SYNOPSIS

Establishes Stay NJ senior property tax credit affordability program; appropriates not more than $300 million.

CURRENT VERSION OF TEXT

As introduced.
AN ACT providing a property tax credit of up to one-half of
property taxes due for primary residences of senior citizens in
the State, supplementing chapter 4 of Title 54 of the Revised
Statutes, amending P.L.1997, c.348, and making an
appropriation.

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

1. (New section) This act shall be known and may be cited as
the “Stay NJ Act.”

2. (New section) As used in this act:
"Condominium" means the form of real property ownership
provided for under the "Condominium Act,” P.L.1969, c.257
(C.46:8B-1 et seq.).
"Cooperative" means a housing corporation or association which
entitles the holder of a share or membership interest thereof to
possess and occupy for dwelling purposes a house, apartment or
other unit of housing owned or leased by the corporation or
association, or to lease or purchase a unit of housing constructed or
to be constructed by the corporation or association.
"Director' means the Director of the Division of Taxation in the
Department of the Treasury.
"Dwelling house” means any residential property assessed as real
property which consists of not more than four units, of which not
more than one may be used for commercial purposes, but shall not
include a unit in a condominium, cooperative, horizontal property
regime or mutual housing corporation.
"Eligible claimant” means an individual who is 65 or more years
of age and the owner of a homestead in this State on or after July 1,
2024, without regard to income.
"Homestead” means:
a. a dwelling house and the land on which that dwelling house is
located which constitutes the place of the eligible claimant's
domicile and is owned and used by the eligible claimant as the
eligible claimant's principal residence;
b. a condominium unit or a unit in a horizontal property regime
or a continuing care retirement community which constitutes the
place of the eligible claimant's domicile and is owned and used by
the eligible claimant as the eligible claimant's principal residence.
In addition to the generally accepted meaning of "owned” or
"ownership," a homestead shall be deemed to be owned by a person
if that person is a tenant for life or a tenant under a lease for 99
years or more, is entitled to and actually takes possession of the

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.
homestead under an executory contract for the sale thereof or under
an agreement with a lending institution which holds title as security
for a loan, or is a resident of a continuing care retirement
community pursuant to a contract for continuing care for the life of
that person which requires the resident to bear, separately from any
other charges, the proportionate share of property taxes attributable
to the unit that the resident occupies; or

c. a unit in a cooperative or mutual housing corporation which
constitutes the place of domicile of a residential shareholder or
lessee therein, or of a lessee or shareholder who is not a residential
shareholder therein, which is used by the eligible claimant as the
eligible claimant's principal residence; or a mutual housing
corporation.

"Homestead property tax reimbursement” means the property tax
benefit provided pursuant to P.L.1997, c.348 (C.54:4-8.67 et seq).
"Horizontal property regime” means the form of real property
ownership provided for under the "Horizontal Property Act,”
P.L.1963, c.168 (C.46:8A-1 et seq.).
"Mutual housing corporation” means a corporation not-for-profit,
incorporated under the laws of this State on a mutual or cooperative
basis within the scope of section 607 of the Lanham Act (National
Defense Housing), Pub.L.849, (42 U.S.C. s.1521 et seq.), as
amended, which acquired a National Defense Housing Project
pursuant to that act.

"Principal residence” means a homestead actually and
continually occupied by an eligible claimant as the eligible
claimant’s permanent residence, including a homestead on which an
eligible claimant made one or more payments in lieu of taxes to the
municipality in which the homestead is located, as distinguished
from a vacation home, property owned and rented or offered for
rent by the eligible claimant, and other secondary real property
holdings.

"Property tax” means the general property tax due and payable
by the owner of a homestead, based on an assessment made by the
municipality upon real property on an ad valorem basis on land and
improvements, and shall include payments in lieu of taxes.

“Stay NJ property tax credit” means a property tax credit in the
amount of 50 percent of an eligible claimant’s property tax bill.

"Tax year” means the calendar year, January 1 through
December 31, in which a homestead is assessed for property
taxation and the property tax is levied thereon.

“Tax year quarter” means a three month period of a tax year
consisting of January 1 through March 31, April 1 through June 30,
July 1 through September 30, and October 1 through December 31.

3. (New section) The director shall administer the Stay NJ
property tax credit that shall provide to an eligible claimant a
property tax credit in the amount of 50 percent of the property tax
due and owing for the eligible claimant’s principal residence. Property tax credits shall be allowed pursuant to this section in relation to the property taxes paid or allocable to an eligible claimant who has more than one homestead in a tax year, but the aggregate amount of the property taxes or property tax credits claimed shall not exceed the total proportionate amounts of property taxes assessed and levied against or allocable to each homestead for the proportion of the tax year quarter to which the taxpayer occupies it as the taxpayer’s principle residence.

The amount of the Stay NJ property tax credit shall be calculated for each eligible claimant by the director, and paid to the tax collector of the municipality in which the eligible claimant’s homestead is located pursuant to the provisions of subsection a. of section 5 of P.L. 1963, c. 171 (C. 54:4-8.10 to 54:4-8.23) and P.L.1964, c.255 (C.54:4-8.40 to 54:4-8.45 et al.). The surviving spouse of a deceased resident of this State who during his or her life received a Stay NJ property tax credit shall be entitled, so long as the surviving spouse does not remarry, remains a resident in the same homestead with respect to which the Stay NJ property tax credit was granted, and is an eligible claimant, to the same Stay NJ property tax credit, upon the same conditions, with respect to the same homestead.

4. (New section) a. Not later than July 1, 2023, the director shall promulgate a combined single application form consistent with the requirements of section 6 of this act, that shall be available on and after that date to be used by State residents to apply for the Stay NJ property tax credit, the ANCHOR property tax rebate, and the homestead property tax reimbursement program. State residents seeking property tax benefits under those programs shall complete the entire application and file it with the director. The director shall determine which property tax benefit program or programs provide the greatest benefit for the applicant pursuant to the requirements of subsection b. of this section.
b. Notwithstanding any provision of law, rule, or regulation to the contrary, an applicant shall only be entitled to the greater of:
(1) the amount of the Stay NJ property tax credit; or
(2) the combined amount of the ANCHOR property tax rebate and the homestead property tax reimbursement.

c. With respect to the homestead property tax reimbursement program, the base year of an eligible claimant who receives a Stay NJ property tax credit instead of a homestead property tax reimbursement shall remain unchanged, notwithstanding the number of years that the eligible claimant receives a Stay NJ property tax credit instead of a homestead property tax reimbursement.

d. The director shall determine the amount of the Stay NJ property tax credit that shall be provided for each eligible claimant pursuant to P.L. , c. (C. ) (pending before the Legislature as this bill) based upon the information provided by the eligible claimant in the application or from any other information as may be available to the director and shall notify the applicant of the determined amount in such manner as the director may deem appropriate. Subject to the provisions of the State Uniform Tax Procedure Law, R.S.54:48-1 et seq., such notification shall finally and irrevocably fix the amount of the Stay NJ property tax credit unless the applicant, within 90 days after having been given notice of such determination, shall apply to the director for a hearing, or unless the director shall redetermine the same. After such hearing the director shall give notice of the final determination to the applicant.

e. An eligible claimant for Stay NJ property tax credit authorized under this act who is aggrieved by any decision, order, finding, or denial by the director of all or part of that eligible claimant’s Keep Senior New Jersey property tax credit may appeal therefrom to the New Jersey Tax Court in accordance with the provisions of the State Uniform Tax Procedure Law, R.S.54:48-1 et seq. The appeal provided by this section shall be the exclusive remedy available to an applicant for review of a decision of a director in respect to the determination of all or a part of a Stay NJ property tax credit authorized under this act.

5. (New section) a. The State Treasurer, upon certification of the director and upon warrant of the Director of the Division of Budget and Accounting, shall pay and distribute the amount of a Stay NJ property tax credit payable under this act that is claimed for the tax year to each eligible claimant whose credit is approved by the director. A Stay NJ property tax credit allowed by the director to an eligible claimant who claimed a Stay NJ property tax credit pursuant to section 3 of P.L. , c. (C. ) (pending before the Legislature as this bill), and whose homestead is not a unit in a cooperative, mutual housing corporation, or continuing care
retirement community, shall be paid by the State Treasurer through electronic funds transfer made by the director to the local property tax account maintained by the local property tax collector for the homestead of an eligible claimant as the eligible claimant shall identify, in four equal installments after the application for the credit has been approved. The State Treasurer shall pay and distribute Stay NJ property tax credit payments to each municipal tax collector, as applicable, on a quarterly basis at least 10 days prior to the statutory due date for each property tax year quarter payment. Notice of payments of Stay NJ credit installments shall be provided to the eligible claimant and the appropriate local tax collector.

b. Each municipal tax collector who applies a Stay NJ property tax credit to the property tax account of the homestead of an eligible claimant pursuant to this section shall provide timely notice thereof to the eligible claimant and to any mortgagee or servicing organization noted on the property tax account that requires a mortgagor to make property tax payments to an escrow account, for the purpose of encouraging the escrow account property tax requirements to be promptly adjusted to the benefit of the property tax taxpayer on account of Stay NJ property tax credit payments.

6. (New section) a. Notwithstanding the provisions of section 6 of P.L.1990, c.61 (C.54:4-8.62) and section 3 of P.L.1997, c.348 (C.54:4-8.70) concerning the form and deadline of applications for the ANCHOR rebate program and the homestead property tax reimbursement, the director shall promulgate a single combined application form to be used by State residents to apply for the ANCHOR rebate program, the homestead property tax reimbursement program, and the Stay NJ property tax credit. The combined application form shall require the applicant to submit information about his or her age, annual income, homestead property address, as well as any other information determined necessary by the director in order to approve or disapprove the applicant’s participation in those programs. The combined application form shall also advise the applicant that the director shall determine the eligibility of an applicant to receive an ANCHOR rebate, homestead property tax reimbursement, or a Stay NJ property tax credit. The director shall, for good cause shown, extend the time of any applicant to file an application for a reasonable period, and in such case, the application shall be processed and payment of an ANCHOR rebate, homestead property tax reimbursement, or a Stay NJ property tax credit made in accordance with the procedures established in the case of applications timely filed, except the date for the payment may be delayed for a reasonable period. If an applicant or an applicant’s spouse has filed an application for an extension of time to file a gross income tax return, the date by which the applicant shall file an...
application may, in the discretion of the director, be extended for a reasonable period, and the date for the payment of payment of an ANCHOR rebate, homestead property tax reimbursement, or a Stay NJ property tax credit may be delayed for a reasonable period. A State resident seeking property tax benefits under any of those programs shall accurately complete the entire application and file it with the director.

For purposes of this subsection, in order to establish good cause to extend the time of an eligible claimant to file an application, the eligible claimant shall provide to the director either medical evidence, such as a doctor’s certification, that the claimant was unable to file the claim by the date prescribed by the director because of illness or hospitalization, or evidence that the applicant attempted to file a timely application. Except as may be established by medical evidence or inability to file a claim, good cause shall not be established due to a claimant not having received an application from the director.

b. Upon the approval of applications by the director, the director shall prepare lists of individuals entitled to receive a Stay NJ credit, together with the respective amounts due each claimant and shall forward such lists to the State Treasurer, the Director of the Division of Budget and Accounting, and any other officials as the director deems appropriate on or before the earliest of such date or dates as may be convenient for the director to compile such lists. The director may inspect all records in the office of the tax collector and tax assessor of a municipality with respect to applications, claims, and allowances for Stay NJ property tax credits.

c. If an application contains a claim for a Stay NJ property tax credit that is incorrectly determined by the eligible claimant or is based upon incorrect or insufficient information from which the director is to approve the claim, the director may determine the eligibility of the claimant for a Stay NJ property tax credit and the correct amount of a Stay NJ property tax credit from such other information as may be available to the director.

d. In the case of an eligible claimant whose homestead is a unit in a cooperative, mutual housing corporation, or continuing care retirement community, the director may provide that the application shall include the name and address of the location of the property and the amount of real property taxes attributed to the cooperative, mutual housing residential unit or continuing care retirement community residential unit, as shall be indicated in an official notice which shall be furnished by the cooperative, mutual housing corporation, or continuing care retirement community for the tax year.

7. (New section) When title to a homestead for which a Stay NJ property tax credit is claimed, is held by an eligible claimant and another or others, either as tenants in common or as joint tenants,
the eligible claimant shall not be allowed a Stay NJ property tax credit in an amount in excess of the eligible claimant’s proportionate share of the taxes assessed against the homestead, which proportionate share, for the purposes of P.L. , c. (C. ) (pending before the Legislature as this bill), shall be deemed to be equal to that of each of the other tenants, unless it is shown that the interests in question are not equal, in which event the eligible claimant's proportionate share shall be as shown. Nothing herein shall preclude more than one tenant, whether title be held in common or joint tenancy, from claiming a Stay NJ property tax credit from the taxes assessed against the property so held, but no more than the equivalent of one full Stay NJ property tax credit in regard to such homestead shall be allowed in any year. In any case in which the eligible claimants cannot agree as to the apportionment thereof, such Stay NJ property tax credit shall be apportioned between or among them in proportion to their interest. Property held by husband and wife, as tenants by the entirety, shall be deemed wholly owned by each tenant, but no more than one full Stay NJ property tax credit in regard to such homestead shall be allowed in any year. Right to claim a Stay NJ property tax credit hereunder shall extend to a homestead the title to which is held by a partnership, to the extent of the eligible claimant's interest as a partner therein, and by a guardian, trustee, committee, conservator or other fiduciary for any person who would otherwise be entitled to claim such Stay NJ property tax credit hereunder, but not to a homestead the title to which is held by a corporation; except that a residential shareholder in a cooperative or mutual housing corporation shall be entitled to claim a Stay NJ property tax credit if the residential shareholder is otherwise eligible to receive it, to the extent of the proportionate share of the taxes assessed against the homestead of the corporation, or any other entity holding title, attributable to the residential shareholder’s unit therein.

8. (New section) In the case of a delinquency in the payment of property taxes by a cooperative, mutual housing corporation or continuing care retirement community, a Stay NJ property tax credit that may be due an individual shall be paid by the State Treasurer to the tax collector of the municipality. The tax collector shall credit the cooperative, mutual housing corporation or continuing care retirement community with such payment and the cooperative, mutual housing corporation or continuing care retirement community shall, in turn, credit the individual unit owner to the extent of the Stay NJ property tax credit and notify the eligible claimant of the amount to be credited.

9. (New section) Any individual who receives a Stay NJ property tax credit otherwise authorized under this act but as a
result of an intentional misrepresentation of a material fact shall be required to repay to the director the amount of the credit and shall be liable to a penalty equal to 150 percent of the amount of the Stay NJ property tax credit paid as a result of that misrepresentation.

10. a. (New section) Except as provided in subsection b. of this section, a person who receives a Stay NJ property tax credit otherwise authorized under this act but which has been paid in error and which is recoverable by the director, and fails to return the payment within 45 days of receiving notice from the director that such payment was erroneous, shall pay, in addition to the amount of the erroneous credit, interest at the rate prescribed in R.S.54:49-3, assessed for each month or fraction thereof, compounded annually at the end of each year, from the date next following the 45th day after receiving the notice from the director that such payment was erroneous until the date of the return of the erroneous payment.

b. A person who is 65 years of age or older at the close of the tax year, or who is allowed to claim a personal deduction as a blind or disabled taxpayer pursuant to subsection b. of N.J.S.54A:3-1, who receives notice from the director pursuant to this section, shall within 45 days after receiving that notice, be permitted enter into an installment payment agreement for a reasonable period of time that will enable the person to completely satisfy the amount paid in effort and without the assessment of interest thereon.

c. Except as an installment payment agreement permitted pursuant to subsection b. of this section, a Stay NJ Property Tax Credit paid as a result of misrepresentation or paid in error and any penalties and interest imposed thereon by this act, shall be payable to and recoverable by the director in the same manner as a deficiency with respect to the payment of State tax in accordance with the State Uniform Tax Procedure Law, R.S.54:48-1 et seq.

11. (New section) Notwithstanding the provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to the contrary, the Director of the Division of Taxation in the Department of the Treasury may adopt immediately upon filing with the Office of Administrative Law, such regulations as the director deems necessary to implement the provisions of P.L. , c. (C. ) (pending before the Legislature as this bill) as may be necessary to meet the requirements of P.L. , c. (C. ) (pending before the Legislature as this bill), which regulations shall be effective for a period not to exceed 180 days from the date of the filing. The regulations may thereafter be amended, adopted, or readopted by the director as the director deems necessary in accordance with P.L.1968, c.410. The director shall also promulgate such forms as the director shall deem necessary to implement the provisions of P.L. , c. (C. ) (pending before the Legislature as this bill).
12. (New section) There shall be annually appropriated to the Department of the Treasury such amount as the Director of the Division of Budget and Accounting in the Department of the Treasury shall determine is necessary for the administrative costs, including to reimburse additional costs incurred by local tax collectors, of implementing the provisions of P.L. , c. (C. ) (pending before the Legislature as this bill).

13. Section 1 of P.L.1997, c.348 (C.54:4-8.67) is amended to read as follows:

1. As used in this act:

"Base year" means, in the case of a person who is an eligible claimant on or before December 31, 1997, the tax year 1997; and in the case of a person who first becomes an eligible claimant after December 31, 1997, the tax year in which the person first becomes an eligible claimant. In the case of an eligible claimant who subsequently moves from the homestead for which the initial eligibility was established, the base year shall be the first full tax year during which the person resides in the new homestead. Provided however, a base year for an eligible claimant after such a move shall not apply to tax years commencing prior to January 1, 2009. In the case of an eligible claimant who receives a Stay NJ property tax credit in lieu of a homestead property tax reimbursement pursuant to section 4 of P.L. , c. (C. ) (pending before the Legislature as this bill), the base year of that eligible claimant shall remain unchanged.

"Commissioner" means the Commissioner of Community Affairs.

"Director" means the Director of the Division of Taxation.

"Condominium" means the form of real property ownership provided for under the "Condominium Act," P.L.1969, c.257 (C.46:8B-1 et seq.).

"Cooperative" means a housing corporation or association which entitles the holder of a share or membership interest thereof to possess and occupy for dwelling purposes a house, apartment or other unit of housing owned or leased by the corporation or association, or to lease or purchase a unit of housing constructed or to be constructed by the corporation or association.

"Disabled person" means an individual receiving monetary payments pursuant to Title II of the federal Social Security Act (42 U.S.C. s.401 et seq.) on December 31, 1998, or on December 31 in all or any part of the year for which a homestead property tax reimbursement under this act is claimed.

"Dwelling house" means any residential property assessed as real property which consists of not more than four units, of which not more than one may be used for commercial purposes, but shall not include a unit in a condominium, cooperative, horizontal property regime or mutual housing corporation.
"Eligible claimant" means a person who:

1. is 65 or more years of age, or who is a disabled person;
2. is an owner of a homestead, or the lessee of a site in a mobile home park on which site the applicant owns a manufactured or mobile home;
3. has an annual income of less than $17,918 in tax year 1998, less than $18,151 in tax year 1999, or less than $37,174 in tax year 2000, if single, or, if married, whose annual income combined with that of the spouse is less than $21,970 in tax year 1998, less than $22,256 in tax year 1999, or less than $45,582 in tax year 2000, which income eligibility limits for single and married persons shall be subject to adjustments in tax years 2001 through 2006 pursuant to section 9 of P.L.1997, c.348 (C.54:4-8.68);
4. has an annual income of $60,000 or less in tax year 2007, $70,000 or less in tax year 2008, or $80,000 or less in tax year 2009, if single or married, which income eligibility limits shall be subject to adjustments in subsequent tax years pursuant to section 9 of P.L.1997, c.348 (C.54:4-8.68);
5. as a renter or homeowner, has made a long-term contribution to the fabric, social structure and finances of one or more communities in this State, as demonstrated through the payment of property taxes directly, or through rent, on any homestead or rental unit used as a principal residence in this State for at least 10 consecutive years at least three of which as owner of the homestead for which a homestead property tax reimbursement is sought prior to the date that an initial application for a homestead property tax reimbursement is filed. A person who has been an eligible claimant for a previous tax year shall qualify as an eligible claimant beginning the second full tax year following a move to another homestead in New Jersey, despite not meeting the three-year minimum residency and ownership requirement required for initial claimants under this paragraph; provided that the person satisfies the income eligibility limits for the tax year. Provided however, eligibility beginning in a second full tax year after such a move shall not apply to tax years commencing prior to January 1, 2010.
6. "Homestead" means:
   a dwelling house and the land on which that dwelling house is located which constitutes the place of the eligible claimant's domicile and is owned and used by the eligible claimant as the eligible claimant's principal residence;
   a site in a mobile home park equipped for the installation of manufactured or mobile homes, where these sites are under common ownership and control for the purpose of leasing each site to the owner of a manufactured or mobile home for the installation thereof and such site is used by the eligible claimant as the eligible claimant's principal residence;
   a dwelling house situated on land owned by a person other than the eligible claimant which constitutes the place of the eligible
claimant's domicile and is owned and used by the eligible claimant as the eligible claimant's principal residence;

a condominium unit or a unit in a horizontal property regime or a continuing care retirement community which constitutes the place of the eligible claimant's domicile and is owned and used by the eligible claimant as the eligible claimant's principal residence.

In addition to the generally accepted meaning of "owned" or "ownership," a homestead shall be deemed to be owned by a person if that person is a tenant for life or a tenant under a lease for 99 years or more, is entitled to and actually takes possession of the homestead under an executory contract for the sale thereof or under an agreement with a lending institution which holds title as security for a loan, or is a resident of a continuing care retirement community pursuant to a contract for continuing care for the life of that person which requires the resident to bear, separately from any other charges, the proportionate share of property taxes attributable to the unit that the resident occupies;

a unit in a cooperative or mutual housing corporation which constitutes the place of domicile of a residential shareholder or lessee therein, or of a lessee or shareholder who is not a residential shareholder therein, which is used by the eligible claimant as the eligible claimant's principal residence.

"Homestead property tax reimbursement" means payment of the difference between the amount of property tax or site fee constituting property tax due and paid in any year on any homestead, exclusive of improvements not included in the assessment on the real property for the base year, and the amount of property tax or site fee constituting property tax due and paid in the base year, when the amount paid in the base year is the lower amount; but such calculations shall be reduced by any current year property tax reductions or reductions in site fees constituting property taxes resulting from judgments entered by county boards of taxation or the State Tax Court.

"Horizontal property regime" means the form of real property ownership provided for under the "Horizontal Property Act," P.L.1963, c.168 (C.46:8A-1 et seq.).

"Manufactured home" or "mobile home" means a unit of housing which:

(1) Consists of one or more transportable sections which are substantially constructed off site and, if more than one section, are joined together on site;

(2) Is built on a permanent chassis;

(3) Is designed to be used, when connected to utilities, as a dwelling on a permanent or nonpermanent foundation; and

(4) Is manufactured in accordance with the standards promulgated for a manufactured home by the Secretary of the United States Department of Housing and Urban Development pursuant to the "National Manufactured Housing Construction and

"Mobile home park" means a parcel of land, or two or more parcels of land, containing no fewer than 10 sites equipped for the installation of manufactured or mobile homes, where these sites are under common ownership and control for the purpose of leasing each site to the owner of a manufactured or mobile home for the installation thereof, and where the owner or owners provide services, which are provided by the municipality in which the park is located for property owners outside the park, which services may include but shall not be limited to:

(1) The construction and maintenance of streets;
(2) Lighting of streets and other common areas;
(3) Garbage removal;
(4) Snow removal; and
(5) Provisions for the drainage of surface water from home sites and common areas.

"Mutual housing corporation" means a corporation not-for-profit, incorporated under the laws of this State on a mutual or cooperative basis within the scope of section 607 of the Lanham Act (National Defense Housing), Pub.L.849, (42 U.S.C. s.1521 et seq.), as amended, which acquired a National Defense Housing Project pursuant to that act.

"Income" means income as determined pursuant to P.L.1975, c.194 (C.30:4D-20 et seq.).

"Principal residence" means a homestead actually and continually occupied by an eligible claimant as his or her permanent residence, as distinguished from a vacation home, property owned and rented or offered for rent by the claimant, and other secondary real property holdings.

"Property tax" means the general property tax due and paid as set forth in this section, and shall include the amount of property tax credit as defined in section 1 of P.L.2018, c.11 (C.54:4-66.6), on a homestead, but does not include special assessments and interest and penalties for delinquent taxes. For the sole purpose of qualifying for a benefit under P.L.1997, c.348 (C.54:4-8.67 et seq.), property taxes paid by June 1 of the year following the year for which the benefit is claimed will be deemed to be timely paid.

"Site fee constituting property tax" means 18 percent of the annual site fee paid or payable to the owner of a mobile home park.

"Tax year" means the calendar year in which a homestead is assessed and the property tax is levied thereon and it means the calendar year in which income is received or accrued.

(cf: P.L.2018, c.11, s.11)
Section 7 of P.L.1997, c.348 (C.54:4-8.74) is amended to read as follows:

7. In the event that a previously eligible claimant ceases to be an eligible claimant for any tax year, the base year for that claimant shall be the year prior to which the claimant again becomes an eligible claimant.

In the case of an eligible claimant who receives a Stay NJ property tax credit in lieu of a homestead property tax reimbursement pursuant to section 4 of P.L. , c. (C. ) (pending before the Legislature as this bill), the eligible claimant shall remain an eligible claimant for the purposes of P.L.1997, c.348 (C.54:4-8.67 et seq.), and the base year of that eligible claimant shall remain unchanged as long as the eligible claimant meets all of the other eligibility requirements of P.L.1997, c.348 (C.54:4-8.67 et seq.).

(cf: P.L.1997, c.348, s.7)

15. a. The Department of the Treasury shall establish a dedicated nonlapsing account known as the Stay NJ account. All moneys deposited into the fund shall be used for the payment of Stay NJ property tax credits and for the administration of the Stay NJ property tax credit program.

b. There is appropriated to the Stay NJ account an amount not in excess of $300,000,000 for the Stay NJ program, subject to the approval of the Director of the Division of Budget and Accounting in the Department of the Treasury.

c. In State Fiscal Year 2024, there shall be appropriated to the Stay NJ account an amount not in excess of $300,000,000 for the Stay NJ program, subject to the approval of the Director of the Division of Budget and Accounting in the Department of the Treasury.

d. In State Fiscal Year 2025, there shall be appropriated to the Stay NJ account an amount not in excess of $600,000,000 for the Stay NJ program, subject to the approval of the Director of the Division of Budget and Accounting in the Department of the Treasury.

e. In State Fiscal Year 2026, there shall be appropriated to the Stay NJ account an amount not in excess of $800,000,000 for the Stay NJ program, subject to the approval of the Director of the Division of Budget and Accounting in the Department of the Treasury.

f. In State Fiscal Year 2027, there shall be appropriated to the Stay NJ account an amount not in excess of $1,000,000,000 for the Stay NJ program, subject to the approval of the Director of the Division of Budget and Accounting in the Department of the Treasury.

g. In State Fiscal Year 2028, and each fiscal year thereafter, there shall be appropriated to the Stay NJ account an amount not in excess of $1,200,000,000 for the Stay NJ program, subject to the
approval of the Director of the Division of Budget and Accounting
in the Department of the Treasury.

16. This act shall take effect July 1, 2023 and first apply to
property tax credits for the tax year quarter beginning January 1,
2025.

STATEMENT

This bill establishes a property tax credit program, which will be
known and may be cited as the “Stay NJ Act.”

This program would provide to an eligible claimant a property
tax credit in the amount of 50 percent of the property tax due and
owing for the eligible claimant’s principal residence. The bill
defines “eligible claimant” as a person who is 65 or more years of
age and the owner of a homestead in this State that is the person’s
primary residence. There is no income limit for eligibility to
receive a property tax credit under the program. The purpose of the
program is to make property taxes more affordable for senior
citizens, so that they are able to stay in their homes. The program
will provide an eligible claimant with a property tax credit in an
amount equal to 50 percent of property taxes due and owed;
however, the bill provides that the maximum amount to be credited
to an eligible claimant under the program is $10,000 per tax year.

Under the bill, a property taxpayer who may be eligible to apply
for an ANCHOR property tax rebate and a homestead property tax
reimbursement shall only be entitled to the greater of the Stay NJ
credit, or the combined amount of the ANCHOR property tax rebate
and the homestead property tax reimbursement.

The bill requires the director to promulgate a single combined
application form to be used by State residents to apply for the
ANCHOR rebate program, the homestead property tax
reimbursement program, and the Stay NJ property tax credit. State
residents seeking property tax benefits under each of those
programs would be required to fill out the entire application and file
it with the director, who would determine which property tax
program provides the greatest benefit for the applicant.

With respect to the homestead property tax reimbursement
program, the base year of an eligible claimant who receives a Stay
NJ property tax credit instead of a homestead property tax
reimbursement would remain unchanged, notwithstanding the
number of years that the taxpayer would receive a Stay NJ property
tax credit instead of a homestead property tax reimbursement.

The amount of an eligible claimant’s Stay NJ property tax credit
would be divided into four tax year quarter credits that will be
applied by the municipality on each of the property tax quarter
payments due and owing on the eligible claimant’s homestead. The
State Treasurer is required to forward Stay NJ property tax credit payments to each municipal tax collector, as applicable, on a quarterly basis at least 10 days prior to the statutory due date for each property tax year quarter payment (February 1, May 1, August 1, and November 1) to be applied against the property tax account of the homestead of the eligible claimant.

The bill establishes a dedicated nonlapsing account known as the Stay NJ account. All moneys deposited into the fund will be used for the payment of Stay NJ property tax credits and for the administration of the Stay NJ property tax credit program. The bill appropriates not more than $300 million in State Fiscal Year 2023 to be used for the payment of Stay NJ property tax credits and for the administration of the Stay NJ property tax credit program. The bill also provides for appropriations to the program of $300 million in Fiscal Year 2024, $600 million in Fiscal Year 2025, $800 million in Fiscal Year 2026, $1 billion in Fiscal Year 2027, and $1.2 billion in Fiscal Year 2028 and each fiscal year thereafter.

Under the bill, the Stay NJ property tax credits will first be provided in the tax year quarter beginning January 1, 2025.