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LAW/KR

P.L.2013, CHAPTER 173, *approved January 2, 2014*
Assembly, No. 248

1 AN ACT concerning school budgets and amending N.J.S.18A:13-19,
2 N.J.S.18A:22-37, and R.S.54:4-45.

3

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

6

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

8 18A:13-19. a. If the voters reject any of the items submitted at
9 the annual April school election, within two days thereafter the
10 board of education of the regional district shall certify to the
11 governing body of each municipality, included within the regional
12 district, the item or items so rejected, and such governing bodies,
13 after consultation with the board, and no later than May 19 shall
14 determine the amount or amounts for the ensuing school year and
15 cause the same to be certified by the respective municipal clerks to
16 the board of education of the regional district. The board and the
17 governing bodies shall follow the procedures established in section
18 5 of P.L.1996, c.138 (C.18A:7F-5) and N.J.S.18A:22-37.

19 b. Notwithstanding the provisions of subsection a. of this
20 section to the contrary, whenever the Commissioner of Education
21 changes the annual school election date pursuant to section 1 of
22 P.L.1995, c.278 (C.19:60-1), the commissioner shall change the
23 deadline set forth in subsection a. of this section by which date the
24 governing bodies are required to determine the amount for the
25 ensuing school year and cause the same to be certified to the board
26 of education of the regional district. The commissioner in changing
27 the deadline shall ensure that the number of calendar days from the
28 changed date of the annual school election to the deadline is no less
29 than the number of calendar days from the third Tuesday of April to
30 May 19 of that calendar year.

31 (cf: P.L.2011, c.202, s.14)

32

33 2. N.J.S.18A:22-37 is amended to read as follows:

34 18A:22-37. If the voters reject any of the items submitted at the
35 annual April school election, the board of education shall deliver
36 the proposed school budget pursuant to section 5 of P.L.1996, c.138
37 (C.18A:7F-5) to the governing body of the municipality, or of each
38 of the municipalities included in the district within two days
39 thereafter. The governing body of the municipality, or of each of
40 the municipalities, included in the district shall, after consultation
41 with the board, and by May 19, determine the amount which, in the
42 judgment of the body or bodies, is necessary to be appropriated for
43 each item appearing in the budget, pursuant to section 5 of
44 P.L.1996, c.138 (C.18A:7F-5) and certify to the county board of

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 taxation the totals of the amount so determined to be necessary for
2 each of the following:

- 3 a. General fund expenses of schools; or
- 4 b. Appropriations to capital reserve account.

5 Within 15 days after the governing body of the municipality or
6 of each of the municipalities included in the district shall make the
7 certification to the county board of taxation, the board of education
8 shall notify the governing body or bodies if it intends to appeal to
9 the commissioner pursuant to section 5 of P.L.1996, c.138
10 (C.18A:7F-5) the amount which the body or bodies determined to
11 be necessary to be appropriated for each item appearing in the
12 proposed school budget.

13 Notwithstanding the provisions of this section to the contrary,
14 whenever the Commissioner of Education changes the annual
15 school election date pursuant to section 1 of P.L.1995, c.278
16 (C.19:60-1), the commissioner shall change the deadline set forth in
17 this section by which date the governing body of the municipality or
18 of each of the municipalities included in the district is required to
19 determine the amount necessary to be appropriated for each item
20 appearing in the budget, and certify to the county board of taxation
21 the totals of the amount so determined. The commissioner in
22 changing the deadline shall ensure that the number of calendar days
23 from the changed date of the annual school election to the deadline
24 is no less than the number of calendar days from the third Tuesday
25 of April to May 19 of that calendar year.

26 (cf: P.L.2011, c.202, s.21)

27

28 3. R.S.54:4-45 is amended to read as follows:

29 54:4-45. The clerk or other proper officer of each Type II school
30 district having no board of school estimate shall, on or before May
31 19 in each year or such other date as determined by the
32 Commissioner of Education pursuant to N.J.S.18A:13-19 or
33 N.J.S.18A:22-37, transmit to the county board of taxation a
34 certified statement of the amount of moneys appropriated for school
35 purposes, which shall include interest to be paid, principal
36 payments of indebtedness, and sinking fund requirements for the
37 school year for which such appropriations are made, to be raised by
38 taxation in the school district.

39 (cf: P.L.2011, c.202, s.40)

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41 4. This act shall take effect immediately.

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45 _____
46 Requires Commissioner of Education to change deadline for
47 municipal review of defeated school budgets whenever he changes
the annual school election date.

ASSEMBLY, No. 248

STATE OF NEW JERSEY

215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

Sponsored by:

Assemblyman GARY S. SCHAER
District 36 (Bergen and Passaic)

Co-Sponsored by:

Assemblyman Diegnan and Assemblywoman B.DeCroce

SYNOPSIS

Requires Commissioner of Education to change deadline for municipal review of defeated school budgets whenever he changes the annual school election date.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 11/20/2012)

1 AN ACT concerning school budgets and amending N.J.S.18A:13-19,
2 N.J.S.18A:22-37, and R.S.54:4-45.

3

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

6

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

8 18A:13-19. a. If the voters reject any of the items submitted at
9 the annual election, within two days thereafter the board of
10 education of the regional district shall certify to the governing body
11 of each municipality, included within the regional district, the item
12 or items so rejected, and such governing bodies, after consultation
13 with the board, and no later than May 19 shall determine the
14 amount or amounts for the ensuing school year and cause the same
15 to be certified by the respective municipal clerks to the board of
16 education of the regional district. The board and the governing
17 bodies shall follow the procedures established in section 5 of
18 P.L.1996, c.138 (C.18A:7F-5) and N.J.S.18A:22-37.

19 b. Notwithstanding the provisions of subsection a. of this section
20 to the contrary, whenever the Commissioner of Education changes
21 the annual school election date pursuant to section 1 of P.L.1995,
22 c.278 (C.19:60-1), the commissioner shall change the deadline set
23 forth in subsection a. of this section by which date the governing
24 bodies are required to determine the amount for the ensuing school
25 year and cause the same to be certified to the board of education of
26 the regional district. The commissioner in changing the deadline
27 shall ensure that the number of calendar days from the changed date
28 of the annual school election to the deadline is no less than the
29 number of calendar days from the third Tuesday of April to May 19
30 of that calendar year.

31 (cf: P.L1996, c.138, s.48)

32

33 2. N.J.S.18A:22-37 is amended to read as follows:

34 18A:22-37. If the voters reject any of the items submitted at the
35 annual school election, the board of education shall deliver the
36 proposed school budget pursuant to section 5 of P.L.1996, c.138
37 (C.18A:7F-5) to the governing body of the municipality, or of each
38 of the municipalities included in the district within two days
39 thereafter. The governing body of the municipality, or of each of
40 the municipalities, included in the district shall, after consultation
41 with the board, and by May 19, determine the amount which, in the
42 judgment of the body or bodies, is necessary to be appropriated for
43 each item appearing in the budget, pursuant to section 5 of
44 P.L.1996, c.138 (C.18A:7F-5) and certify to the county board of

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 taxation the totals of the amount so determined to be necessary for
2 each of the following:

- 3 a. General fund expenses of schools; or
- 4 b. Appropriations to capital reserve account.

5 Within 15 days after the governing body of the municipality or
6 of each of the municipalities included in the district shall make the
7 certification to the county board of taxation, the board of education
8 shall notify the governing body or bodies if it intends to appeal to
9 the commissioner pursuant to section 5 of P.L.1996, c.138
10 (C.18A:7F-5) the amount which the body or bodies determined to
11 be necessary to be appropriated for each item appearing in the
12 proposed school budget.

13 Notwithstanding the provisions of this section to the contrary,
14 whenever the Commissioner of Education changes the annual
15 school election date pursuant to section 1 of P.L.1995, c.278
16 (C.19:60-1), the commissioner shall change the deadline set forth in
17 this section by which date the governing body of the municipality or
18 of each of the municipalities included in the district is required to
19 determine the amount necessary to be appropriated for each item
20 appearing in the budget, and certify to the county board of taxation
21 the totals of the amount so determined. The commissioner in
22 changing the deadline shall ensure that the number of calendar days
23 from the changed date of the annual school election to the deadline
24 is no less than the number of calendar days from the third Tuesday
25 of April to May 19 of that calendar year.

26 (cf: P.L.1996, c.138, s.59)

27

28 3. R.S.54:4-45 is amended to read as follows:

29 54:4-45. The clerk or other proper officer of each school district
30 in which the annual appropriations for school purposes to be raised
31 by taxation, are voted by the inhabitants of the school district, shall,
32 on or before May 19 in each year or such other date as determined
33 by the Commissioner of Education pursuant to N.J.S.18A:13-19 or
34 N.J.S.18A:22-37, transmit to the county board of taxation a
35 certified statement of the amount of moneys appropriated for school
36 purposes, which shall include interest to be paid, principal
37 payments of indebtedness, and sinking fund requirements for the
38 school year for which such appropriations are made, to be raised by
39 taxation in the school district.

40 (cf: P.L.1995,c.94,s.3)

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42 4. This act shall take effect immediately.

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STATEMENT

Under current law, if the voters reject any item submitted at the annual school election on the third Tuesday in April, then the governing body of the municipality or the governing body of each of the municipalities included in the district must determine by May 19 the amount which, in the judgment of the body or bodies, is necessary to be appropriated for each item appearing in the budget, and certify to the county board of taxation the totals of the amount so determined. The Commissioner of Education is required pursuant to section 1 of P.L.1995, c.278 (C.19:60-1) to change the date of the annual school election if that date coincides with a period of religious observance. This bill provides that whenever the commissioner changes the date of the annual school election pursuant to that law, the commissioner must also change the May 19th deadline. The bill provides further that the commissioner must ensure that the changed deadline provides the municipal body or bodies the same number of days to make the determination on the amount necessary to be appropriated as would have been provided in that year if the date of the annual school election had not been changed and the May 19 deadline was still in place.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 248

STATE OF NEW JERSEY

DATED: OCTOBER 22, 2012

The Assembly Education Committee reports favorably Assembly Bill No. 248.

Under current law, if the voters reject any item submitted at the annual school election on the third Tuesday in April, then the governing body of the municipality or the governing body of each of the municipalities included in the district must determine by May 19 the amount which, in the judgment of the body or bodies, is necessary to be appropriated for each item appearing in the budget, and certify to the county board of taxation the totals of the amount so determined. The Commissioner of Education is required pursuant to section 1 of P.L.1995, c.278 (C.19:60-1) to change the date of the annual school election if that date coincides with a period of religious observance. This bill provides that whenever the commissioner changes the date of the annual April school election pursuant to that law, the commissioner must also change the May 19th deadline. The bill provides further that the commissioner must ensure that the changed deadline provides the municipal body or bodies the same number of days to make the determination on the amount necessary to be appropriated as would have been provided in that year if the date of the annual April school election had not been changed and the May 19 deadline was still in place.

This bill was pre-filed for introduction in the 2012-2013 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 248

STATE OF NEW JERSEY

DATED: NOVEMBER 14, 2013

The Senate Education Committee favorably reports Assembly Bill No. 248.

Under current law, if the voters reject any item submitted at the annual school election on the third Tuesday in April, then the governing body of the municipality or the governing body of each of the municipalities included in the district must determine by May 19 the amount which, in the judgment of the body or bodies, is necessary to be appropriated for each item appearing in the budget, and certify to the county board of taxation the totals of the amount so determined. The Commissioner of Education is required pursuant to section 1 of P.L.1995, c.278 (C.19:60-1) to change the date of the annual school election if that date coincides with a period of religious observance. This bill provides that whenever the commissioner changes the date of the annual April school election pursuant to that law, the commissioner must also change the May 19th deadline. The bill provides further that the commissioner must ensure that the changed deadline provides the municipal body or bodies the same number of days to make the determination on the amount necessary to be appropriated as would have been provided in that year if the date of the annual April school election had not been changed and the May 19 deadline was still in place.

As reported by the committee, this bill is identical to Senate Bill No. 2458, which also was reported by the committee on this same date.

SENATE, No. 2458

STATE OF NEW JERSEY
215th LEGISLATURE

INTRODUCED JANUARY 8, 2013

Sponsored by:

Senator ANTHONY R. BUCCO

District 25 (Morris and Somerset)

SYNOPSIS

Requires Commissioner of Education to change deadline for municipal review of defeated school budgets whenever he changes the annual school election date.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning school budgets and amending N.J.S.18A:13-19,
2 N.J.S.18A:22-37, and R.S.54:4-45.

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38 of the municipalities included in the district within two days
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6 of each of the municipalities included in the district shall make the
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30 district having no board of school estimate shall, on or before May
31 19 in each year or such other date as determined by the
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35 purposes, which shall include interest to be paid, principal
36 payments of indebtedness, and sinking fund requirements for the
37 school year for which such appropriations are made, to be raised by
38 taxation in the school district.

39 (cf: P.L.2011, c.202, s.40)

40

41 4. This act shall take effect immediately.

42

43

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STATEMENT

45

46 Under current law, if the voters reject any item submitted at the
47 annual school election on the third Tuesday in April, then the
48 governing body of the municipality or the governing body of each

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1 of the municipalities included in the district must determine by May
2 19 the amount which, in the judgment of the body or bodies, is
3 necessary to be appropriated for each item appearing in the budget,
4 and certify to the county board of taxation the totals of the amount
5 so determined. The Commissioner of Education is required pursuant
6 to section 1 of P.L.1995, c.278 (C.19:60-1) to change the date of the
7 annual school election if that date coincides with a period of
8 religious observance. This bill provides that whenever the
9 commissioner changes the date of the annual April school election
10 pursuant to that law, the commissioner must also change the May
11 19th deadline. The bill provides further that the commissioner must
12 ensure that the changed deadline provides the municipal body or
13 bodies the same number of days to make the determination on the
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15 in that year if the date of the annual April school election had not
16 been changed and the May 19 deadline was still in place.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 2458

STATE OF NEW JERSEY

DATED: NOVEMBER 14, 2013

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Under current law, if the voters reject any item submitted at the annual school election on the third Tuesday in April, then the governing body of the municipality or the governing body of each of the municipalities included in the district must determine by May 19 the amount which, in the judgment of the body or bodies, is necessary to be appropriated for each item appearing in the budget, and certify to the county board of taxation the totals of the amount so determined. The Commissioner of Education is required pursuant to section 1 of P.L.1995, c.278 (C.19:60-1) to change the date of the annual school election if that date coincides with a period of religious observance. This bill provides that whenever the commissioner changes the date of the annual April school election pursuant to that law, the commissioner must also change the May 19th deadline. The bill provides further that the commissioner must ensure that the changed deadline provides the municipal body or bodies the same number of days to make the determination on the amount necessary to be appropriated as would have been provided in that year if the date of the annual April school election had not been changed and the May 19 deadline was still in place.

As reported by the committee, this bill is identical to Assembly Bill No. 248, which also was reported by the committee on this same date.