

**ASSEMBLY, No. 888**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Assemblyman BRIAN BERGEN**  
**District 25 (Morris and Somerset)**

**Co-Sponsored by:**

**Assemblymen Thomson, DePhillips, DiMaio, Scharfenberger, Tully, Assemblywoman Swain, Assemblymen Catalano, McGuckin, Assemblywoman Chaparro, Assemblymen Mukherji, S.Kean, Moen, Rooney, Verrelli, Assemblywoman Mosquera, Assemblymen Space, Wirths, Assemblywoman Quijano, Assemblyman Peterson, Assemblywomen N.Munoz, Gove, Assemblymen Rumpf, Benson, Giblin, Mejia, Calabrese, Simonsen, McClellan, Kennedy, Assemblywoman Jimenez, Assemblymen Auth, Spearman, Assemblywoman McKnight, Assemblyman Clifton, Assemblywoman DeFuccio, Assemblymen Moriarty, Caputo, Assemblywomen Flynn, Swift, Matsikoudis, McCarthy Patrick, Assemblymen Guardian, Barranco, Assemblywomen Dunn, Sawyer, Eulner, Piperno, Murphy, Assemblymen Webber and Sauickie**

**SYNOPSIS**

Authorizes proportional property tax exemption for honorably discharged veterans having a service-connected disability and proclaims that the State shall reimburse municipalities for cost of exemptions.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.

(Sponsorship Updated As Of: 5/25/2023)

1 AN ACT providing a proportional property tax exemption to certain  
2 disabled veterans, amending and supplementing P.L.1948, c.259.

3

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

6

7 1. Section 1 of P.L.1948, c.259, (C.54:4-3.30) is amended to  
8 read as follows:

9 1. a. The dwelling house and the lot or curtilage whereon the  
10 same is erected, of any citizen and resident of this State, now or  
11 hereafter honorably discharged or released under honorable  
12 circumstances, from active service in any branch of the Armed  
13 Forces of the United States, who has been or shall be declared by  
14 the United States Department of Veterans' Affairs or its successor to  
15 have a service-connected disability **from paraplegia, sarcoidosis,**  
16 **osteocondritis resulting in permanent loss of the use of both legs,**  
17 **or permanent paralysis of both legs and lower parts of the body, or**  
18 **from hemiplegia and has permanent paralysis of one leg and one**  
19 **arm or either side of the body, resulting from injury to the spinal**  
20 **cord, skeletal structure, or brain or from disease of the spinal cord**  
21 **not resulting from any form of syphilis; or from total blindness; or**  
22 **from amputation of both arms or both legs, or both hands or both**  
23 **feet, or the combination of a hand and a foot; or from other service-**  
24 **connected disability declared by the United States Veterans**  
25 **Administration or its successor to be a total or 100% permanent**  
26 **disability, and not so evaluated solely because of hospitalization or**  
27 **surgery and recuperation, sustained through enemy action, or**  
28 **accident, or resulting from disease contracted while in such active**  
29 **service]** of at least 30 percent, shall be exempt from taxation, on  
30 proper claim made therefor, in proportion to their percentage of  
31 service-connected disability, up to and including a total or 100  
32 percent disability, and such exemption shall be in addition to any  
33 other exemption of such person's real and personal property which  
34 now is or hereafter shall be prescribed or allowed by the  
35 Constitution or by law but no taxpayer shall be allowed more than  
36 one exemption under this act. In the case of a resident of this State  
37 with a service-connected disability that is less than total or 100  
38 percent disability but who is deemed by the United States  
39 Department of Veterans' Affairs or its successor to be unemployable  
40 as a result of service-connected disability, the exemption shall be  
41 100 percent. For any exemption granted pursuant to this subsection  
42 that is less than 100 percent, the exemption shall not exceed  
43 \$10,000.

44 b. (1) The surviving spouse of any **[such]** citizen and resident  
45 of this State, who at the time of death was entitled to the 100  
46 percent exemption provided under this act, shall be entitled, on

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 proper claim made therefor, to the same exemption as the deceased  
2 had, during the surviving spouse's widowhood or widowerhood, as  
3 the case may be, and while a resident of this State, for the time that  
4 the surviving spouse is the legal owner thereof and actually  
5 occupies the said dwelling house or any other dwelling house  
6 thereafter acquired.

7 (2) The surviving spouse of any citizen and resident of this State  
8 who was honorably discharged and, after the citizen and resident's  
9 death, is declared to have suffered a total or 100 percent service-  
10 connected disability as provided in subsection a. of this section,  
11 shall be entitled, on proper claim made therefor, to the same  
12 exemption the deceased would have become eligible for. The  
13 exemption shall continue during the surviving spouse's widowhood  
14 or widowerhood, as the case may be, and while a resident of this  
15 State, for the time that the surviving spouse is the legal owner  
16 thereof and actually occupies the dwelling house or any other  
17 dwelling house thereafter acquired.

18 c. The surviving spouse of any citizen and resident of this  
19 State, who died in active service in any branch of the Armed Forces  
20 of the United States, shall be entitled, on proper claim made  
21 therefor, to an exemption from taxation on the dwelling house and  
22 lot or curtilage whereon the same is erected, during the surviving  
23 spouse's widowhood or widowerhood, as the case may be, and  
24 while a resident of this State, for the time that the surviving spouse  
25 is the legal owner thereof and actually occupies the said dwelling or  
26 any other dwelling house thereafter acquired.

27 d. The surviving spouse of any citizen and resident of this State  
28 who died prior to January 10, 1972, that being the effective date of  
29 P.L.1971, c.398, and whose circumstances were such that, had said  
30 law become effective during the deceased's lifetime, the deceased  
31 would have become eligible for the exemption granted under this  
32 section as amended by said law, shall be entitled, on proper claim  
33 made therefor, to the same exemption as the deceased would have  
34 become eligible for upon the dwelling house and lot or curtilage  
35 occupied by the deceased at the time of death, during the surviving  
36 spouse's widowhood or widowerhood, as the case may be, and  
37 while a resident of this State, for the time that the surviving spouse  
38 is the legal owner thereof and actually occupies the said dwelling  
39 house on the premises to be exempted.

40 e. **【Nothing in this act shall be intended to include paraplegia**  
41 **or hemiplegia resulting from locomotor ataxia or other forms of**  
42 **syphilis of the central nervous system, or from chronic alcoholism,**  
43 **or to include other forms of disease resulting from the veteran's own**  
44 **misconduct which may produce signs and symptoms similar to**  
45 **those resulting from paraplegia, osteochondritis, or hemiplegia】**  
46 (Deleted by amendment, P.L. , c. ) pending before the  
47 Legislature as this bill).

48 (cf: P.L.2019, c.413, s.1)

1       2. (New section) The State shall annually reimburse each  
2 taxing district in an amount equal to 102 percent of the amount of  
3 any property tax exemption granted by that taxing district pursuant  
4 to section 1 of P.L.1948, c.259 (C.54:4-3.30) in that taxing district.

5  
6       3. (New section) a. On or before June 1 of each year, each tax  
7 assessor shall certify to the county tax board the number of property  
8 tax exemptions provided for pursuant to section 1 of P.L.1948,  
9 c.259 (C.54:4-3.30), and the total amount of all such exemptions.

10       b. On or before June 15 of each year, each county board of  
11 taxation shall, on a form prescribed by the director, certify to the  
12 Director of the Division of Taxation in the Department of the  
13 Treasury from the tax lists certified with it for each taxing district  
14 for the current tax year the following:

15       (1) Number of property tax exemptions allowed for the current  
16 year pursuant to section 1 of P.L.1948, c.259 (C.54:4-3.30);

17       (2) Total dollar amount of property tax exemptions allowed for  
18 the current year pursuant to section 1 of P.L.1948, c.259 (C.54:4-  
19 3.30);

20       (3) Separately, the number and dollar amount of property tax  
21 exemptions allowed or disallowed, as certified by the tax collector,  
22 from the time of certification made the previous year and prior to  
23 certification or the current year pursuant to section 1 of P.L.1948,  
24 c.259 (C.54:4-3.30); and

25       (4) The totals for (1), (2), and (3) above by district and for the  
26 county as a whole.

27  
28       4. (New section) For each year, each county board of taxation  
29 shall include in the table of aggregates prepared pursuant to  
30 R.S.54:4-52 the full estimated amount of the property tax  
31 exemptions as provided for in section 1 of P.L.1948, c.259 (C.54:4-  
32 3.30), but that amount shall not be included in the total on which  
33 the tax rate is to be computed.

34  
35       5. (New section) The Director of the Division of Taxation in  
36 the Department of the Treasury may inspect all records in the office  
37 of the collector and the assessor with respect to claims and  
38 allowances for the property tax exemption provided for in section 1  
39 of P.L.1948, c.259 (C.54:4-3.30).

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41       6. This act shall take effect January 1 next following  
42 enactment.

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44                                   STATEMENT

45  
46       The bill grants a property tax exemption to honorably discharged  
47 veterans having a service-connected disability in proportion to their  
48 disability percentage rating. The exemption is only granted to those

1 with a disability percentage rating of at least 30 percent, and the  
2 exemption is capped at \$10,000. Those with a 100 percent  
3 disability percentage rating would still be allowed a 100 percent  
4 property tax exemption without a cap, as is the case under current  
5 law.

6 In addition, the bill grants those honorably discharged veterans  
7 having less than a 100 percent service-connected disability, but who  
8 are unemployable, a 100 percent property tax exemption, which  
9 matches the current 100 percent property tax exemption for  
10 honorably discharged veterans having a 100 percent disability  
11 percentage rating.

12 As under current law, the bill allows the 100 percent property tax  
13 exemption to extend to the surviving spouse of a veteran. However,  
14 the newly allowed property tax exemption for a veteran with a less  
15 than 100 percent property tax exemption would not extend to the  
16 surviving spouse.

17 The bill also eliminates all references to medical conditions so  
18 that any service-connected disability, as determined by the United  
19 States Department of Veterans' Affairs, will make a veteran eligible  
20 for the property tax exemption.

21 Finally, the bill proclaims that the State shall annually reimburse  
22 taxing districts, including for administrative costs, for the property  
23 tax exemptions granted to disabled veterans and their surviving  
24 spouses. The bill includes reporting provisions so proper  
25 reimbursement can be made.