.S.18A:22-28, and posted at the public
10 hearing held on the budget pursuant to N.J.S.18A:22-29**],** and
11 printed on the sample ballot required pursuant to section 10 of
12 P.L.1995, c.278 (C.19:60-10)**];**

13 "Your school district has proposed programs and services in
14 addition to the core curriculum content standards adopted by the
15 State Board of Education. Information on this budget and the
16 programs and services it provides is available from your local
17 school district."

18 (11) Any reduction that may be required to be made to programs
19 and services included in a district's prebudget year net budget in
20 order for the district to limit the growth in its budget between the
21 prebudget and budget years by its tax levy growth limitation as
22 calculated pursuant to sections 3 and 4 of P.L.2007, c.62
23 (C.18A:7F-38 and 18A:7F-39), shall only include reductions to
24 excessive administration or programs and services that are
25 inefficient or ineffective.

26 e. (1) **[**Any general fund tax levy rejected by the voters for a
27 proposed budget that includes a general fund tax levy and
28 equalization aid in excess of the adequacy budget shall be submitted
29 to the governing body of each of the municipalities included within
30 the district for determination of the amount that should be expended
31 notwithstanding voter rejection.**]** In the case of a district having a
32 board of school estimate, other than a Type II district with a board
33 of school estimate **[**in which the annual election is in November**],**
34 which has a proposed budget that includes a general fund tax levy
35 and equalization aid in excess of the adequacy budget, the general
36 fund tax levy shall be submitted to the board for determination of
37 the amount that should be expended. If the **[**governing body or
38 bodies or**]** board of school estimate**],** as appropriate, reduce**]**
39 reduces the district's proposed budget, the district may appeal any
40 of the reductions to the commissioner on the grounds that the
41 reductions will negatively impact on the stability of the district
42 given the need for long term planning and budgeting. In
43 considering the appeal, the commissioner shall consider enrollment
44 increases or decreases within the district; **[**the history of voter
45 approval or rejection of district budgets;**]** the impact on the local
46 levy; and whether the reductions will impact on the ability of the
47 district to fulfill its contractual obligations. A district may not

1 appeal any reductions on the grounds that the amount is necessary
2 for a thorough and efficient education.

3 (2) **【Any general fund tax levy rejected by the voters for a**
4 **proposed budget that includes a general fund tax levy and**
5 **equalization aid at or below the adequacy budget shall be submitted**
6 **to the governing body of each of the municipalities included within**
7 **the district for determination of the amount that should be expended**
8 **notwithstanding voter rejection.】** In the case of a district having a
9 board of school estimate, other than a Type II district with a board
10 of school estimate **【in which the annual election is in November】**,
11 which has a proposed budget that includes a general fund tax levy
12 and equalization aid at or below the adequacy budget, the general
13 fund tax levy shall be submitted to the board for determination.
14 Any reductions may be appealed to the commissioner on the
15 grounds that the amount is necessary for a thorough and efficient
16 education or that the reductions will negatively impact on the
17 stability of the district given the need for long term planning and
18 budgeting. In considering the appeal, the commissioner shall also
19 consider the factors outlined in paragraph (1) of this subsection.

20 In addition, the **【municipal governing body or】** board of school
21 estimate shall be required to demonstrate clearly to the
22 commissioner that the proposed budget reductions shall not
23 adversely affect the ability of the school district to provide a
24 thorough and efficient education or the stability of the district given
25 the need for long term planning and budgeting.

26 (3) In lieu of any budget reduction appeal provided for pursuant
27 to paragraphs (1) and (2) of this subsection, the State board may
28 establish pursuant to the "Administrative Procedure Act," P.L.1968,
29 c.410 (C.52:14B-1 et seq.), an expedited budget review process
30 based on a district's application to the commissioner for an order to
31 restore a budget reduction.

32 (4) When the **【voters, municipal governing body or bodies,】**
33 **board of education 【in the case of a school district in which the**
34 **annual school election has been moved to November pursuant to**
35 **subsection a. of section 1 of P.L.2011, c.202 (C.19:60-1.1),】** or the
36 board of school estimate authorize the general fund tax levy, the
37 district shall submit the resulting budget to the commissioner within
38 15 days of the authorization.

39 f. (Deleted by amendment, P.L.2007, c.260).

40 g. (Deleted by amendment, P.L.2007, c.260).

41 (cf: P.L.2013, c.280, s.1)

42
43 ²**【3. Section 41 of P.L.2011, c.202 (C.18A:7F-5.4) is amended to**
44 **read as follows:**

45 41. A board of education of a school district in which the annual
46 school election has been moved to November pursuant to subsection
47 a. of section 1 of P.L.2011, c.202 (C.19:60-1.1) and which has

1 determined to submit a proposal or proposals for additional funds to
2 the voters at the annual November school election pursuant to
3 paragraph (9) of subsection d. of section 5 of P.L.1996, c.138
4 (C.18A:7F-5), shall adopt and submit to the commissioner for
5 approval pursuant to subsection c. of section 5 of P.L.1996, c.138
6 (C.18A:7F-5), a temporary budget for the school year pending the
7 approval or disapproval of the proposal or proposals for additional
8 funds by the voters. The temporary budget shall be calculated
9 pursuant to the provisions of paragraph (1) of subsection d. of
10 section 5 of P.L.1996, c.138 (C.18A:7F-5) or P.L.2007, c.62
11 (C.18A:7F-37 et al.), as appropriate.

12 (cf: P.L.2011, c.202, s.41)]²

13

14 ²[4. Section 42 of P.L.2011, c.202 (C.18A:7F-5.5) is amended to
15 read as follows:

16 42. In the case of a school district in which the annual school
17 election has been moved to November pursuant to subsection a. of
18 section 1 of P.L.2011, c.202 (C.19:60-1.1), if the voters authorize
19 the proposal or proposals for additional funds pursuant to paragraph
20 (9) of subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5) at
21 the annual November school election, the district shall submit the
22 resulting final budget to the commissioner within 15 days of the
23 action of the voters. If the voters fail to authorize the proposal or
24 proposals for additional funds, the temporary budget shall be the
25 final budget for the district for that school year.

26 (cf: P.L.2011, c.202, s.42)]²

27

28 ²[5. Section 43 of P.L.2011, c.202 (18A:7F-5.6) is amended to
29 read as follows:

30 43. In the case of a school district in which the annual school
31 election has been moved to November pursuant to subsection a. of
32 section 1 of P.L.2011, c.202 (C.19:60-1.1), if the voters approve a
33 proposal or proposals for additional funds pursuant to paragraph (9)
34 of subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5) at the
35 annual November school election, the secretary of the board of
36 education shall re-certify to the county board of taxation the sum or
37 sums to be raised by special district tax for the school year. The
38 amount re-certified shall be included in the taxes assessed, levied
39 and collected in the municipality or municipalities comprising the
40 district.

41 (cf: P.L.2011, c.202)]²

42

43 ²[6. Section 44 of P.L.2011, c.202 (C.18A:7F-5.7) is amended to
44 read as follows:

45 44. The Director of the Division of Local Government Services
46 in the Department of Community Affairs and the Director of the
47 Division of Taxation in the Department of the Treasury, in
48 consultation with the Commissioner of Education, shall take such

1 action as deemed necessary for the delivery of estimated tax bills
2 and the recertification of the school district tax levy pursuant to
3 section 43 of P.L.2011, c.202 (C.18A:7F-5.6) for districts in which
4 the annual school election is in November and that determine to
5 submit proposal or proposals for additional funds at the annual
6 November school election pursuant to paragraph (9) of subsection
7 d. of section 5 of P.L.1996, c.138 (C.18A:7F-5).

8 (cf: P.L.2011, c.202, s.44)]²

9
10 ²[7.]2.² N.J.S.18A:10-3 is amended to read as follows:

11 18A:10-3. Each board of education shall organize annually at a
12 regular meeting held not later than at 8 p.m. at which time new
13 members shall ²[take office] be sworn into office²:

14 a. In type I districts on May 16, or on the following day if that
15 day be Sunday.

16 b. In all type II districts with an April school election on any
17 day [of the first or second week following the April school
18 election] from May 1 through May 7, inclusive.

19 c. In all type II districts with a November school election on
20 any day [of the first week in January at which time new members
21 shall take office] from January 1 through January 7, inclusive.

22 If the organization meeting cannot take place on that day by
23 reason of lack of a quorum or for any other reason, said meeting
24 shall be held within three days thereafter.

25 In all type II districts with an April school election, member
26 terms shall begin on May 1st and end on April 30th. In all type II
27 districts with a November school election, member terms shall
28 begin on January 1st and end on December 31st.

29 ²A board shall not conduct a meeting, except for the organization
30 meeting, between January 1 and the organization date for type II
31 districts with a November school election and May 1 and the
32 organization date for type II districts with an April school election,
33 respectively, unless a meeting is needed in order to deal with a matter
34 of such urgency and importance as set forth in section 4 of P.L.1975,
35 c.231 (C.10:4-9). If such a meeting is needed, a board shall ensure
36 that all newly-elected members present are sworn into office prior to
37 conducting business.²

38 In the event that a district opts to move its annual election date
39 from November to April, member terms shall be shortened
40 accordingly.

41 (cf: P.L.2011, c.202, s.7)

42
43 ²[8.]3.² N.J.S.18A:13-10 is amended to read as follows:

44 18A:13-10. The board of education of each regional district shall
45 provide for the holding, in accordance with the provisions of
46 P.L.1995, c.278 (C.19:60-1 et al.), of an annual school election for
47 the regional district.

1 At such election there shall be elected for terms of three years,
2 the members of the regional boards of education to succeed those
3 members of the board whose terms shall expire in that year, except
4 as is in this chapter provided for the election of the first elected
5 members of the board. The term of a member of a regional board of
6 education elected in April shall begin on **any day of the first or**
7 **second week following the election** May 1st and end on April
8 30th. The term of a member of a regional board of education elected
9 in November shall begin on **any day of the first week in** January
10 1st and end on December 31st.

11 ²A board of education shall not conduct a meeting, except for the
12 organization meeting, between January 1 and the organization date for
13 a regional district with a November school election and May 1 and the
14 organization date for a regional district with an April school election,
15 respectively, unless a meeting is needed in order to deal with a matter
16 of such urgency and importance as set forth in section 4 of P.L.1975,
17 c.231 (C.10:4-9). If such a meeting is needed, a board shall ensure
18 that all newly-elected members present are sworn into office prior to
19 conducting business.²

20 In the event that a district opts to move its annual election date
21 from November to April, member terms shall be shortened
22 accordingly.

23 (cf: P.L.2011, c.202, s.9)

24
25 ²**[9.] 4.**² N.J.S.18A:13-12 is amended to read as follows:

26 18A:13-12. The board shall hold a regular meeting forthwith
27 after its first appointment, and annually thereafter on any day **of**
28 **the first or second week** between May 1 and May 7, inclusive,
29 following the annual school election in April, at which it shall
30 organize by the election, from among its members, of a president
31 and vice president, who shall serve until the organization meeting
32 next succeeding the election of their respective successors as
33 members of the board. In the case of a regional district in which the
34 annual school election is in November, the organization meeting
35 shall be held on any day of the first week in January. If any board
36 shall fail to organize within the designated period, the executive
37 county superintendent of the county, or the executive county
38 superintendents of the counties, in which the constituent districts
39 are situate, shall appoint, from among the members of the board, a
40 president and vice president to serve until the organization meeting
41 next succeeding the next election.

42 (cf: P.L.2011, c.202, s.10)

43
44 ²**[10.] 5.**² N.J.S.18A:13-17 is amended to read as follows:

45 18A:13-17. a. **The regional board of education shall, at each**
46 annual April school election, submit to the voters of the regional
47 district the amount of money fixed and determined in its budget to

1 be voted upon for the use of the regional schools of the district for
2 the ensuing school year and may submit thereat any other question
3 authorized by this law to be submitted at such an election. The
4 board may, in submitting to the voters the amount of money to be
5 voted upon for the use of the regional schools of the district,
6 identify the amount of money determined to be the constituent
7 municipality's share. The board shall follow the procedures
8 established in section 5 of P.L.1996, c.138 (C.18A:7F-5) and
9 N.J.S.18A:22-33.】 (Deleted by amendment, P.L. ____, c.) (pending
10 before the Legislature as this bill)

11 b. In the case of a regional district in which the annual school
12 election is in April or November, the regional board of education
13 shall fix and determine the district's budget for the ensuing school
14 year and may submit at the annual school election any question
15 authorized by law to be submitted at such an election. The board
16 shall follow the procedures established in section 5 of P.L.1996,
17 c.138 (C.18A:7F-5), N.J.S.18A:22-33, and , as applicable, section
18 41 of P.L.2011, c.202 (C.18A:7F-5.4).
19 (cf: P.L.2011, c.202, s.13)

20

21 ²【11.】 6.² N.J.S.18A:13-40 is amended to read as follows:

22 18A:13-40. The board of education of a newly created regional
23 district may, prior to taking charge and control of the educational
24 facilities of the regional district, do all other acts and things which
25 may be necessary for the proper organization and functioning of the
26 public schools of the regional district during its first year, including
27 the making of contracts for the employment of necessary personnel
28 and for other proper purposes, the preparation 【and , if applicable,
29 submission to the voters of the regional district for their approval or
30 disapproval】 of the budget and the appropriations for the conduct of
31 the public schools of the regional district during its first school
32 year, the authorization of the purchase of real and personal
33 property, and the construction, enlargement and repair of buildings,
34 for school purposes, and the appropriations of the funds necessary
35 to carry out the same and the authorization of the issuance and sale
36 of bonds in order to provide for the payment therefor in whole or in
37 part and the calling and holding of special elections when necessary
38 for any such purposes and to carry out any or all of said purposes.
39 (cf: P.L.2011, c.202, s.15)

40

41 ²7. N.J.S.18A:22-10 is amended to read as follows:

42 18A:22-10. Upon the preparation of its budget, each board of
43 education shall fix a date, place and time for the holding of a public
44 hearing upon said budget and the amounts of money necessary to be
45 appropriated for the use of the public schools for the ensuing school
46 year and the various items and purposes for which the same are to be
47 appropriated. Except as otherwise provided in this section, in districts
48 having a board of school estimate, the hearing shall be held before the

1 board of school estimate between March 22 and March 29; and in
2 districts having no board of school estimate and type II districts with a
3 board of school estimate, in which the annual school election is in
4 April, the hearing shall be held before the board of education between
5 March 22 and March 29. In the case of a school district with an annual
6 school election in November, the hearing shall be held before the
7 board of education between April 24 and May 7.²

8 (cf: P.L.2013, c.280, s.3)

9
10 ²8. N.J.S.18A:22-12 is amended to read as follows:

11 18A:22-12. The notice shall also set forth that said budget will be
12 on file and open to the examination of the public between reasonable
13 hours to be fixed therein and at a place to be named therein, from the
14 date of said publication until the date of the holding of the public
15 hearing, that in any district having a board of school estimate, except
16 as otherwise provided in this section, the public hearing will be held
17 before the board of school estimate and in other districts that the public
18 hearing will be held before the board of education and that at said
19 public hearing said budget will be on file and open to the examination
20 of the public accordingly and will be produced for the information of
21 those attending the same. In a Type II district having a board of
22 school estimate in which the annual school election is in April or
23 November, the public hearing shall be held before the board of
24 education.²

25 (cf: P.L.2012, c.78, s.3)

26
27 ²[12.] 9.² N.J.S.18A:22-26 is amended to read as follows:

28 18A:22-26. a. ¹[Except as otherwise provided in subsection b. of
29 this section, at] At¹ or after the public hearing but not later than
30 April 8, the board of ~~school estimate~~ education of a type II
31 district having a board of school estimate ²in which the annual
32 school election is in April,² shall fix and determine by a recorded roll
33 call majority vote of its full membership the amount of money
34 necessary to be appropriated for the use of the public schools in the
35 district for the ensuing school year, exclusive of the amount which
36 shall be apportioned to it by the commissioner for the year pursuant
37 to the provisions of section 5 of P.L.1996, c.138 (C.18A:7F-5) ~~and~~
38 shall make a certificate of the amount signed by at least a majority
39 of all members of the board, which shall be delivered to the board
40 of education and a copy thereof, certified under oath to be correct
41 and true by the secretary of the board of school estimate, shall be
42 delivered] . By that same date the board of school estimate shall fix
43 and determine by a recorded roll call majority vote of its full
44 membership the amount of any additional funds pursuant to
45 paragraph (9) of subsection d. of section 5 of P.L.1996, c.138
46 (C.18A:7F-5) and shall make a certificate of that amount signed by
47 at least a majority of all members of the board, which shall be

1 delivered to the board of education. The secretary of the board of
2 education shall certify the amount so fixed and determined by the
3 board of education and the board of school estimate and shall
4 deliver a copy of the certificate to the county board of taxation on
5 or before April 15 in each year and a duplicate of the certificate
6 shall be delivered to the board or governing body of each of the
7 municipalities within the territorial limits of the district having the
8 power to make appropriations of money raised by taxation in the
9 municipalities or political subdivisions and to the executive county
10 superintendent of schools and the amount shall be assessed, levied
11 and raised under the procedure and in the manner provided by law
12 for the levying and raising of special school taxes in other type II
13 districts and shall be paid to the board secretary or treasurer of
14 school moneys, as appropriate, of the district for such purposes.

15 **【Within 15 days after receiving the certificate the board of**
16 **education shall notify the board of school estimate, the governing**
17 **body of each municipality within the territorial limits of the school**
18 **district, and the commissioner if it intends to appeal to the**
19 **commissioner the board of school estimate's determination as to the**
20 **amount of money requested pursuant to the provisions of section 5**
21 **of P.L.1996, c.138 (C.18A:7F-5), necessary to be appropriated for**
22 **the use of the public schools of the district for the ensuing school**
23 **year.】**

24 b. ²**【**¹**At or after the public hearing on the budget but not**
25 **later than May 14, the board of education of each type II district**
26 **having a board of school estimate in which the annual school**
27 **election is in November, shall fix and determine by a recorded roll**
28 **call majority vote of its full membership the amount of money**
29 **necessary to be raised for the use of the public schools in the**
30 **district, exclusive of the amount which shall be apportioned to it by**
31 **the commissioner for the year pursuant to the provisions of section**
32 **5 of P.L.1996, c.138 (C.18A:7F-5). By that same date the board of**
33 **school estimate shall fix and determine by a recorded roll call**
34 **majority vote of its full membership the amount of any additional**
35 **funds pursuant to paragraph (9) of subsection d. of section 5 of**
36 **P.L.1996, c.138 (C.18A:7F-5) and shall make a certificate of that**
37 **amount signed by at least a majority of all members of the board,**
38 **which shall be delivered to the board of education. The secretary of**
39 **the board of education shall certify the amount so fixed and**
40 **determined by the board of education and the board of school**
41 **estimate and shall deliver a copy of the certificate to the county**
42 **board of taxation of the county on or before May 19 in each year**
43 **and a duplicate of the certificate shall be delivered to the board or**
44 **governing body of each of the municipalities within the territorial**
45 **limits of the districts having the power to make appropriations of**
46 **money raised by taxation in the municipalities or political**
47 **subdivisions and to the executive county superintendent of schools**
48 **and the amount shall be assessed, levied and raised under the**

1 procedure and in the manner provided by law for the levying and
2 raising of special school taxes in other type II districts and shall be
3 paid to the board secretary or treasurer of school moneys, as
4 appropriate, of the district for such purposes.¹~~1 (Deleted by
5 amendment, P.L. , c.) (pending before the Legislature as this
6 bill)]~~

7 At or after the public hearing on the budget but not later than May
8 14, the board of education of each type II district having a board of
9 school estimate in which the annual school election is in November,
10 shall fix and determine by a recorded roll call majority vote of its full
11 membership the amount of money necessary to be raised for the use of
12 the public schools in the district, exclusive of the amount which shall
13 be apportioned to it by the commissioner for the year pursuant to the
14 provisions of section 5 of P.L.1996, c.138 (C.18A:7F-5). By that same
15 date the board of school estimate shall fix and determine by a recorded
16 roll call majority vote of its full membership the amount of any
17 additional funds pursuant to paragraph (9) of subsection d. of section 5
18 of P.L.1996, c.138 (C.18A:7F-5) and shall make a certificate of that
19 amount signed by at least a majority of all members of the board,
20 which shall be delivered to the board of education. The secretary of
21 the board of education shall certify the amount so fixed and
22 determined by the board of education and the board of school estimate
23 and shall deliver a copy of the certificate to the county board of
24 taxation of the county on or before May 19 in each year and a
25 duplicate of the certificate shall be delivered to the board or governing
26 body of each of the municipalities within the territorial limits of the
27 districts having the power to make appropriations of money raised by
28 taxation in the municipalities or political subdivisions and to the
29 executive county superintendent of schools and the amount shall be
30 assessed, levied and raised under the procedure and in the manner
31 provided by law for the levying and raising of special school taxes in
32 other type II districts and shall be paid to the board secretary or
33 treasurer of school moneys, as appropriate, of the district for these
34 purposes.²

35 (cf: P.L.2013, c.280, s.4)

36
37 ²~~[13.]~~ ²10. N.J.S.18A:22-33 is amended to read as follows:

38 18A:22-33. a. ~~【~~The board of education of a type II district not
39 having a board of school estimate shall at the April school election,
40 submit to the voters of the district, the amount of money fixed and
41 determined in its budget pursuant to section 5 of P.L.1996, c.138
42 (C.18A:7F-5), excluding therefrom the sum or sums stated therein to
43 be used for interest and debt redemption charges, in the manner
44 provided by law, to be voted upon for the use of the public schools of
45 the district for the ensuing school year, which amount shall be stated in
46 the notice of the election, and the legal voters of the district shall
47 determine at the April election, by a majority vote of those voting
48 upon the proposition, the sum or sums, not exceeding those stated in

1 the notice of the election, to be raised by special district tax for said
2 purposes, in the district during the ensuing school year and the
3 secretary of the board of education shall certify the amount so
4 determined upon, if any, and the sums so stated for interest and debt
5 redemption charges, to the county board of taxation of the county
6 within two days following the certification of the election results and
7 the amount or amounts so certified shall be included in the taxes
8 assessed, levied and collected in the municipality or municipalities
9 comprising the district for such purposes; except that, in the case of a
10 district which , following the school election and the approval by the
11 voters of the sum to be raised by special district tax for the schools of
12 the district, determines that it has a greater surplus account available
13 for the school year than estimated when the sum to be raised by special
14 district tax was presented to the voters, the secretary of the board of
15 education, with the approval of the commissioner, may between the
16 date of the school election and the delivery of tax bills pursuant to
17 R.S.54:4-64 re-certify to the county board of taxation the sum or sums
18 to be raised by special district tax in the district during the ensuing
19 school year, if the sum is lower than that approved by the voters in the
20 school election, and if the reduction is equivalent to the additional
21 amount available in the surplus account to be applied towards the
22 district's budget. The amount re-certified shall be included in the taxes
23 assessed, levied and collected in the municipality or municipalities
24 comprising the district.】 (Deleted by amendment, P.L. _____, c. _____)
25 (pending before the Legislature as this bill)

26 b. In the case of a Type II district **【**in which the annual school
27 election is in November pursuant to subsection a. of section 1 of
28 P.L.2011, c.202 (C.19:60-1.1)**】** not having a board of school estimate,
29 by May 19 the secretary of the board of education shall certify the
30 amount fixed and determined by the school board pursuant to
31 N.J.S.18A:22-32 ^{2,2} other than any additional funds to be voted upon
32 by the legal voters of the district ²in November,² and the sums so
33 stated for interest and debt redemption charges, to the county board of
34 taxation of the county and the amount or amounts so certified shall be
35 included in the taxes assessed, levied and collected in the municipality
36 or municipalities comprising the district for such purposes; except that,
37 in the case of a district which determines that it has a greater surplus
38 account available for the school year than estimated when the sum to
39 be raised by special district tax was certified to the county board of
40 taxation of the county, the secretary of the board of education, with the
41 approval of the commissioner, may between May 19 and the delivery
42 of tax bills pursuant to R.S.54:4-64 re-certify to the county board of
43 taxation the sum or sums to be raised by special district tax in the
44 district during the ensuing school year, if the sum is lower than that
45 initially certified to the county board of taxation of the county, and if
46 the reduction is equivalent to the additional amount available in the
47 surplus account to be applied towards the district's budget. The amount

1 re-certified shall be included in the taxes assessed, levied and collected
2 in the municipality or municipalities comprising the district.

3 (cf: P.L.2011, c.202, s.20)

4

5 ²**[14.]** 11.² Section 1 of P.L.1995, c.278 (C.19:60-1) is
6 amended to read as follows:

7 1. a. Except as otherwise provided in this section, an annual
8 school election shall be held in a type II district on the third
9 Tuesday in April. However, in any school year, the Commissioner
10 of Education shall make any adjustments to the school budget and
11 election calendar which may be necessary to change the annual
12 school election date or any other school budget and election
13 calendar date if that date coincides with a period of religious
14 observance that limits significantly the usual activities of the
15 followers of a particular religion or that would result in significant
16 religious consequences for such followers. The commissioner shall
17 inform local school boards, county clerks and boards of election of
18 these adjustments no later than the first working day in January of
19 the year in which the adjustments are to occur.

20 As used in this subsection "a period of religious observance"
21 means any day or portion thereof on which a religious observance
22 imposes a substantial burden on an individual's ability to vote.

23 An annual school election shall be held simultaneously with the
24 general election on the first Tuesday after the first Monday in
25 November in school districts in which the annual school election
26 has been moved to that date pursuant to subsection a. of section 1 of
27 P.L.2011, c.202 (C.19:60-1.1) or pursuant to section 1 of P.L.2012,
28 c.78 (C.19:60-1.2).

29 The annual school election in April or November shall be for the
30 purpose of submitting a proposal to the voters for the approval of
31 additional funds in a Type II district without a board of school
32 estimate pursuant to paragraph (9) of subsection d. of section 5 of
33 P.L.1996, c.138 (C.18A:7F-5), for the purpose of electing members
34 of the board of education, and for any other purpose authorized by
35 law.

36 b. All school elections shall be by ballot and, except as
37 otherwise provided by P.L.1995, c.278 (C.19:60-1 et al.), shall be
38 conducted in the manner provided for general elections pursuant to
39 Title 19 of the Revised Statutes. No party designation shall appear
40 on any ballot to be used in a school election. At the request of one
41 or more candidates, the ballot for a school election may include a
42 designation in not more than three words that conveys the principles
43 which the candidate or candidates therein named represent, but such
44 designation shall not contain the name, or a derivative or any part
45 thereof, as a noun or an adjective of any political party entitled to
46 participate in a primary election.

47 (cf: P.L.2018, c.20, s.1)

1 ²[15.] 12.² Section 1 of P.L.2011, c.202 (C.19:60-1.1) is
2 amended to read as follows:

3 1. a. (1) The question of moving the date of a school district's
4 annual school election to the first Tuesday after the first Monday in
5 November, to be held simultaneously with the general election,
6 shall be submitted to the legal voters of a local or regional school
7 district, other than a Type II district with a board of school estimate,
8 whenever a petition signed by not less than 15% of the number of
9 legally qualified voters who voted in the district at the last
10 preceding general election held for the election of electors for
11 President and Vice-President of the United States is filed with the
12 board of education. The question shall be submitted to the voters of
13 the district at the next general election, provided that at least 60
14 days have lapsed since the date of the filing of the petition. In the
15 event that the question is not approved by the voters, no petition
16 may be filed to submit the question to the voters within one year
17 after an election shall have been held pursuant to any petition filed
18 pursuant to this subsection.

19 The date of the annual school election may be moved to the first
20 Tuesday after the first Monday in November without voter
21 approval, upon the adoption of a resolution by the board of
22 education of a local or regional school district, other than a Type II
23 district with a board of school estimate, or the governing body or
24 bodies of the municipality or municipalities constituting the district.
25 Prior to holding a meeting for the adoption of the resolution to
26 move the date of the annual school election, the governing body or
27 bodies of the municipality or municipalities constituting the district
28 shall provide adequate notice of the meeting to the affected board or
29 boards of education.

30 (2) In the event that the date of a school district's annual school
31 election is moved to the day of the general election, the annual
32 school election in November shall be held for the purpose of
33 submitting a proposal to the voters for approval of additional funds
34 pursuant to paragraph (9) of subsection d. of section 5 of P.L.1996,
35 c.138 (C.18A:7F-5), for the purpose of electing members of the
36 board of education, and for any other purpose authorized by law. A
37 vote shall not be required on the district's general fund tax levy for
38 the budget year, other than the general fund tax levy required to
39 support a proposal for additional funds.

40 (3) In addition to the process set forth in paragraph (1) of this
41 subsection, in the event that all the constituent districts of a limited
42 purpose regional school district approve moving the date of their
43 annual school elections to November, by any of the procedures
44 established pursuant to this subsection, then the annual school
45 election for the limited purpose regional school district shall also be
46 conducted simultaneously with the general election.

47 (4) In the event that the date of a school district's annual school
48 election is moved to the day of the general election pursuant to this

1 subsection, the board of education and the county board of elections
2 shall enter into an agreement, pursuant to guidelines established by
3 the Secretary of State, under which the board of education shall pay
4 any agreed upon increase in the costs, charges, and expenses that
5 may be associated with holding the school election simultaneously
6 with the general election.

7 b. (1) In the case of a school district that has moved the date of
8 its annual school election to November pursuant to subsection a. of
9 this section, the question of moving the date of the school district's
10 annual school election to the third Tuesday in April shall be
11 submitted to the legal voters of a local or regional school district,
12 other than a Type II district with a board of school estimate,
13 whenever a petition signed by not less than 15% of the number of
14 legally qualified voters who voted in the district at the last
15 preceding general election held for the election of electors for
16 President and Vice-President of the United States is filed with the
17 board of education. The question shall be submitted to the voters of
18 the district at the next general election, provided that at least 60
19 days have lapsed since the date of the filing of the petition.

20 The date of the annual school election may be moved to the third
21 Tuesday in April without voter approval, upon the adoption of a
22 resolution by the board of education of a local or regional school
23 district, other than a Type II district with a board of school estimate,
24 or the governing body or bodies of the municipality or
25 municipalities constituting the district. Prior to holding a meeting
26 for the adoption of the resolution to move the date of the annual
27 school election, the governing body or bodies of the municipality or
28 municipalities constituting the district shall provide adequate notice
29 of the meeting to the affected board or boards of education.

30 No resolution may be adopted and no petition may be filed
31 pursuant to this subsection until at least four annual school elections
32 have been held in November.

33 (2) In the event that the date of the annual school election is
34 moved to the third Tuesday in April, **【**a vote shall be held on the
35 district's general fund tax levy for the budget year including any
36 proposal for**】** the annual school election in April shall be held for
37 the purpose of submitting a proposal to the voters for approval of
38 additional funds pursuant to paragraph (9) of subsection d. of
39 section 5 of P.L.1996, c.138 (C.18A:7F-5), for the election of
40 members of the board of education, and for any other purpose
41 authorized by law. A vote shall not be required on the district's
42 general fund tax levy for the budget year, other than the general
43 fund tax levy required to support a proposal for additional funds

44 (3) In addition to the process set forth in paragraph (1) of this
45 subsection, in the event that all the constituent districts of a limited
46 purpose regional school district approve moving the date of their
47 annual school elections to the third Tuesday in April, by any of the
48 procedures established pursuant to this subsection, then the annual

1 school election for the limited purpose regional school district shall
2 also be conducted on the third Tuesday in April.

3 c. Notice, in writing, to change the date of a school election
4 from the third Tuesday in April to the first Tuesday in November
5 shall be given to the county clerk no less than 60 days prior to the
6 third Tuesday in April to take effect for that year's election. For a
7 change from the first Tuesday in November to the third Tuesday in
8 April, notice must be given to the county clerk no less than 85 days
9 prior to the third Tuesday in April to take effect for that year's
10 election. Timely notice shall also be given by the board of
11 education or municipal governing body adopting such resolution to
12 any other affected boards of education and municipal governing
13 bodies.

14 (cf: P.L.2013, c.172, s.5)

15

16 ²**[16.]** 13.² Section 1 of PL.2012, c.78 (C.19:60-1.2) is
17 amended to read as follows:

18 1. a. Notwithstanding any other law or regulation to the contrary,
19 a Type II district with a board of school estimate may move the date
20 of the school district's annual school election pursuant to the
21 provisions of section 1 of P.L.2011, c.202 (C.19:60-1.1).

22 b. Notwithstanding any other law or regulation to the contrary,
23 in the event that the date of the annual school election is moved to
24 the day of the general election in a Type II district with a board of
25 school estimate, the election shall be held for the purpose of
26 electing members of the board of education and for any other
27 purpose authorized by law. The board of school estimate shall not
28 determine the district's general fund tax levy for the budget year,
29 other than the general fund tax levy required to support a proposal
30 for additional funds pursuant to paragraph (9) of subsection d. of
31 section 5 of P.L.1996, c.138 (C.18A:7F-5).

32 c. Notwithstanding any other law or regulation to the contrary,
33 in a Type II district with a board of school estimate that has moved
34 the date of its annual school election to November and subsequently
35 moves the annual school election to the third Tuesday in April, a
36 vote shall be held for the purpose of electing members of the board
37 of education and for any other purpose authorized by law. The
38 board of school estimate shall not determine the district's general
39 fund tax levy for the budget year, **[including any]** other than the
40 general fund tax levy required to support a proposal for additional
41 funds pursuant to paragraph (9) of subsection d. of section 5 of
42 P.L.1996, c.138 (C.18A:7F-5).

43 (cf: P.L.2012, c.78, s.1)

44

45 ²**[17.]** 14.² The following sections are repealed:

46 N.J.S.18A:13-19;

47 N.J.S.18A:13-20;

48 N.J.S.18A:13-21;

1 N.J.S.18A:22-37; and
2 N.J.S.18A:22-38.

3

4 ²**[18.]** 15.² This act shall take effect immediately.

5

6

7

8

9 Eliminates vote on school budgets for Type II school districts in
10 April elections, except for separate proposals to spend above cap.

SENATE, No. 4209

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED DECEMBER 7, 2023

Sponsored by:

Senator PAUL A. SARLO

District 36 (Bergen and Passaic)

SYNOPSIS

Eliminates vote on school budgets for Type II school districts in April elections, except for separate proposals to spend above cap.

CURRENT VERSION OF TEXT

As introduced.



S4209 SARLO

2

1 AN ACT concerning school elections, supplementing chapter 60 of
2 Title 19 of the Revised Statutes, and revising various parts of the
3 statutory law.

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

7
8 1. (New section) Notwithstanding any other provision of law to
9 the contrary, a school district that holds its annual school election in
10 November may submit to the voters at the April school election a
11 proposal for additional funds pursuant to paragraph (9) of
12 subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5) or a
13 proposal to issue school bonds.

14
15 2. Section 5 of P.L.1996, c.138 (C.18A:7F-5) is amended to read
16 as follows:

17 5. As used in this section, "cost of living" means the CPI as
18 defined in section 3 of P.L.2007, c.260 (C.18A:7F-45).

19 a. Within 30 days following the approval of the Educational
20 Adequacy Report, the commissioner shall notify each district of the
21 base per pupil amount, the per pupil amounts for full-day preschool,
22 the weights for grade level, county vocational school districts, at-
23 risk pupils, bilingual pupils, and combination pupils, the cost
24 coefficients for security aid and for transportation aid, the State
25 average classification rate and the excess cost for general special
26 education services pupils, the State average classification rate and
27 the excess cost for speech-only pupils, and the geographic cost
28 adjustment for each of the school years to which the report is
29 applicable.

30 Annually, within two days following the transmittal of the State
31 budget message to the Legislature by the Governor pursuant to
32 section 11 of P.L.1944, c.112 (C.52:27B-20), the commissioner
33 shall notify each district of the maximum amount of aid payable to
34 the district in the succeeding school year pursuant to the provisions
35 of P.L.2007, c.260 (C.18A:7F-43 et al.), and shall notify each
36 district of the district's adequacy budget for the succeeding school
37 year.

38 For the 2008-2009 school year and thereafter, unless otherwise
39 specified within P.L.2007, c.260 (C.18A:7F-43 et al.), aid amounts
40 payable for the budget year shall be based on budget year pupil
41 counts, which shall be projected by the commissioner using data
42 from prior years. Adjustments for the actual pupil counts of the
43 budget year shall be made to State aid amounts payable during the
44 school year succeeding the budget year. Additional amounts

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 payable shall be reflected as revenue and an account receivable for
2 the budget year.

3 Notwithstanding any other provision of this act to the contrary,
4 each district's State aid payable for the 2008-2009 school year, with
5 the exception of aid for school facilities projects, shall be based on
6 simulations employing the various formulas and State aid amounts
7 contained in P.L.2007, c.260 (C.18A:7F-43 et al.). The
8 commissioner shall prepare a report dated December 12, 2007
9 reflecting the State aid amounts payable by category for each
10 district and shall submit the report to the Legislature prior to the
11 adoption of P.L.2007, c.260 (C.18A:7F-43 et al.). Except as
12 otherwise provided pursuant to this subsection and paragraph (3) of
13 subsection d. of section 5 of P.L.2007, c.260 (C.18A:7F-47), the
14 amounts contained in the commissioner's report shall be the final
15 amounts payable and shall not be subsequently adjusted other than
16 to reflect the phase-in of the required general fund local levy
17 pursuant to paragraph (4) of subsection b. of section 16 of
18 P.L.2007, c.260 (C.18A:7F-58) and to reflect school choice aid to
19 which a district may be entitled pursuant to section 20 of that act.
20 The projected pupil counts and equalized valuations used for the
21 calculation of State aid shall also be used for the calculation of
22 adequacy budget, local share, and required local share. For 2008-
23 2009, extraordinary special education State aid shall be included as
24 a projected amount in the commissioner's report dated December
25 12, 2007 pending the final approval of applications for the aid. If
26 the actual award of extraordinary special education State aid is
27 greater than the projected amount, the district shall receive the
28 increase in the aid payable in the subsequent school year pursuant
29 to the provisions of subsection c. of section 13 of P.L.2007, c.260
30 (C.18A:7F-55). If the actual award of extraordinary special
31 education State aid is less than the projected amount, other State aid
32 categories shall be adjusted accordingly so that the district shall not
33 receive less State aid than as provided in accordance with the
34 provisions of sections 5 and 16 of P.L.2007, c.260 (C.18A:7F-47
35 and C.18A:7F-58).

36 In the event that the commissioner determines, following the
37 enactment of P.L.2007, c.260 (C.18A:7F-43 et al.) but prior to the
38 issuance of State aid notices for the 2008-2009 school year, that a
39 significant district-specific change in data warrants an increase in
40 State aid for that district, the commissioner may adjust the State aid
41 amount provided for the district in the December 12, 2007 report to
42 reflect the increase.

43 b. Each district shall have a required local share. For districts
44 that receive educational adequacy aid pursuant to subsection b. of
45 section 16 of P.L.2007, c.260 (C.18A:7F-58), the required local
46 share shall be calculated in accordance with the provisions of that
47 subsection.

1 For all other districts, the required local share shall equal the
2 lesser of the local share calculated at the district's adequacy budget
3 pursuant to section 9 of P.L.2007, c.260 (C.18A:7F-51), or the
4 district's budgeted local share for the prebudget year.

5 In order to meet this requirement, each district shall raise a
6 general fund tax levy which equals its required local share.

7 No municipal governing body or bodies or board of school
8 estimate, as appropriate, shall certify a general fund tax levy which
9 does not meet the required local share provisions of this section.

10 c. Annually, on or before March 4, or on or before March 20 in
11 the case of a school district with an annual school election in
12 November, each district board of education shall adopt, and submit
13 to the commissioner for approval, together with such supporting
14 documentation as the commissioner may prescribe, a budget that
15 provides for a thorough and efficient education. Notwithstanding
16 the provisions of this subsection to the contrary, the commissioner
17 may adjust the date for the submission of district budgets if the
18 commissioner determines that the availability of preliminary aid
19 numbers for the subsequent school year warrants such adjustment.

20 Notwithstanding any provision of this section to the contrary, for
21 the 2005-2006 school year each district board of education shall
22 submit a proposed budget in which the advertised per pupil
23 administrative costs do not exceed the lower of the following:

24 (1) the district's advertised per pupil administrative costs for the
25 2004-2005 school year inflated by the cost of living or 2.5 percent,
26 whichever is greater; or

27 (2) the per pupil administrative cost limits for the district's
28 region as determined by the commissioner based on audited
29 expenditures for the 2003-2004 school year.

30 The executive county superintendent of schools may disapprove
31 the school district's 2005-2006 proposed budget if he determines
32 that the district has not implemented all potential efficiencies in the
33 administrative operations of the district. The executive county
34 superintendent shall work with each school district in the county
35 during the 2004-2005 school year to identify administrative
36 inefficiencies in the operations of the district that might cause the
37 superintendent to reject the district's proposed 2005-2006 school
38 year budget.

39 For the 2006-2007 school year and each school year thereafter,
40 each district board of education shall submit a proposed budget in
41 which the advertised per pupil administrative costs do not exceed
42 the lower of the following:

43 (1) the district's prior year per pupil administrative costs; except
44 that the district may submit a request to the commissioner for
45 approval to exceed the district's prior year per pupil administrative
46 costs due to increases in enrollment, administrative positions
47 necessary as a result of mandated programs, administrative
48 vacancies, nondiscretionary fixed costs, and such other items as

S4209 SARLO

1 defined in accordance with regulations adopted pursuant to section
2 7 of P.L.2004, c.73. In the event that the commissioner approves a
3 district's request to exceed its prior year per pupil administrative
4 costs, the increase authorized by the commissioner shall not exceed
5 the cost of living or 2.5 percent, whichever is greater; or

6 (2) the prior year per pupil administrative cost limits for the
7 district's region inflated by the cost of living or 2.5 percent,
8 whichever is greater.

9 d. (1) A district's general fund tax levy shall not exceed the
10 district's adjusted tax levy as calculated pursuant to sections 3 and 4
11 of P.L.2007, c.62 (C.18A:7F-38 and 18A:7F-39).

12 (2) (Deleted by amendment, P.L.2007, c.260).

13 (3) (Deleted by amendment, P.L.2007, c.260).

14 (4) Any debt service payment made by a school district during
15 the budget year shall not be included in the calculation of the
16 district's adjusted tax levy.

17 (5) (Deleted by amendment, P.L.2007, c.260).

18 (6) (Deleted by amendment, P.L.2007, c.260).

19 (7) (Deleted by amendment, P.L.2004, c.73).

20 (8) (Deleted by amendment, P.L.2010, c.44)

21 (9) Any district may submit at the annual school budget
22 election, in accordance with subsection c. of section 4 of P.L.2007,
23 c.62 (C.18A:7F-39), a separate proposal or proposals for additional
24 funds, including interpretive statements, specifically identifying the
25 program purposes for which the proposed funds shall be used, to the
26 voters, who may, by voter approval, authorize the raising of an
27 additional general fund tax levy for such purposes. In the case of a
28 district with a board of school estimate, one proposal for the
29 additional spending shall be submitted to the board of school
30 estimate. Any proposal or proposals submitted to the voters or the
31 board of school estimate shall not: include any programs and
32 services that were included in the district's prebudget year net
33 budget unless the proposal is approved by the commissioner upon
34 submission by the district of sufficient reason for an exemption to
35 this requirement; or include any new programs and services
36 necessary for students to achieve the thoroughness standards
37 established pursuant to subsection a. of section 4 of P.L.2007, c.260
38 (C.18A:7F-46).

39 The executive county superintendent of schools may prohibit the
40 submission of a separate proposal or proposals to the voters or
41 board of school estimate if he determines that the district has not
42 implemented all potential efficiencies in the administrative
43 operations of the district, which efficiencies would eliminate the
44 need for the raising of an additional general fund tax levy.

45 (10) Notwithstanding any provision of law to the contrary, if a
46 district proposes a budget with a general fund tax levy and
47 equalization aid which exceed the adequacy budget, the following
48 statement shall be published in the legal notice of public hearing on

1 the budget pursuant to N.J.S.18A:22-28, and posted at the public
2 hearing held on the budget pursuant to N.J.S.18A:22-29**],** and
3 printed on the sample ballot required pursuant to section 10 of
4 P.L.1995, c.278 (C.19:60-10)**]:**

5 "Your school district has proposed programs and services in
6 addition to the core curriculum content standards adopted by the
7 State Board of Education. Information on this budget and the
8 programs and services it provides is available from your local
9 school district."

10 (11) Any reduction that may be required to be made to programs
11 and services included in a district's prebudget year net budget in
12 order for the district to limit the growth in its budget between the
13 prebudget and budget years by its tax levy growth limitation as
14 calculated pursuant to sections 3 and 4 of P.L.2007, c.62
15 (C.18A:7F-38 and 18A:7F-39), shall only include reductions to
16 excessive administration or programs and services that are
17 inefficient or ineffective.

18 e. (1) **[**Any general fund tax levy rejected by the voters for a
19 proposed budget that includes a general fund tax levy and
20 equalization aid in excess of the adequacy budget shall be submitted
21 to the governing body of each of the municipalities included within
22 the district for determination of the amount that should be expended
23 notwithstanding voter rejection.**]** In the case of a district having a
24 board of school estimate, other than a Type II district with a board
25 of school estimate **[**in which the annual election is in November**],**
26 which has a proposed budget that includes a general fund tax levy
27 and equalization aid in excess of the adequacy budget, the general
28 fund tax levy shall be submitted to the board for determination of
29 the amount that should be expended. If the **[**governing body or
30 bodies or**]** board of school estimate**],** as appropriate, reduce**]**
31 reduces the district's proposed budget, the district may appeal any
32 of the reductions to the commissioner on the grounds that the
33 reductions will negatively impact on the stability of the district
34 given the need for long term planning and budgeting. In
35 considering the appeal, the commissioner shall consider enrollment
36 increases or decreases within the district; **[**the history of voter
37 approval or rejection of district budgets;**]** the impact on the local
38 levy; and whether the reductions will impact on the ability of the
39 district to fulfill its contractual obligations. A district may not
40 appeal any reductions on the grounds that the amount is necessary
41 for a thorough and efficient education.

42 (2) **[**Any general fund tax levy rejected by the voters for a
43 proposed budget that includes a general fund tax levy and
44 equalization aid at or below the adequacy budget shall be submitted
45 to the governing body of each of the municipalities included within
46 the district for determination of the amount that should be expended
47 notwithstanding voter rejection.**]** In the case of a district having a

1 board of school estimate, other than a Type II district with a board
2 of school estimate **[in which the annual election is in November]**,
3 which has a proposed budget that includes a general fund tax levy
4 and equalization aid at or below the adequacy budget, the general
5 fund tax levy shall be submitted to the board for determination.
6 Any reductions may be appealed to the commissioner on the
7 grounds that the amount is necessary for a thorough and efficient
8 education or that the reductions will negatively impact on the
9 stability of the district given the need for long term planning and
10 budgeting. In considering the appeal, the commissioner shall also
11 consider the factors outlined in paragraph (1) of this subsection.

12 In addition, the **[municipal governing body or]** board of school
13 estimate shall be required to demonstrate clearly to the
14 commissioner that the proposed budget reductions shall not
15 adversely affect the ability of the school district to provide a
16 thorough and efficient education or the stability of the district given
17 the need for long term planning and budgeting.

18 (3) In lieu of any budget reduction appeal provided for pursuant
19 to paragraphs (1) and (2) of this subsection, the State board may
20 establish pursuant to the "Administrative Procedure Act," P.L.1968,
21 c.410 (C.52:14B-1 et seq.), an expedited budget review process
22 based on a district's application to the commissioner for an order to
23 restore a budget reduction.

24 (4) When the **[voters, municipal governing body or bodies,]**
25 board of education **[in the case of a school district in which the**
26 **annual school election has been moved to November pursuant to**
27 **subsection a. of section 1 of P.L.2011, c.202 (C.19:60-1.1),]** or the
28 board of school estimate authorize the general fund tax levy, the
29 district shall submit the resulting budget to the commissioner within
30 15 days of the authorization.

31 f. (Deleted by amendment, P.L.2007, c.260).

32 g. (Deleted by amendment, P.L.2007, c.260).

33 (cf: P.L.2013, c.280, s.1)

34

35 3. Section 41 of P.L.2011, c.202 (C.18A:7F-5.4) is amended to
36 read as follows:

37 41. A board of education of a school district in which the annual
38 school election has been moved to November pursuant to subsection
39 a. of section 1 of P.L.2011, c.202 (C.19:60-1.1) and which has
40 determined to submit a proposal or proposals for additional funds to
41 the voters at the annual November school election pursuant to
42 paragraph (9) of subsection d. of section 5 of P.L.1996, c.138
43 (C.18A:7F-5), shall adopt and submit to the commissioner for
44 approval pursuant to subsection c. of section 5 of P.L.1996, c.138
45 (C.18A:7F-5), a temporary budget for the school year pending the
46 approval or disapproval of the proposal or proposals for additional
47 funds by the voters. The temporary budget shall be calculated
48 pursuant to the provisions of paragraph (1) of subsection d. of

1 section 5 of P.L.1996, c.138 (C.18A:7F-5) or P.L.2007, c.62
2 (C.18A:7F-37 et al.), as appropriate.

3 (cf: P.L.2011, c.202, s.41)

4

5 4. Section 42 of P.L.2011, c.202 (C.18A:7F-5.5) is amended to
6 read as follows:

7 42. In the case of a school district in which the annual school
8 election has been moved to November pursuant to subsection a. of
9 section 1 of P.L.2011, c.202 (C.19:60-1.1), if the voters authorize
10 the proposal or proposals for additional funds pursuant to paragraph
11 (9) of subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5) at
12 the annual November school election, the district shall submit the
13 resulting final budget to the commissioner within 15 days of the
14 action of the voters. If the voters fail to authorize the proposal or
15 proposals for additional funds, the temporary budget shall be the
16 final budget for the district for that school year.

17 (cf: P.L.2011, c.202, s.42)

18

19 5. Section 43 of P.L.2011, c.202 (18A:7F-5.6) is amended to
20 read as follows:

21 43. In the case of a school district in which the annual school
22 election has been moved to November pursuant to subsection a. of
23 section 1 of P.L.2011, c.202 (C.19:60-1.1), if the voters approve a
24 proposal or proposals for additional funds pursuant to paragraph (9)
25 of subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5) at the
26 annual November school election, the secretary of the board of
27 education shall re-certify to the county board of taxation the sum or
28 sums to be raised by special district tax for the school year. The
29 amount re-certified shall be included in the taxes assessed, levied
30 and collected in the municipality or municipalities comprising the
31 district.

32 (cf: P.L.2011, c.202)

33

34 6. Section 44 of P.L.2011, c.202 (C.18A:7F-5.7) is amended to
35 read as follows:

36 44. The Director of the Division of Local Government Services
37 in the Department of Community Affairs and the Director of the
38 Division of Taxation in the Department of the Treasury, in
39 consultation with the Commissioner of Education, shall take such
40 action as deemed necessary for the delivery of estimated tax bills
41 and the recertification of the school district tax levy pursuant to
42 section 43 of P.L.2011, c.202 (C.18A:7F-5.6) for districts in which
43 the annual school election is in November and that determine to
44 submit proposal or proposals for additional funds at the annual
45 November school election pursuant to paragraph (9) of subsection
46 d. of section 5 of P.L.1996, c.138 (C.18A:7F-5).

47 (cf: P.L.2011, c.202, s.44)

S4209 SARLO

1 7. N.J.S.18A:10-3 is amended to read as follows:

2 18A:10-3. Each board of education shall organize annually at a
3 regular meeting held not later than at 8 p.m. at which time new
4 members shall take office:

5 a. In type I districts on May 16, or on the following day if that
6 day be Sunday.

7 b. In all type II districts with an April school election on any
8 day **of the first or second week following the April school
9 election** from May 1 through May 7, inclusive.

10 c. In all type II districts with a November school election on
11 any day **of the first week in January at which time new members
12 shall take office** from January 1 through January 7, inclusive.

13 If the organization meeting cannot take place on that day by
14 reason of lack of a quorum or for any other reason, said meeting
15 shall be held within three days thereafter.

16 In all type II districts with an April school election, member
17 terms shall begin on May 1st and end on April 30th. In all type II
18 districts with a November school election, member terms shall
19 begin on January 1st and end on December 31st.

20 In the event that a district opts to move its annual election date
21 from November to April, member terms shall be shortened
22 accordingly.

23 (cf: P.L.2011, c.202, s.7)

24

25 8. N.J.S.18A:13-10 is amended to read as follows:

26 18A:13-10. The board of education of each regional district shall
27 provide for the holding, in accordance with the provisions of
28 P.L.1995, c.278 (C.19:60-1 et al.), of an annual school election for
29 the regional district.

30 At such election there shall be elected for terms of three years,
31 the members of the regional boards of education to succeed those
32 members of the board whose terms shall expire in that year, except
33 as is in this chapter provided for the election of the first elected
34 members of the board. The term of a member of a regional board of
35 education elected in April shall begin on **any day of the first or
36 second week following the election** May 1st and end on April
37 30th. The term of a member of a regional board of education elected
38 in November shall begin on **any day of the first week in** January
39 1st and end on December 31st.

40 In the event that a district opts to move its annual election date
41 from November to April, member terms shall be shortened
42 accordingly.

43 (cf: P.L.2011, c.202, s.9)

44

45 9. N.J.S.18A:13-12 is amended to read as follows:

46 18A:13-12. The board shall hold a regular meeting forthwith
47 after its first appointment, and annually thereafter on any day **of**

1 the first or second week **】** between May 1 and May 7, inclusive,
2 following the annual school election in April, at which it shall
3 organize by the election, from among its members, of a president
4 and vice president, who shall serve until the organization meeting
5 next succeeding the election of their respective successors as
6 members of the board. In the case of a regional district in which the
7 annual school election is in November, the organization meeting
8 shall be held on any day of the first week in January. If any board
9 shall fail to organize within the designated period, the executive
10 county superintendent of the county, or the executive county
11 superintendents of the counties, in which the constituent districts
12 are situate, shall appoint, from among the members of the board, a
13 president and vice president to serve until the organization meeting
14 next succeeding the next election.

15 (cf: P.L.2011, c.202, s.10)

16

17 10. N.J.S.18A:13-17 is amended to read as follows:

18 18A:13-17. a. **【**The regional board of education shall, at each
19 annual April school election, submit to the voters of the regional
20 district the amount of money fixed and determined in its budget to
21 be voted upon for the use of the regional schools of the district for
22 the ensuing school year and may submit thereat any other question
23 authorized by this law to be submitted at such an election. The
24 board may, in submitting to the voters the amount of money to be
25 voted upon for the use of the regional schools of the district,
26 identify the amount of money determined to be the constituent
27 municipality's share. The board shall follow the procedures
28 established in section 5 of P.L.1996, c.138 (C.18A:7F-5) and
29 N.J.S.18A:22-33. **】** (Deleted by amendment, P.L. , c.) (pending
30 before the Legislature as this bill)

31 b. In the case of a regional district in which the annual school
32 election is in April or November, the regional board of education
33 shall fix and determine the district's budget for the ensuing school
34 year and may submit at the annual school election any question
35 authorized by law to be submitted at such an election. The board
36 shall follow the procedures established in section 5 of P.L.1996,
37 c.138 (C.18A:7F-5), N.J.S.18A:22-33, and , as applicable, section
38 41 of P.L.2011, c.202 (C.18A:7F-5.4).

39 (cf: P.L.2011, c.202, s.13)

40

41 11. N.J.S.18A:13-40 is amended to read as follows:

42 18A:13-40. The board of education of a newly created regional
43 district may, prior to taking charge and control of the educational
44 facilities of the regional district, do all other acts and things which
45 may be necessary for the proper organization and functioning of the
46 public schools of the regional district during its first year, including
47 the making of contracts for the employment of necessary personnel
48 and for other proper purposes, the preparation **【**and **】**, if applicable,

1 submission to the voters of the regional district for their approval or
2 disapproval] of the budget and the appropriations for the conduct of
3 the public schools of the regional district during its first school
4 year, the authorization of the purchase of real and personal
5 property, and the construction, enlargement and repair of buildings,
6 for school purposes, and the appropriations of the funds necessary
7 to carry out the same and the authorization of the issuance and sale
8 of bonds in order to provide for the payment therefor in whole or in
9 part and the calling and holding of special elections when necessary
10 for any such purposes and to carry out any or all of said purposes.

11 (cf: P.L.2011, c.202, s.15)

12

13 12. N.J.S.18A:22-26 is amended to read as follows:

14 18A:22-26. a. Except as otherwise provided in subsection b. of
15 this section, at or after the public hearing but not later than April 8,
16 the board of [school estimate] education of a type II district having
17 a board of school estimate shall fix and determine by a recorded roll
18 call majority vote of its full membership the amount of money
19 necessary to be appropriated for the use of the public schools in the
20 district for the ensuing school year, exclusive of the amount which
21 shall be apportioned to it by the commissioner for the year pursuant
22 to the provisions of section 5 of P.L.1996, c.138 (C.18A:7F-5) [and
23 shall make a certificate of the amount signed by at least a majority
24 of all members of the board, which shall be delivered to the board
25 of education and a copy thereof, certified under oath to be correct
26 and true by the secretary of the board of school estimate, shall be
27 delivered] . By that same date the board of school estimate shall fix
28 and determine by a recorded roll call majority vote of its full
29 membership the amount of any additional funds pursuant to
30 paragraph (9) of subsection d. of section 5 of P.L.1996, c.138
31 (C.18A:7F-5) and shall make a certificate of that amount signed by
32 at least a majority of all members of the board, which shall be
33 delivered to the board of education. The secretary of the board of
34 education shall certify the amount so fixed and determined by the
35 board of education and the board of school estimate and shall
36 deliver a copy of the certificate to the county board of taxation on
37 or before April 15 in each year and a duplicate of the certificate
38 shall be delivered to the board or governing body of each of the
39 municipalities within the territorial limits of the district having the
40 power to make appropriations of money raised by taxation in the
41 municipalities or political subdivisions and to the executive county
42 superintendent of schools and the amount shall be assessed, levied
43 and raised under the procedure and in the manner provided by law
44 for the levying and raising of special school taxes in other type II
45 districts and shall be paid to the board secretary or treasurer of
46 school moneys, as appropriate, of the district for such purposes.

47 [Within 15 days after receiving the certificate the board of
48 education shall notify the board of school estimate, the governing

1 body of each municipality within the territorial limits of the school
2 district, and the commissioner if it intends to appeal to the
3 commissioner the board of school estimate's determination as to the
4 amount of money requested pursuant to the provisions of section 5
5 of P.L.1996, c.138 (C.18A:7F-5), necessary to be appropriated for
6 the use of the public schools of the district for the ensuing school
7 year.】

8 b. At or after the public hearing on the budget but not later than
9 May 14, the board of education of each type II district having a
10 board of school estimate in which the annual school election is in
11 November, shall fix and determine by a recorded roll call majority
12 vote of its full membership the amount of money necessary to be
13 raised for the use of the public schools in the district, exclusive of
14 the amount which shall be apportioned to it by the commissioner for
15 the year pursuant to the provisions of section 5 of P.L.1996, c.138
16 (C.18A:7F-5). By that same date the board of school estimate shall
17 fix and determine by a recorded roll call majority vote of its full
18 membership the amount of any additional funds pursuant to
19 paragraph (9) of subsection d. of section 5 of P.L.1996, c.138
20 (C.18A:7F-5) and shall make a certificate of that amount signed by
21 at least a majority of all members of the board, which shall be
22 delivered to the board of education. The secretary of the board of
23 education shall certify the amount so fixed and determined by the
24 board of education and the board of school estimate and shall
25 deliver a copy of the certificate to the county board of taxation of
26 the county on or before May 19 in each year and a duplicate of the
27 certificate shall be delivered to the board or governing body of each
28 of the municipalities within the territorial limits of the districts
29 having the power to make appropriations of money raised by
30 taxation in the municipalities or political subdivisions and to the
31 executive county superintendent of schools and the amount shall be
32 assessed, levied and raised under the procedure and in the manner
33 provided by law for the levying and raising of special school taxes
34 in other type II districts and shall be paid to the board secretary or
35 treasurer of school moneys, as appropriate, of the district for such
36 purposes. (Deleted by amendment, P.L. , c.) (pending before the
37 Legislature as this bill)
38 (cf: P.L.2013, c.280, s.4)

39

40 13. N.J.S.18A:22-33 is amended to read as follows:

41 18A:22-33. a. 【The board of education of a type II district not
42 having a board of school estimate shall at the April school election,
43 submit to the voters of the district, the amount of money fixed and
44 determined in its budget pursuant to section 5 of P.L.1996, c.138
45 (C.18A:7F-5), excluding therefrom the sum or sums stated therein
46 to be used for interest and debt redemption charges, in the manner
47 provided by law, to be voted upon for the use of the public schools
48 of the district for the ensuing school year, which amount shall be

1 stated in the notice of the election, and the legal voters of the
2 district shall determine at the April election, by a majority vote of
3 those voting upon the proposition, the sum or sums, not exceeding
4 those stated in the notice of the election, to be raised by special
5 district tax for said purposes, in the district during the ensuing
6 school year and the secretary of the board of education shall certify
7 the amount so determined upon, if any, and the sums so stated for
8 interest and debt redemption charges, to the county board of
9 taxation of the county within two days following the certification of
10 the election results and the amount or amounts so certified shall be
11 included in the taxes assessed, levied and collected in the
12 municipality or municipalities comprising the district for such
13 purposes; except that, in the case of a district which , following the
14 school election and the approval by the voters of the sum to be
15 raised by special district tax for the schools of the district,
16 determines that it has a greater surplus account available for the
17 school year than estimated when the sum to be raised by special
18 district tax was presented to the voters, the secretary of the board of
19 education, with the approval of the commissioner, may between the
20 date of the school election and the delivery of tax bills pursuant to
21 R.S.54:4-64 re-certify to the county board of taxation the sum or
22 sums to be raised by special district tax in the district during the
23 ensuing school year, if the sum is lower than that approved by the
24 voters in the school election, and if the reduction is equivalent to
25 the additional amount available in the surplus account to be applied
26 towards the district's budget. The amount re-certified shall be
27 included in the taxes assessed, levied and collected in the
28 municipality or municipalities comprising the district. **】** (Deleted by
29 amendment, P.L. , c.) (pending before the Legislature as this
30 bill)

31 b. In the case of a Type II district **】**in which the annual school
32 election is in November pursuant to subsection a. of section 1 of
33 P.L.2011, c.202 (C.19:60-1.1)**】** not having a board of school
34 estimate, by May 19 the secretary of the board of education shall
35 certify the amount fixed and determined by the school board
36 pursuant to N.J.S.18A:22-32 other than any additional funds to be
37 voted upon by the legal voters of the district and the sums so stated
38 for interest and debt redemption charges, to the county board of
39 taxation of the county and the amount or amounts so certified shall
40 be included in the taxes assessed, levied and collected in the
41 municipality or municipalities comprising the district for such
42 purposes; except that, in the case of a district which determines that
43 it has a greater surplus account available for the school year than
44 estimated when the sum to be raised by special district tax was
45 certified to the county board of taxation of the county, the secretary
46 of the board of education, with the approval of the commissioner,
47 may between May 19 and the delivery of tax bills pursuant to
48 R.S.54:4-64 re-certify to the county board of taxation the sum or

1 sums to be raised by special district tax in the district during the
2 ensuing school year, if the sum is lower than that initially certified
3 to the county board of taxation of the county, and if the reduction is
4 equivalent to the additional amount available in the surplus account
5 to be applied towards the district's budget. The amount re-certified
6 shall be included in the taxes assessed, levied and collected in the
7 municipality or municipalities comprising the district.

8 (cf: P.L.2011, c.202, s.20)

9

10 14. Section 1 of P.L.1995, c.278 (C.19:60-1) is amended to read
11 as follows:

12 1. a. Except as otherwise provided in this section, an annual
13 school election shall be held in a type II district on the third
14 Tuesday in April. However, in any school year, the Commissioner
15 of Education shall make any adjustments to the school budget and
16 election calendar which may be necessary to change the annual
17 school election date or any other school budget and election
18 calendar date if that date coincides with a period of religious
19 observance that limits significantly the usual activities of the
20 followers of a particular religion or that would result in significant
21 religious consequences for such followers. The commissioner shall
22 inform local school boards, county clerks and boards of election of
23 these adjustments no later than the first working day in January of
24 the year in which the adjustments are to occur.

25 As used in this subsection "a period of religious observance"
26 means any day or portion thereof on which a religious observance
27 imposes a substantial burden on an individual's ability to vote.

28 An annual school election shall be held simultaneously with the
29 general election on the first Tuesday after the first Monday in
30 November in school districts in which the annual school election
31 has been moved to that date pursuant to subsection a. of section 1 of
32 P.L.2011, c.202 (C.19:60-1.1) or pursuant to section 1 of P.L.2012,
33 c.78 (C.19:60-1.2).

34 The annual school election in April or November shall be for the
35 purpose of submitting a proposal to the voters for the approval of
36 additional funds in a Type II district without a board of school
37 estimate pursuant to paragraph (9) of subsection d. of section 5 of
38 P.L.1996, c.138 (C.18A:7F-5), for the purpose of electing members
39 of the board of education, and for any other purpose authorized by
40 law.

41 b. All school elections shall be by ballot and, except as
42 otherwise provided by P.L.1995, c.278 (C.19:60-1 et al.), shall be
43 conducted in the manner provided for general elections pursuant to
44 Title 19 of the Revised Statutes. No party designation shall appear
45 on any ballot to be used in a school election. At the request of one
46 or more candidates, the ballot for a school election may include a
47 designation in not more than three words that conveys the principles
48 which the candidate or candidates therein named represent, but such

1 designation shall not contain the name, or a derivative or any part
2 thereof, as a noun or an adjective of any political party entitled to
3 participate in a primary election.

4 (cf: P.L.2018, c.20, s.1)

5

6 15. Section 1 of P.L.2011, c.202 (C.19:60-1.1) is amended to
7 read as follows:

8 1. a. (1) The question of moving the date of a school district's
9 annual school election to the first Tuesday after the first Monday in
10 November, to be held simultaneously with the general election,
11 shall be submitted to the legal voters of a local or regional school
12 district, other than a Type II district with a board of school estimate,
13 whenever a petition signed by not less than 15% of the number of
14 legally qualified voters who voted in the district at the last
15 preceding general election held for the election of electors for
16 President and Vice-President of the United States is filed with the
17 board of education. The question shall be submitted to the voters of
18 the district at the next general election, provided that at least 60
19 days have lapsed since the date of the filing of the petition. In the
20 event that the question is not approved by the voters, no petition
21 may be filed to submit the question to the voters within one year
22 after an election shall have been held pursuant to any petition filed
23 pursuant to this subsection.

24 The date of the annual school election may be moved to the first
25 Tuesday after the first Monday in November without voter
26 approval, upon the adoption of a resolution by the board of
27 education of a local or regional school district, other than a Type II
28 district with a board of school estimate, or the governing body or
29 bodies of the municipality or municipalities constituting the district.
30 Prior to holding a meeting for the adoption of the resolution to
31 move the date of the annual school election, the governing body or
32 bodies of the municipality or municipalities constituting the district
33 shall provide adequate notice of the meeting to the affected board or
34 boards of education.

35 (2) In the event that the date of a school district's annual school
36 election is moved to the day of the general election, the annual
37 school election in November shall be held for the purpose of
38 submitting a proposal to the voters for approval of additional funds
39 pursuant to paragraph (9) of subsection d. of section 5 of P.L.1996,
40 c.138 (C.18A:7F-5), for the purpose of electing members of the
41 board of education, and for any other purpose authorized by law. A
42 vote shall not be required on the district's general fund tax levy for
43 the budget year, other than the general fund tax levy required to
44 support a proposal for additional funds.

45 (3) In addition to the process set forth in paragraph (1) of this
46 subsection, in the event that all the constituent districts of a limited
47 purpose regional school district approve moving the date of their
48 annual school elections to November, by any of the procedures

1 established pursuant to this subsection, then the annual school
2 election for the limited purpose regional school district shall also be
3 conducted simultaneously with the general election.

4 (4) In the event that the date of a school district's annual school
5 election is moved to the day of the general election pursuant to this
6 subsection, the board of education and the county board of elections
7 shall enter into an agreement, pursuant to guidelines established by
8 the Secretary of State, under which the board of education shall pay
9 any agreed upon increase in the costs, charges, and expenses that
10 may be associated with holding the school election simultaneously
11 with the general election.

12 b. (1) In the case of a school district that has moved the date of
13 its annual school election to November pursuant to subsection a. of
14 this section, the question of moving the date of the school district's
15 annual school election to the third Tuesday in April shall be
16 submitted to the legal voters of a local or regional school district,
17 other than a Type II district with a board of school estimate,
18 whenever a petition signed by not less than 15% of the number of
19 legally qualified voters who voted in the district at the last
20 preceding general election held for the election of electors for
21 President and Vice-President of the United States is filed with the
22 board of education. The question shall be submitted to the voters of
23 the district at the next general election, provided that at least 60
24 days have lapsed since the date of the filing of the petition.

25 The date of the annual school election may be moved to the third
26 Tuesday in April without voter approval, upon the adoption of a
27 resolution by the board of education of a local or regional school
28 district, other than a Type II district with a board of school estimate,
29 or the governing body or bodies of the municipality or
30 municipalities constituting the district. Prior to holding a meeting
31 for the adoption of the resolution to move the date of the annual
32 school election, the governing body or bodies of the municipality or
33 municipalities constituting the district shall provide adequate notice
34 of the meeting to the affected board or boards of education.

35 No resolution may be adopted and no petition may be filed
36 pursuant to this subsection until at least four annual school elections
37 have been held in November.

38 (2) In the event that the date of the annual school election is
39 moved to the third Tuesday in April, ~~【a vote shall be held on the~~
40 ~~district's general fund tax levy for the budget year including any~~
41 ~~proposal for】 the annual school election in April shall be held for
42 the purpose of submitting a proposal to the voters for approval of
43 additional funds pursuant to paragraph (9) of subsection d. of
44 section 5 of P.L.1996, c.138 (C.18A:7F-5), for the election of
45 members of the board of education, and for any other purpose
46 authorized by law. A vote shall not be required on the district's
47 general fund tax levy for the budget year, other than the general
48 fund tax levy required to support a proposal for additional funds~~

1 (3) In addition to the process set forth in paragraph (1) of this
2 subsection, in the event that all the constituent districts of a limited
3 purpose regional school district approve moving the date of their
4 annual school elections to the third Tuesday in April, by any of the
5 procedures established pursuant to this subsection, then the annual
6 school election for the limited purpose regional school district shall
7 also be conducted on the third Tuesday in April.

8 c. Notice, in writing, to change the date of a school election
9 from the third Tuesday in April to the first Tuesday in November
10 shall be given to the county clerk no less than 60 days prior to the
11 third Tuesday in April to take effect for that year's election. For a
12 change from the first Tuesday in November to the third Tuesday in
13 April, notice must be given to the county clerk no less than 85 days
14 prior to the third Tuesday in April to take effect for that year's
15 election. Timely notice shall also be given by the board of
16 education or municipal governing body adopting such resolution to
17 any other affected boards of education and municipal governing
18 bodies.

19 (cf: P.L.2013, c.172, s.5)

20
21 16. Section 1 of PL.2012, c.78 (C.19:60-1.2) is amended to read
22 as follows:

23 1. a. Notwithstanding any other law or regulation to the contrary,
24 a Type II district with a board of school estimate may move the date
25 of the school district's annual school election pursuant to the
26 provisions of section 1 of P.L.2011, c.202 (C.19:60-1.1).

27 b. Notwithstanding any other law or regulation to the contrary,
28 in the event that the date of the annual school election is moved to
29 the day of the general election in a Type II district with a board of
30 school estimate, the election shall be held for the purpose of
31 electing members of the board of education and for any other
32 purpose authorized by law. The board of school estimate shall not
33 determine the district's general fund tax levy for the budget year,
34 other than the general fund tax levy required to support a proposal
35 for additional funds pursuant to paragraph (9) of subsection d. of
36 section 5 of P.L.1996, c.138 (C.18A:7F-5).

37 c. Notwithstanding any other law or regulation to the contrary,
38 in a Type II district with a board of school estimate that has moved
39 the date of its annual school election to November and subsequently
40 moves the annual school election to the third Tuesday in April, a
41 vote shall be held for the purpose of electing members of the board
42 of education and for any other purpose authorized by law. The
43 board of school estimate shall not determine the district's general
44 fund tax levy for the budget year, **[including any]** other than the
45 general fund tax levy required to support a proposal for additional
46 funds pursuant to paragraph (9) of subsection d. of section 5 of
47 P.L.1996, c.138 (C.18A:7F-5).

48 (cf: P.L.2012, c.78, s.1)

1 17. The following sections are repealed:

2 N.J.S.18A:13-19;

3 N.J.S.18A:13-20;

4 N.J.S.18A:13-21;

5 N.J.S.18A:22-37; and

6 N.J.S.18A:22-38.

7

8 18. This act shall take effect immediately.

9

10

11

STATEMENT

12

13 This bill eliminates the required vote on school budgets for Type II
14 school districts in April elections, except for separate proposals to
15 spend above cap.

16 Under current law, a Type II school district may determine to
17 hold their annual school election on either the third Tuesday in
18 April or during the general election in November. Current law
19 provides that any district that holds its school election in April is
20 also required to obtain voter approval of its base budget, which is a
21 budget with a proposed tax levy that does not exceed its tax levy
22 cap. Under the bill, a Type II school district that opts to hold its
23 annual school election in April will no longer be required to obtain
24 voter approval for their base budgets. The bill provides that any
25 proposal for additional funds above the school district's tax levy
26 cap will continue to be required to be presented to the voters for
27 approval.

28 Under the bill, a school district that holds its annual school
29 election in November may submit to the voters at the April school
30 election a proposal for additional funds or a proposal to issue school
31 bonds.

32 The bill provides that the annual reorganization meeting for a
33 type II district with an April school election will be on a day
34 between May 1 and May 7, inclusive. Member terms are set to
35 begin for type II districts with April school elections on May 1st
36 and end on April 30th. Member terms are set to begin for type II
37 districts with November school elections on January 1st and end on
38 December 31st. In the event that a district opts to move its annual
39 election date from November to April, member terms are to be
40 shortened accordingly.

41 The bill clarifies that current provisions of law pertaining to the
42 submission of a school district's temporary budget are applicable
43 only to school districts with an annual school election in November.

44 The bill repeals sections of law pertaining to the submission of
45 budgets under cap to the voters of districts with an April school
46 election.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 4209

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2023

The Senate Education Committee favorably reports Senate Bill No. 4209 with committee amendments.

This amended bill eliminates the required vote on school budgets for Type II school districts in April elections, except for separate proposals to spend above cap.

Under current law, a Type II school district may determine to hold their annual school election on either the third Tuesday in April or during the general election in November. Current law provides that any district that holds its school election in April is also required to obtain voter approval of its base budget, which is a budget with a proposed tax levy that does not exceed its tax levy cap. Under the amended bill, a Type II school district that opts to hold its annual school election in April will no longer be required to obtain voter approval for their base budgets. The amended bill provides that any proposal for additional funds above the school district's tax levy cap will continue to be required to be presented to the voters for approval.

Under the amended bill, a school district that holds its annual school election in November may submit to the voters at the April school election a proposal for additional funds or a proposal to issue school bonds.

The amended bill provides that the annual reorganization meeting for a type II district with an April school election will be on a day between May 1 and May 7, inclusive. Member terms are set to begin for type II districts with April school elections on May 1st and end on April 30th. Member terms are set to begin for type II districts with November school elections on January 1st and end on December 31st. In the event that a district opts to move its annual election date from November to April, member terms are to be shortened accordingly.

The amended bill clarifies that current provisions of law pertaining to the submission of a school district's temporary budget are applicable only to school districts with an annual school election in November.

The amended bill repeals sections of law pertaining to the submission of budgets under cap to the voters of districts with an April school election.

COMMITTEE AMENDMENTS:

The committee made a minor technical amendment to the bill.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 4209

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 4, 2024

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 4209 (1R).

As amended, this bill eliminates the required vote on school budgets for Type II school districts in April elections, except for separate proposals to spend above cap.

Under current law, a Type II school district may determine to hold its annual school election on either the third Tuesday in April or during the general election in November. Current law provides that any district that holds its school election in April is required to obtain voter approval of its base budget, which is a budget with a proposed tax levy that does not exceed its tax levy cap. Under the bill, a Type II school district that opts to hold its annual school election in April will no longer be required to obtain voter approval for its base budget. As is provided under current law, any proposal for additional funds above the school district's tax levy cap will continue to be required to be presented to the voters for approval in the case of elections held in April and elections held in November.

The bill provides that the annual reorganization meeting for a type II district with an April school election will be on a day from May 1 through May 7, inclusive. The annual reorganization meeting for a type II district with a November school election will be on a day from January 1 through January 7, inclusive. Member terms are set to begin for type II districts with April school elections on May 1st and end on April 30th. Member terms are set to begin for type II districts with November school elections on January 1st and end on December 31st. In the event that a district opts to move its annual election date from November to April, member terms are to be shortened accordingly.

The amended bill repeals sections of law pertaining to the submission of budgets under cap to the voters of districts with an April school election.

COMMITTEE AMENDMENTS:

The committee amended the bill to do the following:

- Remove a provision that would have permitted a school district that holds its annual school election in November to submit to the voters at the April school election a proposal for additional funds;
- Include language to ensure that in a type II school district, the school board may not conduct a meeting, other than for the organization meeting, between January 1 and the organization date in districts with a November school election and May 1 and the organization date for districts with an April school election. An exception is provided if a meeting is needed in order to deal with a matter of urgency and importance as set forth in the Open Public Meetings Act, and if all newly-elected members present are sworn into office prior to conducting business;
- Clarify that in the case of a type II school district with a board of school estimate and with an annual school election in April, the public hearing on the budget is to be held before the board of education rather than the board of school estimate. This is the current procedure for a type II school district with a board of school estimate and with an annual school election in November; and
- Make a technical amendment to retain the dates provided under current law by which a type II school district with a board of school estimate is to certify the required school budget tax levy to the county board of taxation in the case of either an April or November school election.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

ASSEMBLY, No. 5879

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED DECEMBER 11, 2023

Sponsored by:

Assemblywoman ELIANA PINTOR MARIN

District 29 (Essex)

SYNOPSIS

Eliminates vote on school budgets for Type II school districts in April elections, except for separate proposals to spend above cap.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning school elections, supplementing chapter 60 of
2 Title 19 of the Revised Statutes, and revising various parts of the
3 statutory law.

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

7
8 1. (New section) Notwithstanding any other provision of law to
9 the contrary, a school district that holds its annual school election in
10 November may submit to the voters at the April school election a
11 proposal for additional funds pursuant to paragraph (9) of
12 subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5) or a
13 proposal to issue school bonds.

14
15 2. Section 5 of P.L.1996, c.138 (C.18A:7F-5) is amended to read
16 as follows:

17 5. As used in this section, "cost of living" means the CPI as
18 defined in section 3 of P.L.2007, c.260 (C.18A:7F-45).

19 a. Within 30 days following the approval of the Educational
20 Adequacy Report, the commissioner shall notify each district of the
21 base per pupil amount, the per pupil amounts for full-day preschool,
22 the weights for grade level, county vocational school districts, at-
23 risk pupils, bilingual pupils, and combination pupils, the cost
24 coefficients for security aid and for transportation aid, the State
25 average classification rate and the excess cost for general special
26 education services pupils, the State average classification rate and
27 the excess cost for speech-only pupils, and the geographic cost
28 adjustment for each of the school years to which the report is
29 applicable.

30 Annually, within two days following the transmittal of the State
31 budget message to the Legislature by the Governor pursuant to
32 section 11 of P.L.1944, c.112 (C.52:27B-20), the commissioner
33 shall notify each district of the maximum amount of aid payable to
34 the district in the succeeding school year pursuant to the provisions
35 of P.L.2007, c.260 (C.18A:7F-43 et al.), and shall notify each
36 district of the district's adequacy budget for the succeeding school
37 year.

38 For the 2008-2009 school year and thereafter, unless otherwise
39 specified within P.L.2007, c.260 (C.18A:7F-43 et al.), aid amounts
40 payable for the budget year shall be based on budget year pupil
41 counts, which shall be projected by the commissioner using data
42 from prior years. Adjustments for the actual pupil counts of the
43 budget year shall be made to State aid amounts payable during the
44 school year succeeding the budget year. Additional amounts

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 payable shall be reflected as revenue and an account receivable for
2 the budget year.

3 Notwithstanding any other provision of this act to the contrary,
4 each district's State aid payable for the 2008-2009 school year, with
5 the exception of aid for school facilities projects, shall be based on
6 simulations employing the various formulas and State aid amounts
7 contained in P.L.2007, c.260 (C.18A:7F-43 et al.). The
8 commissioner shall prepare a report dated December 12, 2007
9 reflecting the State aid amounts payable by category for each
10 district and shall submit the report to the Legislature prior to the
11 adoption of P.L.2007, c.260 (C.18A:7F-43 et al.). Except as
12 otherwise provided pursuant to this subsection and paragraph (3) of
13 subsection d. of section 5 of P.L.2007, c.260 (C.18A:7F-47), the
14 amounts contained in the commissioner's report shall be the final
15 amounts payable and shall not be subsequently adjusted other than
16 to reflect the phase-in of the required general fund local levy
17 pursuant to paragraph (4) of subsection b. of section 16 of
18 P.L.2007, c.260 (C.18A:7F-58) and to reflect school choice aid to
19 which a district may be entitled pursuant to section 20 of that act.
20 The projected pupil counts and equalized valuations used for the
21 calculation of State aid shall also be used for the calculation of
22 adequacy budget, local share, and required local share. For 2008-
23 2009, extraordinary special education State aid shall be included as
24 a projected amount in the commissioner's report dated December
25 12, 2007 pending the final approval of applications for the aid. If
26 the actual award of extraordinary special education State aid is
27 greater than the projected amount, the district shall receive the
28 increase in the aid payable in the subsequent school year pursuant
29 to the provisions of subsection c. of section 13 of P.L.2007, c.260
30 (C.18A:7F-55). If the actual award of extraordinary special
31 education State aid is less than the projected amount, other State aid
32 categories shall be adjusted accordingly so that the district shall not
33 receive less State aid than as provided in accordance with the
34 provisions of sections 5 and 16 of P.L.2007, c.260 (C.18A:7F-47
35 and C.18A:7F-58).

36 In the event that the commissioner determines, following the
37 enactment of P.L.2007, c.260 (C.18A:7F-43 et al.) but prior to the
38 issuance of State aid notices for the 2008-2009 school year, that a
39 significant district-specific change in data warrants an increase in
40 State aid for that district, the commissioner may adjust the State aid
41 amount provided for the district in the December 12, 2007 report to
42 reflect the increase.

43 b. Each district shall have a required local share. For districts
44 that receive educational adequacy aid pursuant to subsection b. of
45 section 16 of P.L.2007, c.260 (C.18A:7F-58), the required local
46 share shall be calculated in accordance with the provisions of that
47 subsection.

48 For all other districts, the required local share shall equal the
49 lesser of the local share calculated at the district's adequacy budget

1 pursuant to section 9 of P.L.2007, c.260 (C.18A:7F-51), or the
2 district's budgeted local share for the prebudget year.

3 In order to meet this requirement, each district shall raise a
4 general fund tax levy which equals its required local share.

5 No municipal governing body or bodies or board of school
6 estimate, as appropriate, shall certify a general fund tax levy which
7 does not meet the required local share provisions of this section.

8 c. Annually, on or before March 4, or on or before March 20 in
9 the case of a school district with an annual school election in
10 November, each district board of education shall adopt, and submit
11 to the commissioner for approval, together with such supporting
12 documentation as the commissioner may prescribe, a budget that
13 provides for a thorough and efficient education. Notwithstanding
14 the provisions of this subsection to the contrary, the commissioner
15 may adjust the date for the submission of district budgets if the
16 commissioner determines that the availability of preliminary aid
17 numbers for the subsequent school year warrants such adjustment.

18 Notwithstanding any provision of this section to the contrary, for
19 the 2005-2006 school year each district board of education shall
20 submit a proposed budget in which the advertised per pupil
21 administrative costs do not exceed the lower of the following:

22 (1) the district's advertised per pupil administrative costs for the
23 2004-2005 school year inflated by the cost of living or 2.5 percent,
24 whichever is greater; or

25 (2) the per pupil administrative cost limits for the district's
26 region as determined by the commissioner based on audited
27 expenditures for the 2003-2004 school year.

28 The executive county superintendent of schools may disapprove
29 the school district's 2005-2006 proposed budget if he determines
30 that the district has not implemented all potential efficiencies in the
31 administrative operations of the district. The executive county
32 superintendent shall work with each school district in the county
33 during the 2004-2005 school year to identify administrative
34 inefficiencies in the operations of the district that might cause the
35 superintendent to reject the district's proposed 2005-2006 school
36 year budget.

37 For the 2006-2007 school year and each school year thereafter,
38 each district board of education shall submit a proposed budget in
39 which the advertised per pupil administrative costs do not exceed
40 the lower of the following:

41 (1) the district's prior year per pupil administrative costs; except
42 that the district may submit a request to the commissioner for
43 approval to exceed the district's prior year per pupil administrative
44 costs due to increases in enrollment, administrative positions
45 necessary as a result of mandated programs, administrative
46 vacancies, nondiscretionary fixed costs, and such other items as
47 defined in accordance with regulations adopted pursuant to section
48 7 of P.L.2004, c.73. In the event that the commissioner approves a
49 district's request to exceed its prior year per pupil administrative

1 costs, the increase authorized by the commissioner shall not exceed
2 the cost of living or 2.5 percent, whichever is greater; or
3 (2) the prior year per pupil administrative cost limits for the
4 district's region inflated by the cost of living or 2.5 percent,
5 whichever is greater.
6 d. (1) A district's general fund tax levy shall not exceed the
7 district's adjusted tax levy as calculated pursuant to sections 3 and 4
8 of P.L.2007, c.62 (C.18A:7F-38 and 18A:7F-39).
9 (2) (Deleted by amendment, P.L.2007, c.260).
10 (3) (Deleted by amendment, P.L.2007, c.260).
11 (4) Any debt service payment made by a school district during
12 the budget year shall not be included in the calculation of the
13 district's adjusted tax levy.
14 (5) (Deleted by amendment, P.L.2007, c.260).
15 (6) (Deleted by amendment, P.L.2007, c.260).
16 (7) (Deleted by amendment, P.L.2004, c.73).
17 (8) (Deleted by amendment, P.L.2010, c.44)
18 (9) Any district may submit at the annual school budget
19 election, in accordance with subsection c. of section 4 of P.L.2007,
20 c.62 (C.18A:7F-39), a separate proposal or proposals for additional
21 funds, including interpretive statements, specifically identifying the
22 program purposes for which the proposed funds shall be used, to the
23 voters, who may, by voter approval, authorize the raising of an
24 additional general fund tax levy for such purposes. In the case of a
25 district with a board of school estimate, one proposal for the
26 additional spending shall be submitted to the board of school
27 estimate. Any proposal or proposals submitted to the voters or the
28 board of school estimate shall not: include any programs and
29 services that were included in the district's prebudget year net
30 budget unless the proposal is approved by the commissioner upon
31 submission by the district of sufficient reason for an exemption to
32 this requirement; or include any new programs and services
33 necessary for students to achieve the thoroughness standards
34 established pursuant to subsection a. of section 4 of P.L.2007, c.260
35 (C.18A:7F-46).
36 The executive county superintendent of schools may prohibit the
37 submission of a separate proposal or proposals to the voters or
38 board of school estimate if he determines that the district has not
39 implemented all potential efficiencies in the administrative
40 operations of the district, which efficiencies would eliminate the
41 need for the raising of an additional general fund tax levy.
42 (10) Notwithstanding any provision of law to the contrary, if a
43 district proposes a budget with a general fund tax levy and
44 equalization aid which exceed the adequacy budget, the following
45 statement shall be published in the legal notice of public hearing on
46 the budget pursuant to N.J.S.18A:22-28, and posted at the public
47 hearing held on the budget pursuant to N.J.S.18A:22-29[, and
48 printed on the sample ballot required pursuant to section 10 of
49 P.L.1995, c.278 (C.19:60-10)]:

1 "Your school district has proposed programs and services in
2 addition to the core curriculum content standards adopted by the
3 State Board of Education. Information on this budget and the
4 programs and services it provides is available from your local
5 school district."

6 (11) Any reduction that may be required to be made to programs
7 and services included in a district's prebudget year net budget in
8 order for the district to limit the growth in its budget between the
9 prebudget and budget years by its tax levy growth limitation as
10 calculated pursuant to sections 3 and 4 of P.L.2007, c.62
11 (C.18A:7F-38 and 18A:7F-39), shall only include reductions to
12 excessive administration or programs and services that are
13 inefficient or ineffective.

14 e. (1) **Any general fund tax levy rejected by the voters for a**
15 **proposed budget that includes a general fund tax levy and**
16 **equalization aid in excess of the adequacy budget shall be submitted**
17 **to the governing body of each of the municipalities included within**
18 **the district for determination of the amount that should be expended**
19 **notwithstanding voter rejection.** In the case of a district having a
20 board of school estimate, other than a Type II district with a board
21 of school estimate **in which the annual election is in November**,
22 which has a proposed budget that includes a general fund tax levy
23 and equalization aid in excess of the adequacy budget, the general
24 fund tax levy shall be submitted to the board for determination of
25 the amount that should be expended. If the **governing body or**
26 **bodies or** board of school estimate, as appropriate, **reduce**
27 reduces the district's proposed budget, the district may appeal any
28 of the reductions to the commissioner on the grounds that the
29 reductions will negatively impact on the stability of the district
30 given the need for long term planning and budgeting. In
31 considering the appeal, the commissioner shall consider enrollment
32 increases or decreases within the district; **the history of voter**
33 **approval or rejection of district budgets;** the impact on the local
34 levy; and whether the reductions will impact on the ability of the
35 district to fulfill its contractual obligations. A district may not
36 appeal any reductions on the grounds that the amount is necessary
37 for a thorough and efficient education.

38 (2) **Any general fund tax levy rejected by the voters for a**
39 **proposed budget that includes a general fund tax levy and**
40 **equalization aid at or below the adequacy budget shall be submitted**
41 **to the governing body of each of the municipalities included within**
42 **the district for determination of the amount that should be expended**
43 **notwithstanding voter rejection.** In the case of a district having a
44 board of school estimate, other than a Type II district with a board
45 of school estimate **in which the annual election is in November**,
46 which has a proposed budget that includes a general fund tax levy
47 and equalization aid at or below the adequacy budget, the general
48 fund tax levy shall be submitted to the board for determination.

1 Any reductions may be appealed to the commissioner on the
2 grounds that the amount is necessary for a thorough and efficient
3 education or that the reductions will negatively impact on the
4 stability of the district given the need for long term planning and
5 budgeting. In considering the appeal, the commissioner shall also
6 consider the factors outlined in paragraph (1) of this subsection.

7 In addition, the **【municipal governing body or】** board of school
8 estimate shall be required to demonstrate clearly to the
9 commissioner that the proposed budget reductions shall not
10 adversely affect the ability of the school district to provide a
11 thorough and efficient education or the stability of the district given
12 the need for long term planning and budgeting.

13 (3) In lieu of any budget reduction appeal provided for pursuant
14 to paragraphs (1) and (2) of this subsection, the State board may
15 establish pursuant to the "Administrative Procedure Act," P.L.1968,
16 c.410 (C.52:14B-1 et seq.), an expedited budget review process
17 based on a district's application to the commissioner for an order to
18 restore a budget reduction.

19 (4) When the **【voters, municipal governing body or bodies,】**
20 board of education **【in the case of a school district in which the**
21 **annual school election has been moved to November pursuant to**
22 **subsection a. of section 1 of P.L.2011, c.202 (C.19:60-1.1),】** or the
23 board of school estimate authorize the general fund tax levy, the
24 district shall submit the resulting budget to the commissioner within
25 15 days of the authorization.

26 f. (Deleted by amendment, P.L.2007, c.260).

27 g. (Deleted by amendment, P.L.2007, c.260).

28 (cf: P.L.2013, c.280, s.1)

29

30 3. Section 41 of P.L.2011, c.202 (C.18A:7F-5.4) is amended to
31 read as follows:

32 41. A board of education of a school district in which the annual
33 school election has been moved to November pursuant to subsection
34 a. of section 1 of P.L.2011, c.202 (C.19:60-1.1) and which has
35 determined to submit a proposal or proposals for additional funds to
36 the voters at the annual November school election pursuant to
37 paragraph (9) of subsection d. of section 5 of P.L.1996, c.138
38 (C.18A:7F-5), shall adopt and submit to the commissioner for
39 approval pursuant to subsection c. of section 5 of P.L.1996, c.138
40 (C.18A:7F-5), a temporary budget for the school year pending the
41 approval or disapproval of the proposal or proposals for additional
42 funds by the voters. The temporary budget shall be calculated
43 pursuant to the provisions of paragraph (1) of subsection d. of
44 section 5 of P.L.1996, c.138 (C.18A:7F-5) or P.L.2007, c.62
45 (C.18A:7F-37 et al.), as appropriate.

46 (cf: P.L.2011, c.202, s.41)

47

48 4. Section 42 of P.L.2011, c.202 (C.18A:7F-5.5) is amended to
49 read as follows:

1 42. In the case of a school district in which the annual school
2 election has been moved to November pursuant to subsection a. of
3 section 1 of P.L.2011, c.202 (C.19:60-1.1), if the voters authorize
4 the proposal or proposals for additional funds pursuant to paragraph
5 (9) of subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5) at
6 the annual November school election, the district shall submit the
7 resulting final budget to the commissioner within 15 days of the
8 action of the voters. If the voters fail to authorize the proposal or
9 proposals for additional funds, the temporary budget shall be the
10 final budget for the district for that school year.
11 (cf: P.L.2011, c.202, s.42)

12
13 5. Section 43 of P.L.2011, c.202 (18A:7F-5.6) is amended to
14 read as follows:

15 43. In the case of a school district in which the annual school
16 election has been moved to November pursuant to subsection a. of
17 section 1 of P.L.2011, c.202 (C.19:60-1.1), if the voters approve a
18 proposal or proposals for additional funds pursuant to paragraph (9)
19 of subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5) at the
20 annual November school election, the secretary of the board of
21 education shall re-certify to the county board of taxation the sum or
22 sums to be raised by special district tax for the school year. The
23 amount re-certified shall be included in the taxes assessed, levied
24 and collected in the municipality or municipalities comprising the
25 district.
26 (cf: P.L.2011, c.202)

27
28 6. Section 44 of P.L.2011, c.202 (C.18A:7F-5.7) is amended to
29 read as follows:

30 44. The Director of the Division of Local Government Services
31 in the Department of Community Affairs and the Director of the
32 Division of Taxation in the Department of the Treasury, in
33 consultation with the Commissioner of Education, shall take such
34 action as deemed necessary for the delivery of estimated tax bills
35 and the recertification of the school district tax levy pursuant to
36 section 43 of P.L.2011, c.202 (C.18A:7F-5.6) for districts in which
37 the annual school election is in November and that determine to
38 submit proposal or proposals for additional funds at the annual
39 November school election pursuant to paragraph (9) of subsection
40 d. of section 5 of P.L.1996, c.138 (C.18A:7F-5).
41 (cf: P.L.2011, c.202, s.44)

42
43 7. N.J.S.18A:10-3 is amended to read as follows:

44 18A:10-3. Each board of education shall organize annually at a
45 regular meeting held not later than at 8 p.m. at which time new
46 members shall take office:

47 a. In type I districts on May 16, or on the following day if that
48 day be Sunday.

1 b. In all type II districts with an April school election on any
2 day **【of the first or second week following the April school**
3 **election】** from May 1 through May 7, inclusive.

4 c. In all type II districts with a November school election on
5 any day **【of the first week in January at which time new members**
6 **shall take office】** from January 1 through January 7, inclusive.

7 If the organization meeting cannot take place on that day by
8 reason of lack of a quorum or for any other reason, said meeting
9 shall be held within three days thereafter.

10 In all type II districts with an April school election, member
11 terms shall begin on May 1st and end on April 30th. In all type II
12 districts with a November school election, member terms shall
13 begin on January 1st and end on December 31st.

14 In the event that a district opts to move its annual election date
15 from November to April, member terms shall be shortened
16 accordingly.

17 (cf: P.L.2011, c.202, s.7)

18
19 8. N.J.S.18A:13-10 is amended to read as follows:

20 18A:13-10. The board of education of each regional district shall
21 provide for the holding, in accordance with the provisions of
22 P.L.1995, c.278 (C.19:60-1 et al.), of an annual school election for
23 the regional district.

24 At such election there shall be elected for terms of three years,
25 the members of the regional boards of education to succeed those
26 members of the board whose terms shall expire in that year, except
27 as is in this chapter provided for the election of the first elected
28 members of the board. The term of a member of a regional board of
29 education elected in April shall begin on **【any day of the first or**
30 **second week following the election】** May 1st and end on April
31 30th. The term of a member of a regional board of education elected
32 in November shall begin on **【any day of the first week in】** January
33 1st and end on December 31st.

34 In the event that a district opts to move its annual election date
35 from November to April, member terms shall be shortened
36 accordingly.

37 (cf: P.L.2011, c.202, s.9)

38
39 9. N.J.S.18A:13-12 is amended to read as follows:

40 18A:13-12. The board shall hold a regular meeting forthwith
41 after its first appointment, and annually thereafter on any day **【of**
42 **the first or second week】** between May 1 and May 7, inclusive,
43 following the annual school election in April, at which it shall
44 organize by the election, from among its members, of a president
45 and vice president, who shall serve until the organization meeting
46 next succeeding the election of their respective successors as
47 members of the board. In the case of a regional district in which the
48 annual school election is in November, the organization meeting

1 shall be held on any day of the first week in January. If any board
2 shall fail to organize within the designated period, the executive
3 county superintendent of the county, or the executive county
4 superintendents of the counties, in which the constituent districts
5 are situate, shall appoint, from among the members of the board, a
6 president and vice president to serve until the organization meeting
7 next succeeding the next election.

8 (cf: P.L.2011, c.202, s.10)

9

10 10. N.J.S.18A:13-17 is amended to read as follows:

11 18A:13-17. a. **【**The regional board of education shall, at each
12 annual April school election, submit to the voters of the regional
13 district the amount of money fixed and determined in its budget to
14 be voted upon for the use of the regional schools of the district for
15 the ensuing school year and may submit thereat any other question
16 authorized by this law to be submitted at such an election. The
17 board may, in submitting to the voters the amount of money to be
18 voted upon for the use of the regional schools of the district,
19 identify the amount of money determined to be the constituent
20 municipality's share. The board shall follow the procedures
21 established in section 5 of P.L.1996, c.138 (C.18A:7F-5) and
22 N.J.S.18A:22-33. **】** (Deleted by amendment, P.L. , c.) (pending
23 before the Legislature as this bill)

24 b. In the case of a regional district in which the annual school
25 election is in April or November, the regional board of education
26 shall fix and determine the district's budget for the ensuing school
27 year and may submit at the annual school election any question
28 authorized by law to be submitted at such an election. The board
29 shall follow the procedures established in section 5 of P.L.1996,
30 c.138 (C.18A:7F-5), N.J.S.18A:22-33, and , as applicable, section
31 41 of P.L.2011, c.202 (C.18A:7F-5.4).

32 (cf: P.L.2011, c.202, s.13)

33

34 11. N.J.S.18A:13-40 is amended to read as follows:

35 18A:13-40. The board of education of a newly created regional
36 district may, prior to taking charge and control of the educational
37 facilities of the regional district, do all other acts and things which
38 may be necessary for the proper organization and functioning of the
39 public schools of the regional district during its first year, including
40 the making of contracts for the employment of necessary personnel
41 and for other proper purposes, the preparation **【**and , if applicable,
42 submission to the voters of the regional district for their approval or
43 disapproval **】** of the budget and the appropriations for the conduct of
44 the public schools of the regional district during its first school
45 year, the authorization of the purchase of real and personal
46 property, and the construction, enlargement and repair of buildings,
47 for school purposes, and the appropriations of the funds necessary
48 to carry out the same and the authorization of the issuance and sale
49 of bonds in order to provide for the payment therefor in whole or in

1 part and the calling and holding of special elections when necessary
2 for any such purposes and to carry out any or all of said purposes.
3 (cf: P.L.2011, c.202, s.15)

4

5 12. N.J.S.18A:22-26 is amended to read as follows:

6 18A:22-26. a. Except as otherwise provided in subsection b. of
7 this section, at or after the public hearing but not later than April 8,
8 the board of **【school estimate】** education of a type II district having
9 a board of school estimate shall fix and determine by a recorded roll
10 call majority vote of its full membership the amount of money
11 necessary to be appropriated for the use of the public schools in the
12 district for the ensuing school year, exclusive of the amount which
13 shall be apportioned to it by the commissioner for the year pursuant
14 to the provisions of section 5 of P.L.1996, c.138 (C.18A:7F-5) **【and**
15 **shall make a certificate of the amount signed by at least a majority**
16 **of all members of the board, which shall be delivered to the board**
17 **of education and a copy thereof, certified under oath to be correct**
18 **and true by the secretary of the board of school estimate, shall be**
19 **delivered】** . By that same date the board of school estimate shall fix
20 and determine by a recorded roll call majority vote of its full
21 membership the amount of any additional funds pursuant to
22 paragraph (9) of subsection d. of section 5 of P.L.1996, c.138
23 (C.18A:7F-5) and shall make a certificate of that amount signed by
24 at least a majority of all members of the board, which shall be
25 delivered to the board of education. The secretary of the board of
26 education shall certify the amount so fixed and determined by the
27 board of education and the board of school estimate and shall
28 deliver a copy of the certificate to the county board of taxation on
29 or before April 15 in each year and a duplicate of the certificate
30 shall be delivered to the board or governing body of each of the
31 municipalities within the territorial limits of the district having the
32 power to make appropriations of money raised by taxation in the
33 municipalities or political subdivisions and to the executive county
34 superintendent of schools and the amount shall be assessed, levied
35 and raised under the procedure and in the manner provided by law
36 for the levying and raising of special school taxes in other type II
37 districts and shall be paid to the board secretary or treasurer of
38 school moneys, as appropriate, of the district for such purposes.

39 **【**Within 15 days after receiving the certificate the board of
40 education shall notify the board of school estimate, the governing
41 body of each municipality within the territorial limits of the school
42 district, and the commissioner if it intends to appeal to the
43 commissioner the board of school estimate's determination as to the
44 amount of money requested pursuant to the provisions of section 5
45 of P.L.1996, c.138 (C.18A:7F-5), necessary to be appropriated for
46 the use of the public schools of the district for the ensuing school
47 year.**】**

1 b. At or after the public hearing on the budget but not later than
2 May 14, the board of education of each type II district having a
3 board of school estimate in which the annual school election is in
4 November, shall fix and determine by a recorded roll call majority
5 vote of its full membership the amount of money necessary to be
6 raised for the use of the public schools in the district, exclusive of
7 the amount which shall be apportioned to it by the commissioner for
8 the year pursuant to the provisions of section 5 of P.L.1996, c.138
9 (C.18A:7F-5). By that same date the board of school estimate shall
10 fix and determine by a recorded roll call majority vote of its full
11 membership the amount of any additional funds pursuant to
12 paragraph (9) of subsection d. of section 5 of P.L.1996, c.138
13 (C.18A:7F-5) and shall make a certificate of that amount signed by
14 at least a majority of all members of the board, which shall be
15 delivered to the board of education. The secretary of the board of
16 education shall certify the amount so fixed and determined by the
17 board of education and the board of school estimate and shall
18 deliver a copy of the certificate to the county board of taxation of
19 the county on or before May 19 in each year and a duplicate of the
20 certificate shall be delivered to the board or governing body of each
21 of the municipalities within the territorial limits of the districts
22 having the power to make appropriations of money raised by
23 taxation in the municipalities or political subdivisions and to the
24 executive county superintendent of schools and the amount shall be
25 assessed, levied and raised under the procedure and in the manner
26 provided by law for the levying and raising of special school taxes
27 in other type II districts and shall be paid to the board secretary or
28 treasurer of school moneys, as appropriate, of the district for such
29 purposes. (Deleted by amendment, P.L. , c.) (pending before the
30 Legislature as this bill)
31 (cf: P.L.2013, c.280, s.4)

32
33 13. N.J.S.18A:22-33 is amended to read as follows:

34 18A:22-33. a. **【**The board of education of a type II district not
35 having a board of school estimate shall at the April school election,
36 submit to the voters of the district, the amount of money fixed and
37 determined in its budget pursuant to section 5 of P.L.1996, c.138
38 (C.18A:7F-5), excluding therefrom the sum or sums stated therein
39 to be used for interest and debt redemption charges, in the manner
40 provided by law, to be voted upon for the use of the public schools
41 of the district for the ensuing school year, which amount shall be
42 stated in the notice of the election, and the legal voters of the
43 district shall determine at the April election, by a majority vote of
44 those voting upon the proposition, the sum or sums, not exceeding
45 those stated in the notice of the election, to be raised by special
46 district tax for said purposes, in the district during the ensuing
47 school year and the secretary of the board of education shall certify
48 the amount so determined upon, if any, and the sums so stated for
49 interest and debt redemption charges, to the county board of

1 taxation of the county within two days following the certification of
2 the election results and the amount or amounts so certified shall be
3 included in the taxes assessed, levied and collected in the
4 municipality or municipalities comprising the district for such
5 purposes; except that, in the case of a district which , following the
6 school election and the approval by the voters of the sum to be
7 raised by special district tax for the schools of the district,
8 determines that it has a greater surplus account available for the
9 school year than estimated when the sum to be raised by special
10 district tax was presented to the voters, the secretary of the board of
11 education, with the approval of the commissioner, may between the
12 date of the school election and the delivery of tax bills pursuant to
13 R.S.54:4-64 re-certify to the county board of taxation the sum or
14 sums to be raised by special district tax in the district during the
15 ensuing school year, if the sum is lower than that approved by the
16 voters in the school election, and if the reduction is equivalent to
17 the additional amount available in the surplus account to be applied
18 towards the district's budget. The amount re-certified shall be
19 included in the taxes assessed, levied and collected in the
20 municipality or municipalities comprising the district.】 (Deleted by
21 amendment, P.L. , c.) (pending before the Legislature as this
22 bill)

23 b. In the case of a Type II district 【in which the annual school
24 election is in November pursuant to subsection a. of section 1 of
25 P.L.2011, c.202 (C.19:60-1.1)】 not having a board of school
26 estimate, by May 19 the secretary of the board of education shall
27 certify the amount fixed and determined by the school board
28 pursuant to N.J.S.18A:22-32 other than any additional funds to be
29 voted upon by the legal voters of the district and the sums so stated
30 for interest and debt redemption charges, to the county board of
31 taxation of the county and the amount or amounts so certified shall
32 be included in the taxes assessed, levied and collected in the
33 municipality or municipalities comprising the district for such
34 purposes; except that, in the case of a district which determines that
35 it has a greater surplus account available for the school year than
36 estimated when the sum to be raised by special district tax was
37 certified to the county board of taxation of the county, the secretary
38 of the board of education, with the approval of the commissioner,
39 may between May 19 and the delivery of tax bills pursuant to
40 R.S.54:4-64 re-certify to the county board of taxation the sum or
41 sums to be raised by special district tax in the district during the
42 ensuing school year, if the sum is lower than that initially certified
43 to the county board of taxation of the county, and if the reduction is
44 equivalent to the additional amount available in the surplus account
45 to be applied towards the district's budget. The amount re-certified
46 shall be included in the taxes assessed, levied and collected in the
47 municipality or municipalities comprising the district.
48 (cf: P.L.2011, c.202, s.20)

1 14. Section 1 of P.L.1995, c.278 (C.19:60-1) is amended to read
2 as follows:

3 1. a. Except as otherwise provided in this section, an annual
4 school election shall be held in a type II district on the third
5 Tuesday in April. However, in any school year, the Commissioner
6 of Education shall make any adjustments to the school budget and
7 election calendar which may be necessary to change the annual
8 school election date or any other school budget and election
9 calendar date if that date coincides with a period of religious
10 observance that limits significantly the usual activities of the
11 followers of a particular religion or that would result in significant
12 religious consequences for such followers. The commissioner shall
13 inform local school boards, county clerks and boards of election of
14 these adjustments no later than the first working day in January of
15 the year in which the adjustments are to occur.

16 As used in this subsection "a period of religious observance"
17 means any day or portion thereof on which a religious observance
18 imposes a substantial burden on an individual's ability to vote.

19 An annual school election shall be held simultaneously with the
20 general election on the first Tuesday after the first Monday in
21 November in school districts in which the annual school election
22 has been moved to that date pursuant to subsection a. of section 1 of
23 P.L.2011, c.202 (C.19:60-1.1) or pursuant to section 1 of P.L.2012,
24 c.78 (C.19:60-1.2).

25 The annual school election in April or November shall be for the
26 purpose of submitting a proposal to the voters for the approval of
27 additional funds in a Type II district without a board of school
28 estimate pursuant to paragraph (9) of subsection d. of section 5 of
29 P.L.1996, c.138 (C.18A:7F-5), for the purpose of electing members
30 of the board of education, and for any other purpose authorized by
31 law.

32 b. All school elections shall be by ballot and, except as
33 otherwise provided by P.L.1995, c.278 (C.19:60-1 et al.), shall be
34 conducted in the manner provided for general elections pursuant to
35 Title 19 of the Revised Statutes. No party designation shall appear
36 on any ballot to be used in a school election. At the request of one
37 or more candidates, the ballot for a school election may include a
38 designation in not more than three words that conveys the principles
39 which the candidate or candidates therein named represent, but such
40 designation shall not contain the name, or a derivative or any part
41 thereof, as a noun or an adjective of any political party entitled to
42 participate in a primary election.

43 (cf: P.L.2018, c.20, s.1)

44

45 15. Section 1 of P.L.2011, c.202 (C.19:60-1.1) is amended to
46 read as follows:

47 1. a. (1) The question of moving the date of a school district's
48 annual school election to the first Tuesday after the first Monday in
49 November, to be held simultaneously with the general election,

1 shall be submitted to the legal voters of a local or regional school
2 district, other than a Type II district with a board of school estimate,
3 whenever a petition signed by not less than 15% of the number of
4 legally qualified voters who voted in the district at the last
5 preceding general election held for the election of electors for
6 President and Vice-President of the United States is filed with the
7 board of education. The question shall be submitted to the voters of
8 the district at the next general election, provided that at least 60
9 days have lapsed since the date of the filing of the petition. In the
10 event that the question is not approved by the voters, no petition
11 may be filed to submit the question to the voters within one year
12 after an election shall have been held pursuant to any petition filed
13 pursuant to this subsection.

14 The date of the annual school election may be moved to the first
15 Tuesday after the first Monday in November without voter
16 approval, upon the adoption of a resolution by the board of
17 education of a local or regional school district, other than a Type II
18 district with a board of school estimate, or the governing body or
19 bodies of the municipality or municipalities constituting the district.
20 Prior to holding a meeting for the adoption of the resolution to
21 move the date of the annual school election, the governing body or
22 bodies of the municipality or municipalities constituting the district
23 shall provide adequate notice of the meeting to the affected board or
24 boards of education.

25 (2) In the event that the date of a school district's annual school
26 election is moved to the day of the general election, the annual
27 school election in November shall be held for the purpose of
28 submitting a proposal to the voters for approval of additional funds
29 pursuant to paragraph (9) of subsection d. of section 5 of P.L.1996,
30 c.138 (C.18A:7F-5), for the purpose of electing members of the
31 board of education, and for any other purpose authorized by law. A
32 vote shall not be required on the district's general fund tax levy for
33 the budget year, other than the general fund tax levy required to
34 support a proposal for additional funds.

35 (3) In addition to the process set forth in paragraph (1) of this
36 subsection, in the event that all the constituent districts of a limited
37 purpose regional school district approve moving the date of their
38 annual school elections to November, by any of the procedures
39 established pursuant to this subsection, then the annual school
40 election for the limited purpose regional school district shall also be
41 conducted simultaneously with the general election.

42 (4) In the event that the date of a school district's annual school
43 election is moved to the day of the general election pursuant to this
44 subsection, the board of education and the county board of elections
45 shall enter into an agreement, pursuant to guidelines established by
46 the Secretary of State, under which the board of education shall pay
47 any agreed upon increase in the costs, charges, and expenses that
48 may be associated with holding the school election simultaneously
49 with the general election.

1 b. (1) In the case of a school district that has moved the date of
2 its annual school election to November pursuant to subsection a. of
3 this section, the question of moving the date of the school district's
4 annual school election to the third Tuesday in April shall be
5 submitted to the legal voters of a local or regional school district,
6 other than a Type II district with a board of school estimate,
7 whenever a petition signed by not less than 15% of the number of
8 legally qualified voters who voted in the district at the last
9 preceding general election held for the election of electors for
10 President and Vice-President of the United States is filed with the
11 board of education. The question shall be submitted to the voters of
12 the district at the next general election, provided that at least 60
13 days have lapsed since the date of the filing of the petition.

14 The date of the annual school election may be moved to the third
15 Tuesday in April without voter approval, upon the adoption of a
16 resolution by the board of education of a local or regional school
17 district, other than a Type II district with a board of school estimate,
18 or the governing body or bodies of the municipality or
19 municipalities constituting the district. Prior to holding a meeting
20 for the adoption of the resolution to move the date of the annual
21 school election, the governing body or bodies of the municipality or
22 municipalities constituting the district shall provide adequate notice
23 of the meeting to the affected board or boards of education.

24 No resolution may be adopted and no petition may be filed
25 pursuant to this subsection until at least four annual school elections
26 have been held in November.

27 (2) In the event that the date of the annual school election is
28 moved to the third Tuesday in April, ~~【a vote shall be held on the~~
29 ~~district's general fund tax levy for the budget year including any~~
30 ~~proposal for】 the annual school election in April shall be held for
31 the purpose of submitting a proposal to the voters for approval of
32 additional funds pursuant to paragraph (9) of subsection d. of
33 section 5 of P.L.1996, c.138 (C.18A:7F-5), for the election of
34 members of the board of education, and for any other purpose
35 authorized by law. A vote shall not be required on the district's
36 general fund tax levy for the budget year, other than the general
37 fund tax levy required to support a proposal for additional funds~~

38 (3) In addition to the process set forth in paragraph (1) of this
39 subsection, in the event that all the constituent districts of a limited
40 purpose regional school district approve moving the date of their
41 annual school elections to the third Tuesday in April, by any of the
42 procedures established pursuant to this subsection, then the annual
43 school election for the limited purpose regional school district shall
44 also be conducted on the third Tuesday in April.

45 c. Notice, in writing, to change the date of a school election
46 from the third Tuesday in April to the first Tuesday in November
47 shall be given to the county clerk no less than 60 days prior to the
48 third Tuesday in April to take effect for that year's election. For a
49 change from the first Tuesday in November to the third Tuesday in

1 April, notice must be given to the county clerk no less than 85 days
2 prior to the third Tuesday in April to take effect for that year's
3 election. Timely notice shall also be given by the board of
4 education or municipal governing body adopting such resolution to
5 any other affected boards of education and municipal governing
6 bodies.

7 (cf: P.L.2013, c.172, s.5)

8

9 16. Section 1 of PL.2012, c.78 (C.19:60-1.2) is amended to read
10 as follows:

11 1. a. Notwithstanding any other law or regulation to the contrary,
12 a Type II district with a board of school estimate may move the date
13 of the school district's annual school election pursuant to the
14 provisions of section 1 of P.L.2011, c.202 (C.19:60-1.1).

15 b. Notwithstanding any other law or regulation to the contrary,
16 in the event that the date of the annual school election is moved to
17 the day of the general election in a Type II district with a board of
18 school estimate, the election shall be held for the purpose of
19 electing members of the board of education and for any other
20 purpose authorized by law. The board of school estimate shall not
21 determine the district's general fund tax levy for the budget year,
22 other than the general fund tax levy required to support a proposal
23 for additional funds pursuant to paragraph (9) of subsection d. of
24 section 5 of P.L.1996, c.138 (C.18A:7F-5).

25 c. Notwithstanding any other law or regulation to the contrary,
26 in a Type II district with a board of school estimate that has moved
27 the date of its annual school election to November and subsequently
28 moves the annual school election to the third Tuesday in April, a
29 vote shall be held for the purpose of electing members of the board
30 of education and for any other purpose authorized by law. The
31 board of school estimate shall not determine the district's general
32 fund tax levy for the budget year, **【including any】** other than the
33 general fund tax levy required to support a proposal for additional
34 funds pursuant to paragraph (9) of subsection d. of section 5 of
35 P.L.1996, c.138 (C.18A:7F-5).

36 (cf: P.L.2012, c.78, s.1)

37

38 17. The following sections are repealed:

39 N.J.S.18A:13-19;

40 N.J.S.18A:13-20;

41 N.J.S.18A:13-21;

42 N.J.S.18A:22-37; and

43 N.J.S.18A:22-38.

44

45 18. This act shall take effect immediately.

STATEMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

This bill eliminates the required vote on school budgets for Type II school districts in April elections, except for separate proposals to spend above cap.

Under current law, a Type II school district may determine to hold their annual school election on either the third Tuesday in April or during the general election in November. Current law provides that any district that holds its school election in April is also required to obtain voter approval of its base budget, which is a budget with a proposed tax levy that does not exceed its tax levy cap. Under the bill, a Type II school district that opts to hold its annual school election in April will no longer be required to obtain voter approval for their base budgets. The bill provides that any proposal for additional funds above the school district's tax levy cap will continue to be required to be presented to the voters for approval.

Under the bill, a school district that holds its annual school election in November may submit to the voters at the April school election a proposal for additional funds or a proposal to issue school bonds.

The bill provides that the annual reorganization meeting for a type II district with an April school election will be on a day between May 1 and May 7, inclusive. Member terms are set to begin for type II districts with April school elections on May 1st and end on April 30th. Member terms are set to begin for type II districts with November school elections on January 1st and end on December 31st. In the event that a district opts to move its annual election date from November to April, member terms are to be shortened accordingly.

The bill clarifies that current provisions of law pertaining to the submission of a school district's temporary budget are applicable only to school districts with an annual school election in November.

The bill repeals sections of law pertaining to the submission of budgets under cap to the voters of districts with an April school election.

ASSEMBLY STATE AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 5879

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2023

The Assembly State and Local Government Committee reports favorably and with committee amendments Assembly Bill No. 5879.

As amended, this bill eliminates the required vote on school budgets for Type II school districts in April elections, except for separate proposals to spend above cap.

Under current law, a Type II school district may determine to hold their annual school election on either the third Tuesday in April or during the general election in November. Current law provides that any district that holds its school election in April is also required to obtain voter approval of its base budget, which is a budget with a proposed tax levy that does not exceed its tax levy cap. Under the bill, a Type II school district that opts to hold its annual school election in April will no longer be required to obtain voter approval for their base budgets. The bill provides that any proposal for additional funds above the school district's tax levy cap will continue to be required to be presented to the voters for approval.

Under the bill, a school district that holds its annual school election in November may submit to the voters at the April school election a proposal for additional funds or a proposal to issue school bonds.

The bill provides that the annual reorganization meeting for a type II district with an April school election will be on a day between May 1 and May 7, inclusive. Member terms are set to begin for type II districts with April school elections on May 1st and end on April 30th. Member terms are set to begin for type II districts with November school elections on January 1st and end on December 31st. In the event that a district opts to move its annual election date from November to April, member terms are to be shortened accordingly.

The bill clarifies that current provisions of law pertaining to the submission of a school district's temporary budget are applicable only to school districts with an annual school election in November.

The bill repeals sections of law pertaining to the submission of budgets under cap to the voters of districts with an April school election.

COMMITTEE AMENDMENTS:

The committee made a technical amendment to properly indicate language that was marked to be deleted by the bill.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 5879

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 4, 2024

The Assembly Appropriations Committee reports favorably Assembly Bill No. 5879 (1R).

This amended bill eliminates the required vote on school budgets for Type II school districts in April elections, except for separate proposals to spend above cap.

Under current law, a Type II school district may determine to hold its annual school election on either the third Tuesday in April or during the general election in November. Current law provides that any district that holds its school election in April is required to obtain voter approval of its base budget, which is a budget with a proposed tax levy that does not exceed its tax levy cap. Under the amended bill, a Type II school district that opts to hold its annual school election in April will no longer be required to obtain voter approval for its base budget. As is provided under current law, any proposal for additional funds above the school district's tax levy cap will continue to be required to be presented to the voters for approval in the case of elections held in April and elections held in November.

The amended bill provides that the annual reorganization meeting for a type II district with an April school election will be on a day from May 1 through May 7, inclusive. The annual reorganization meeting for a type II district with a November school election will be on a day from January 1 through January 7, inclusive. Member terms are set to begin for type II districts with April school elections on May 1st and end on April 30th. Member terms are set to begin for type II districts with November school elections on January 1st and end on December 31st. In the event that a district opts to move its annual election date from November to April, member terms are to be shortened accordingly.

The amended bill repeals sections of law pertaining to the submission of budgets under cap to the voters of districts with an April school election.

COMMITTEE AMENDMENTS:

The committee amended the bill to do the following:

- Remove a provision that would have permitted a school district that holds its annual school election in November to submit to the voters at the April school election a proposal for additional funds;
- Include language to ensure that in a type II school district, the school board may not conduct a meeting, other than for the organization meeting, between January 1 and the organization date in districts with a November school election and May 1 and the organization date for districts with an April school election. An exception is provided if a meeting is needed in order to deal with a matter of urgency and importance as set forth in the Open Public Meetings Act, and if all newly-elected members present are sworn into office prior to conducting business;
- Clarify that in the case of a type II school district with a board of school estimate and with an annual school election in April, the public hearing on the budget is to be held before the board of education rather than the board of school estimate. This is the current procedure for a type II school district with a board of school estimate and with an annual school election in November; and
- Make a technical amendment to retain the dates provided under current law by which a type II school district with a board of school estimate is to certify the required school budget tax levy to the county board of taxation in the case of either an April or November school election.

FISCAL IMPACT:

This bill has not been certified for a fiscal note.

Governor Murphy Takes Action on Legislation

01/16/2024

TRENTON – Today, Governor Murphy signed the following bills into law:

SCS for S-281/ACS for A-3791 (Greenstein, Turner/Sumter, Reynolds-Jackson) – w/STATEMENT - Concerns automatic fire sprinkler systems within newly constructed townhouses
[Copy of Statement](#)

S-539wGR/A-2140 (Ruiz, Pou/Reynolds-Jackson, Wimberly, Mosquera) - Permits online purchase of eligible foods using WIC funds and use of WIC funds for grocery delivery ch

S-659/A-2014 (Oroho, Greenstein/Conaway, Wirths, Umba) - "Manufacturing in Higher Education Act"; requires various State entities to promote manufacturing career pathways students and provides assistance to manufacturing industry

S-1110/A-3936 (Polistina, Singleton/Guardian, Swift, McClellan) - Authorizes CRDA to finance transportation projects between Atlantic City Airport and Atlantic City Tourism Dis

S-1662/A-3526 (Ruiz, Codey/Lampitt, Benson, Sauickie) - Requires NJ Youth Suicide Prevention Advisory Council to prepare report regarding suicide prevention instruction in pu schools

S-1680wGR/A-2257 (Pou, Ruiz/Murphy, Quijano, Wimberly) - Designates each community college in State as provider of allowable services under SNAP employment and training program

S-2076/ACS for A-3319 (Zwicker, Greenstein/McKnight, Lampitt) - Establishes "Twelfth Grade Postsecondary Transition Year Pilot Program" in Department of Education

S-2535wGR/A-4048 (Polistina, Pou/Benson, McKnight, Reynolds-Jackson, Carter) - Requires health benefits coverage of hearing aids and cochlear implants

S-2841/A-4292 (Scutari, Bramnick/Carter) - Raises minimum amount of liability coverage for commercial motor vehicles and autocabs

SCS for S-3080/ACS for-398 (Ruiz, Burgess/Caputo, Giblin, Tucker) - Establishes position of Youth Disconnection Prevention and Recovery Ombudsperson; establishes "School Disconnection Prevention Task Force"; appropriates \$200,000

S-3102/A-4715 (Smith, Singleton/Stanley, Benson) - Establishes uptime requirement for electric vehicle charging station incentive programs

S-3176/A-4760 (Greenstein, Smith/Swain, Haider, Tully) - Requires DEP and Drinking Water Quality Institute to perform study concerning regulation and treatment of perfluoroalkyl and polyfluoroalkyl substances

SCS for S-3632 and 3649w/GR/ACS for A-1948 (Johnson, Cryan/Haider, Conaway, Quijano) - Requires labeling of non-flushable disposable wipes

S-3758/A-5343 (Cryan/Karabinchak) - Changes deadline for unaffiliated mail-in voters to declare their political party before primary election

S-3837/A-5438 (Pou, Cruz-Perez/Pintor Marin, Wimberly) - Clarifies process for administrative appropriations to UEZs

S-3897/A-5578 (Ruiz, Sarlo/Jasey, Carter, Reynolds-Jackson) - Authorizes Higher Education Student Assistance Authority to award annual summer tuition aid grants

S-4040/A-5881 (Polistina, Lagana/Tully, Guardian, Swift) - Concerns jurisdiction and operations of regional municipal courts

S-4084/A-5851 (Ruiz, Cruz-Perez/Moriarty, Calabrese, Moen) - Concerns temporary registration certificates and license plates

S-4130/A-5849 (Codey/Jasey, Tucker) - Special legislation to change name of "Township of South Orange Village" to "South Orange Village"; changes titles of certain municipal officials; permits nonpartisan municipal elections to be moved to November; permits stipend for governing body members

S-4206/A-5856 (Sarlo/Calabrese) - Changes number of signatures required on primary election petition to nominate certain municipal candidates in certain municipalities

S-4209/A-5879 (Sarlo/Pintor Marin) - Eliminates vote on school budgets for Type II school districts in April elections, except for separate proposals to spend above cap

S-4268/A-5911 (Scutari/Danielsen) - Permits certain special State officers to represent cannabis businesses

A-203/S-2884 (Rooney, Benson, Caputo/A.M. Bucco) - Authorizes creation of special license plates commemorating horse as State animal

A-1100/S-995 (Calabrese, Mukherji, McKnight/Ruiz, Stack) - Requires entities to remove abandoned lines and mark information on certain lines

A-1107/S-770 (Chaparro, Murphy, Mukherji/Pou, Beach) - Directs Chief Technology Officer to conduct study on impacts of redacting handwritten signatures published on State websites; allows for protocols for such redactions to be established by rules and regulations

ACS for A-1255/SS for S-1794 (Stanley, Conaway, Benson/Gopal, Singer) - Updates requirements and standards for authorization and prior authorization of health care services

A-1727/S-3300 (Speight, Reynolds-Jackson, Verrelli/Stanfield, Ruiz) - Requires Attorney General to perform outreach and provide services to victims of human trafficking under certain circumstances

A-1729/S-3550 (Speight, Reynolds-Jackson, McKnight/Greenstein, Ruiz) - Requires AG to address human trafficking in underserved communities

A-1755/S-2505 (McKeon, Calabrese, Conaway/Smith, Greenstein) - Requires installation of operational automatic rain sensor or smart sprinkler as condition of sale of certain re properties, and on certain commercial, retail, and industrial properties and common interest communities within specified timeframes

A-2146wGR/S-855 (Reynolds-Jackson, Wimberly, Sumter/Singleton, Beach) - Creates State business assistance program to establish contracting agency procurement goals for socially and economically disadvantaged business enterprises

A-2581/S-2503 (Lampitt, Park/Beach) - Provides that certain cosmetology and hairstyling courses may be taught using distance learning technology

A-3142/S-1564 (Moen, Moriarty, Benson/Singleton, Corrado) - Authorizes grants to purchase and rehabilitate abandoned homes for homeless veterans

A-3211/S-2302 (Speight, Haider, Swain/Gopal, Ruiz) - Establishes "New Jersey Feminine Hygiene Products for the Homeless Act"

A-3980/S-2706 (Speight, McKnight, Atkins/Zwicker, Turner) - Grants child placed in resource family care and resource family parents the right to be notified when case manager

supervisor is assigned to child; grants child in resource family care right to be notified of certain property and benefits

A-4033wGR/S-2657 (Coughlin, Wimberly/Sarlo, Ruiz) - Extends deadline for completion of school district's annual audit

A-4049/S-3495 (McKnight, Reynolds-Jackson, Benson/Vitale, Johnson) - Provides for presumptive eligibility for home and community-based services and services provided thru program of all-inclusive care for the elderly under Medicaid

A-4105/S-4202 (Lopez, Jimenez, Quijano/Vitale, Turner) - Establishes Interagency Council on Homelessness

A-4183/S-4264 (Haider/Singleton) - Concerns local unit filing requirement for certain shared services agreements

A-4212/S-2762 (Pintor Marin, Reynolds-Jackson, Verrelli/Ruiz, Cunningham) - Establishes Center for Career Relevant Education and Talent Evaluation of New Jersey at Thomas Edison State University

A-4337/S-4156 (Conaway, Atkins, Rooney/Singleton, Pou) - Requires Department of Health to provide information to Statewide 2-1-1 telephone system regarding the location of disposal sites for hypodermic syringes and needles and prescription drugs

ACS for A-4496/SCS for S-3247 (Coughlin, Lampitt, Karabinchak, Wimberly/Zwicker, Greenstein) - Revises various provisions of law governing construction of school facilities projects and operations of New Jersey Schools Development Authority; establishes "Charter School and Renaissance School Project Facilities Loan Program" in EDA

A-4522/S-3234 (Moen, McKnight, Quijano/Singer, Singleton) - Requires certain disclosures by sellers of single-family homes with solar panels installed

A-4691/S-1530 (Swain, DeAngelo, Speight/Greenstein, Zwicker) - Requires hazard mitigation plans to include climate change-related threat assessments and hazard prevention mitigation strategies

A-4723/S-2740 (McKeon, Moriarty, Rooney/Codey, Scutari) - Requires motor vehicle dealer to offer to delete personal information in motor vehicles in certain situations

A-4791/S-3184 (Kennedy, Haider, McKeon/Diegnan, Sarlo) - Establishes "Resiliency and Environmental System Investment Charge Program"

ACS for A-4794/S-3224 (Benson, Mukherji/Singleton, Turner) - Requires request for proposal to establish demonstration projects to develop electric vehicle charging depots served by distributed energy resource charging centers for certain electric vehicle use

A-4814/S-1023 (Moen, Wimberly/Singleton, Gopal) - Removes expected family contribution from calculation of financial need under circumstances in which public institutions or higher education may reduce student's institutional financial aid

ACS for A-4821 and 4823wGR/S-3283 (Karabinchak, Conaway, Schaer/Greenstein, Zwicker) - Directs DEP to take certain actions concerning identification and testing of microplastics in drinking water, and requires DEP and BPU to study and promote use of microplastics removal technologies

A-4955/S-3531 (S. Kean, Thomson/Singer, Gopal) - Designates portion of State Highway Route 71 as "John Tarantino Highway"

A-5094/S-3476 (Spearman/Beach, Greenstein) - Concerns licensing of security officer companies

A-5227/S-3662 (Danielsen, Space/Smith, Oroho) - Expands eligibility for "fishing buddy license" fee

A-5285/SCS for S-3708 (Greenwald, Haider, Lopez/Greenstein, A.M. Bucco) - Requires copies of certain law enforcement records to be provided to victims of domestic violence upon request

A-5293/S-3746 (Greenwald, McKnight, Rooney/Gopal, Ruiz) - Concerns New Jersey Civic Information Consortium

A-5311/S-3061 (Verrelli, McKnight, Matsikoudis/Stanfield, Turner) - Enters New Jersey into Counseling Compact

A-5391/S-3765 (DeAngelo/Diegnan, Corrado) - Imposes conditions on drivers approaching disabled vehicles

A-5412/S-3850 (Greenwald, Swain, Jasey/Gopal, Singer) - Establishes nonpublic school transportation program to provide funding to consortiums of nonpublic schools that will assume responsibility for mandated nonpublic school busing

A-5416wGR/S-3883 (Wimberly, Giblin, Haider/Greenstein, Turner) - Requires State Board of Education to authorize alternate route to expedite teacher certification of persons employed as paraprofessionals in school districts

A-5442/S-3793 (Karabinchak, Conaway, McKeon/Smith, Greenstein) - Directs BPU to conduct study to determine feasibility, marketability, and costs of implementing large-scale geothermal heat pump systems in State

A-5462/S-3867 (Coughlin, McKnight, Speight/Vitale, Turner) - Revises law establishing Office of Food Security Advocate, and establishes certain conditions for use of monies appropriated to emergency food organizations

ACS for A-5495/SCS for S-3846 (Danielsen/Scutari, A.M. Bucco) - Clarifies types of firearms allowed to be carried or transported while hunting

A-5516/S-4047 (Reynolds-Jackson, Verrelli, Conaway/Burgess, Turner) - Requires certain health care professionals to undergo bias training

A-5565/S-3971 (S. Kean, Thomson/Gopal) - Provides that 10-year term does not apply to lease of certain municipal properties unless they are waterfront properties or related to waterfront concessions

A-5567/S-3807 (Torrissi, Calabrese/A.M. Bucco, Sarlo) - Extends period of usefulness of fire engines for bonding purposes from 10 to 20 years; eliminates exclusion of passenger cars and station wagons

A-5582/S-3781 (Swain, Simonsen/Lagana, Cryan) - Establishes grant program for NJ YouthBuild programs through DOLWD; makes appropriation

A-5610wGR/S-3954 (Greenwald, Spearman, Chaparro/Beach, A.M. Bucco) - Revises penalties for possession or consumption of alcoholic beverages by underage persons

A-5748/S-4166 (Spearman, Moen, Moriarty/Cruz-Perez, Madden) - Amends definition of "participating county" under County Option Hospital Fee Program

A-5755/S-4183 (Carter, Sumter, Wimberly, Quijano/Scutari, Singleton) - Enhances notice requirements and occupancy restrictions for hotels and multiple dwellings following determination of potentially hazardous condition

A-5799/S-1472 (Moen, Moriarty/Beach, Stack) - Authorizes DOT to establish and administer toll collection and enforcement system on behalf of NJ toll authorities and to enter into reciprocal agreements for enforcement of toll violations with toll authorities from other states

A-5806/S-4165 (Moriarty, Sauickie/Greenstein, Oroho) - Appropriates \$48 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreational and conservation purposes, including Blue Acres projects, and Green Acres Program administrative costs

A-5807/S-4138 (Freiman/Johnson, Schepisi) - Appropriates \$58 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

A-5808/S-4135 (Park, Freiman, Lopez/Beach, Turner) - Appropriates \$15,564,293 from constitutionally dedicated CBT revenues to NJ Historic Trust for grants for certain historic preservation projects and associated administrative expenses

A-5809/S-4097 (Swain, Lopez, Sauickie/Zwicker, Gopal) - Amends lists of projects eligible to receive loans for environmental infrastructure projects from NJ Infrastructure Bank FY 2024

A-5810/S-4098 (Sampson, Sauickie, Lopez/Greenstein, Stanfield) - Amends lists of environmental infrastructure projects approved for long-term funding by DEP under FY 2024 environmental infrastructure funding program

A-5828/S-4201 (Lopez/Vitale) - Authorizes State Treasurer to sell as surplus certain real property and improvements in Township of Woodbridge in Middlesex County

A-5835/S-4134 (Greenwald, Lampitt/Beach, Turner) - Authorizes regional authority to develop and operate regional rehabilitation and reentry center

A-5836/S-4212 (DeAngelo, Sumter, Wimberly/Gopal, Greenstein) - Makes supplemental appropriation of \$650,000 to New Jersey Division of State Police for trooper recruitment retention

A-5910/S-4266 (Egan/Codey) - Increases annual salary of certain public employees and officers

AJR-200/SJR-138 (Park, Freiman, Calabrese/Lagana) - Designates November 22 of each year as Kimchi Day

Governor Murphy pocket vetoed the following bills:

S-2989/A-1739 (Pou, Singer/McKeon, Quijano, Flynn) - Makes certain for-profit debt adjusters eligible for licensing to conduct business in State

S-3172/A-4689 (Gopal, Turner/Lampitt, Matsikoudis, McKnight) - Establishes teacher certification route for candidates with Montessori teaching credentials

S-3287/ACS for A-4852 and 1170 (Turner/Reynolds-Jackson, Jasey, Dunn, Wimberly, Calabrese, Spearman, Verrilli) - Requires institutions of higher education to maintain and develop policy governing use of naloxone hydrochloride nasal spray for opioid overdose emergencies

A-1476/S-930 (Benson, Dancer/Holzapfel, Diegnan) - Exempts certain motor vehicles that are owned by certain nutrition programs and certain nonprofit organizations that offer social services from motor vehicle registration fees

A-3642/S-665 (Wirhiths, Murphy, Benson, Oroho/Greenstein) - Requires MVC to place designation on motor vehicle's registration information indicating registrant is deaf

A-3945/S-1660 (Quijano, Reynolds-Jackson, Carter/Ruiz, Singleton) - Establishes "Male Teachers of Color Mentorship Pilot Program"; appropriates \$95,000

A-4177/S-2478 (Mosquera, Swain, McKnight, Tucker, Dunn/Ruiz, Vitale) - Extends duration of law requiring certain provider subsidy payments for child care services be based on enrollment

A-4396/S-2927 (Lampitt, Jasey, Caputo/Codey) - Establishes timelines for review and approval by Commissioner of Education of annual certified audits submitted by approved private schools for students with disabilities

A-4621/S-3156 (Mosquera, Greenwald, Swain/Madden) - Requires issuance of report on certain information and data on processing of applications for professional and occupational licenses and mandates review of training and call intake in Division of Consumer Affairs.

A-4740/S-2970 (Mukherji, DeAngelo, McKnight/Cruz-Perez, Turner) - Provides employee access to employee's employment records on file with DOLWD

A-5294/S-1825 (Greenwald, Swain, Rooney/Steinhardt, Sarlo, Doherty) - Exempts sales of investment metal bullion and investment coins from sales and use tax

A-5893/S-4228 (Karabinchak, Calabrese, Sauickie/Gopal, Sarlo) - Extends annual horse racing purse subsidies through State fiscal year 2029