

ASSEMBLY, No. 4706

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 26, 2024

Sponsored by:

Assemblyman CRAIG J. COUGHLIN

District 19 (Middlesex)

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblywoman LISA SWAIN

District 38 (Bergen)

Assemblywoman ANDREA KATZ

District 8 (Atlantic and Burlington)

Assemblywoman MARGIE DONLON, M.D.

District 11 (Monmouth)

Assemblywoman LUANNE M. PETERPAUL

District 11 (Monmouth)

Assemblyman DAVID BAILEY, JR.

District 3 (Cumberland, Gloucester and Salem)

Assemblywoman HEATHER SIMMONS

District 3 (Cumberland, Gloucester and Salem)

Assemblywoman MITCHELLE DRULIS

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Co-Sponsored by:

Assemblywomen Reynolds-Jackson, Murphy, Assemblyman Miller and

Assemblywoman Lampitt

SYNOPSIS

Revises statutes implementing certain property tax relief programs pursuant to recommendations promulgated by Stay NJ Task Force.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 6/28/2024)

1 AN ACT concerning the Stay NJ property tax benefit program and
2 amending and supplementing various parts of the statutory law.

3

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

6

7 1. Section 2 of P.L.2023, c.75 (C.54:4-8.75b) is amended to read
8 as follows:

9 2. As used in this act:

10 “ANCHOR” means the Affordable New Jersey Communities for
11 Homeowners and Renters Property Tax Relief Program.

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

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

21 "Director" means the Director of the Division of Taxation in the
22 Department of the Treasury.

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

28 "Eligible claimant" means an individual who is 65 or more years
29 of age on or before December 31, 2024 or who is 65 or more years
30 of age on or before December 31 of any subsequent benefit year,
31 who is the owner for at least one full tax year of a homestead in this
32 State on or after **【July 1, 2024】** December 31, 2023 and any
33 subsequent benefit year, and who has **【gross】** income for the prior
34 tax year that is less than \$500,000.

35 **【**"Gross income" means all New Jersey gross income required to
36 be reported pursuant to the "New Jersey Gross Income Tax Act,"
37 N.J.S.54A:1-1 et seq., other than income excludable from the gross
38 income tax return, but before reduction thereof by any applicable
39 exemptions, deductions and credits, received during the taxable
40 year by the owner or residential shareholder in, or lessee of, a
41 homestead.**】**

42 "Homestead" means:

43 a. a dwelling house and the land on which that dwelling house
44 is located which constitutes the place of the eligible claimant's

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 domicile and is owned and used by the eligible claimant as the
2 eligible claimant's principal residence;

3 b. a condominium unit or a unit in a horizontal property regime
4 or a continuing care retirement community which constitutes the
5 place of the eligible claimant's domicile and is owned and used by
6 the eligible claimant as the eligible claimant's principal residence.
7 In addition to the generally accepted meaning of "owned" or
8 "ownership," a homestead shall be deemed to be owned by a person
9 if that person is a tenant for life or a tenant under a lease for 99
10 years or more, is entitled to and actually takes possession of the
11 homestead under an executory contract for the sale thereof or under
12 an agreement with a lending institution which holds title as security
13 for a loan, or is a resident of a continuing care retirement
14 community pursuant to a contract for continuing care for the life of
15 that person which requires the resident to bear, separately from any
16 other charges, the proportionate share of property taxes attributable
17 to the unit that the resident occupies; or

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

24 "Homestead property tax reimbursement" means the property tax
25 benefit provided pursuant to P.L.1997, c.348 (C.54:4-8.67 et seq.).

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

29 "Income" means all New Jersey gross income required to be
30 reported pursuant to the "New Jersey Gross Income Tax Act,"
31 N.J.S.54A:1-1 et seq., before the application of any authorized
32 exclusion or deduction, except also including: interest income
33 excluded from taxation pursuant to N.J.S.54A:6-14; pension and
34 annuity income excluded from taxation pursuant to N.J.S.54A:6-10;
35 income derived from distributions from or roll overs to a Roth IRA
36 excluded from taxation pursuant to N.J.S.54A:6-28; other
37 retirement income excluded from taxation pursuant to N.J.S.54A:6-
38 15; and Social Security income excluded from taxation pursuant to
39 N.J.S.54A:6-2, as self-reported by the homeowner.

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

46 "Principal residence" means a homestead actually and
47 continually occupied by an eligible claimant as the eligible
48 claimant's permanent residence, including a homestead on which an

1 eligible claimant made one or more payments in lieu of taxes to the
2 municipality in which the homestead is located, as distinguished
3 from a vacation home, property owned and rented or offered for
4 rent by the eligible claimant, and other secondary real property
5 holdings.

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

10 "State resident" or "resident" means an individual:

11 a. who is domiciled in this State, unless the individual
12 maintains no permanent place of abode in this State, maintains a
13 permanent place of abode elsewhere, and spends in the aggregate no
14 more than 30 days of the tax year in this State; or

15 b. who is not domiciled in this State but maintains a permanent
16 place of abode in this State and spends in the aggregate more than
17 183 days of the tax year in this State, unless the individual is in the
18 Armed Forces of the United States.

19 "Stay NJ property tax credit" means a property tax credit **[in the**
20 **amount of 50 percent of]** applied to an eligible claimant's property
21 tax bill in accordance with the provisions of the "Stay NJ Act,"
22 P.L.2023, c.75 (C.54:4-8.75a et al.).

23 "Task force" means the Stay NJ Task Force established pursuant
24 to section 18 of P.L.2023, c.75 (C.54:4-8.75o).

25 "Tax year" or "taxable year" means the prior calendar year,
26 January 1 through December 31, in which a homestead is assessed
27 for property taxation and the property tax is levied thereon, and
28 paid.

29 "Tax year quarter" means a three-month period of a tax year
30 consisting of January 1 through March 31, April 1 through June 30,
31 July 1 through September 30, and October 1 through December 31.
32 (cf: P.L.2023, c.75, s.2)

33

34 2. Section 3 of P.L.2023, c.75 (C.54:4-8.75c) is amended to read
35 as follows:

36 3. a. (1) There is established the Stay NJ property tax credit
37 program. The director shall administer the Stay NJ property tax
38 credit that shall provide to an eligible claimant a property tax credit
39 in the amount of 50 percent of the property tax **[paid for]** billed to
40 the eligible claimant's principal residence in the prior tax year,
41 except that the amount of the credit shall not exceed the maximum
42 amount allowable for the tax year pursuant to subsection c. of this
43 section, or the combined amount of the ANCHOR rebate and the
44 homestead property tax reimbursement received by the eligible
45 claimant for the tax year.

46 (2) A Stay NJ property tax credit for an eligible claimant who is
47 a tenant shareholder in a cooperative, mutual housing organization,
48 or continuing care retirement community shall be based on the

1 eligible claimant's proportionate share of the property taxes
2 assessed against that real property that are attributable to the
3 eligible claimant's unit. Property tax credits shall be allowed
4 pursuant to this section in relation to the property taxes **【paid】**
5 billed or allocable to an eligible claimant who has more than one
6 homestead in a tax year, but the aggregate amount of the property
7 taxes or property tax credits claimed shall not exceed the total
8 proportionate amounts of property taxes assessed and levied against
9 or allocable to each homestead for the proportion of the tax year
10 quarter to which the taxpayer occupies it as the taxpayer's principle
11 residence.

12 **b.** The amount of the Stay NJ property tax credit shall be
13 calculated for each eligible claimant by the director, and shall be
14 paid **【to the tax collector of the municipality in which the eligible**
15 **claimant's homestead is located pursuant to】** in accordance with the
16 provisions of **【subsection a. of】** section 5 of P.L.2023, c.75
17 (C.54:4-8.75e).

18 **c.** **【Notwithstanding the provisions of P.L.2023, c.75 (C.54:4-**
19 **8.75a et al.) that require an annual property tax credit in the amount**
20 **of 50 percent of the property tax paid on an eligible claimant's**
21 **homestead, the】** The maximum amount to be credited to an eligible
22 claimant shall be \$6,500 **【in】** for tax year 2026 **【,** if there is no
23 delay in implementation as may occur pursuant to section 19 of
24 P.L.2023, c.75 (C.54:4-8.75p). For every tax year after the year in
25 which the Stay NJ property tax credit program is first
26 implemented,**】** ; and for each tax year thereafter, the maximum
27 amount to be credited to an eligible claimant shall be increased
28 based on the annual percentage increase in the average residential
29 property tax bill as shall be computed by the Director of the
30 Division of Local Government Services in the Department of
31 Community Affairs.

32 **【An】** **d.** Except as otherwise provided in subsection a. of
33 section 5 of P.L.2023, c.75 (C.54:4-8.75e), an eligible claimant
34 shall be entitled to a Stay NJ property tax credit annually, on proper
35 claim being made therefor to the director. Notwithstanding any
36 provision of P.L.2023, c.75 (C.54:4-8.75a et al.) to the contrary, the
37 amount of property taxes used to determine the amount of the Stay
38 NJ property tax credit shall not be reduced by the amount of the
39 deductions taken by an eligible claimant pursuant to P.L.1963,
40 c.171 (C.54:4-8.10 to 54:4-8.23) and P.L.1964, c.255 (C.54:4-8.40
41 to 54:4-8.45 et al.). The surviving spouse of a deceased resident of
42 this State who during his or her life received a Stay NJ property tax
43 credit shall be entitled, so long as the surviving spouse does not
44 remarry, remains a resident in the same homestead with respect to

1 which the Stay NJ property tax credit was granted, and is an eligible
2 claimant, to the same Stay NJ property tax credit, upon the same
3 conditions, with respect to the same homestead.
4 (cf: P.L.2023, c.75, s.3)

5
6 3. Section 4 of P.L.2023, c.75 (C.54:4-8.75d) is amended to read
7 as follows:

8 4. a. Not later than **【July】 February** 1, 2025, **【if there is no**
9 **delay in implementation as may occur pursuant to section 19 of**
10 **P.L.2023, c.75 (C.54:4-8.75p),】** the director shall promulgate a
11 combined single application form consistent with the requirements
12 of section 6 of P.L.2023, c.75 (C.54:4-8.75f) and the
13 recommendations of the Stay NJ Task Force established pursuant to
14 section 18 of P.L.2023, c.75 (C.54:4-8.75o) **【,】** that shall be
15 available on and after that date to be used by State residents to
16 apply for the Stay NJ property tax credit, the ANCHOR property
17 tax rebate, and the homestead property tax reimbursement program.
18 Applications shall be accepted by the Director of the Division of
19 Taxation from February 1 through October 31 of each year. State
20 residents seeking property tax benefits under those programs shall
21 complete the entire application and file it with the director. The
22 director shall determine **【which property tax benefit program or**
23 **programs provide the greatest benefit for the applicant】** the amount
24 of the Stay NJ property tax credit, ANCHOR rebate, and homestead
25 property tax reimbursement, as applicable, provided to each
26 applicant pursuant to the requirements of subsection b. of this
27 section.

28 b. **【Notwithstanding any provision of law, rule, or regulation to**
29 **the contrary, an applicant shall only be entitled to the greater of:**

30 (1) the amount of the Stay NJ property tax credit; or

31 (2) the combined amount of the ANCHOR property tax rebate
32 and the homestead property tax reimbursement.】 The director shall
33 calculate the amount of each property tax benefit provided to an
34 eligible claimant for each tax year in the following manner:

35 (1) if the eligible claimant qualifies for an ANCHOR rebate, the
36 director shall first determine the amount of the eligible claimant's
37 ANCHOR rebate for the tax year, the full amount of which shall be
38 paid to the eligible claimant;

39 (2) if the eligible claimant qualifies for a homestead property tax
40 reimbursement, the director shall next determine the amount of the
41 eligible claimant's homestead property tax reimbursement for the
42 tax year, the full amount of which shall be paid to the eligible
43 claimant;

44 (3) if the eligible claimant qualifies for a Stay NJ property tax
45 credit, the director shall then determine the amount of the eligible
46 claimant's Stay NJ property tax credit for the tax year, of which the
47 eligible claimant shall be paid an amount equal to 50 percent of the

1 property taxes billed to the eligible claimant, up to the maximum
2 amount permitted under section 3 of P.L.2023, c.75 (C.54:4-8.75c),
3 less the amounts paid to the eligible claimant pursuant to
4 paragraphs (1) and (2) of this subsection.

5 c. **【**With respect to the homestead property tax reimbursement
6 program, the base year of an eligible claimant who receives a Stay
7 NJ property tax credit instead of a homestead property tax
8 reimbursement shall remain unchanged, notwithstanding the
9 number of years that the eligible claimant receives a Stay NJ
10 property tax credit instead of a homestead property tax
11 reimbursement.**】** (Deleted by amendment, P.L. _____, c. (C. _____)
12 (pending before the Legislature as this bill)

13 d. (1) The director shall determine the amount of the Stay NJ
14 property tax credit that shall be provided for each eligible claimant
15 pursuant to P.L.2023, c.75 (C.54:4-8.75a et al.) based upon the
16 information provided by the eligible claimant in the application or
17 from any other information as may be available to the director and
18 shall notify the applicant, not later than October 15 of each year, of
19 the determined amount, in **【**such manner as the director may deem
20 appropriate**】** writing, together with a detailed calculation of the
21 amount that the eligible claimant is entitled to receive pursuant to
22 subsection b. of this section.

23 (2) The format of the written information to be provided by the
24 director shall be determined by the director and shall, at a
25 minimum, display: (a) the amount of the eligible claimant's
26 property tax bill for the tax year; (b) the amount of the ANCHOR
27 rebate, homestead property tax reimbursement, and Stay NJ
28 property tax credit, as applicable, that the eligible claimant is
29 entitled to receive; and (c) the actual property taxes that the eligible
30 claimant shall pay in the tax year after any property tax credits are
31 applied against the eligible claimant's property tax bill.

32 (3) Subject to the provisions of the State Uniform Tax Procedure
33 Law, R.S.54:48-1 et seq., such notification shall finally and
34 irrevocably fix the amount of the Stay NJ property tax credit unless
35 the applicant, within 90 days after having been given notice of such
36 determination, shall apply to the director for a hearing, or unless the
37 director shall redetermine the same. After such hearing the director
38 shall give notice of the final determination to the applicant.

39 e. An eligible claimant for a Stay NJ property tax credit
40 authorized under P.L.2023, c.75 (C.54:4-8.75a et al.) who is
41 aggrieved by any decision, order, finding, or denial by the director
42 of all or part of that eligible claimant's Stay NJ property tax credit
43 may appeal therefrom to the New Jersey Tax Court in accordance
44 with the provisions of the State Uniform Tax Procedure Law,
45 R.S.54:48-1 et seq. The appeal provided by this section shall be the
46 exclusive remedy available to an applicant for review of a decision

1 of a director in respect to the determination of all or a part of a Stay
2 NJ property tax credit authorized under P.L.2023, c.75 (C.54:4-
3 8.75a et al.).
4 (cf: P.L.2023, c.75, s.4)

5
6 4. Section 5 of P.L.2023, c.75 (C.54:4-8.75e) is amended to read
7 as follows:

8 5. a. (1) The State Treasurer, upon certification of the director
9 and upon warrant of the Director of the Division of Budget and
10 Accounting, shall pay and distribute, on a quarterly basis, beginning
11 February 1, 2026, the amount of a Stay NJ property tax credit
12 payable under P.L.2023, c.75 (C.54:4-8.75a et al.) that is claimed
13 for the tax year by check or direct deposit payable to the eligible
14 claimant, or by a credit against the property tax bill of the eligible
15 claimant payable to the tax collector of the municipality in which
16 each eligible claimant whose credit is approved by the director is
17 located; provided, however, a credit due to an eligible claimant who
18 claimed a Stay NJ property tax credit pursuant to section 3 of
19 P.L.2023, c.75 (C.54:4-8.75c), and whose homestead is a unit in a
20 cooperative, mutual housing corporation, or continuing care
21 retirement community, shall be paid directly to the eligible claimant
22 by the State Treasurer by check or direct deposit. **[A]** In any year
23 that the director determines that a Stay NJ payment shall be made as
24 a credit, a Stay NJ property tax credit allowed by the director to an
25 eligible claimant who claimed a Stay NJ property tax credit
26 pursuant to section 3 of P.L.2023, c.75 (C.54:4-8.75c), and whose
27 homestead is not a unit in a cooperative, mutual housing
28 corporation, or continuing care retirement community, shall be paid
29 by the State Treasurer through electronic funds transfer made by the
30 director to the local property tax account maintained by the local
31 property tax collector for the homestead of an eligible claimant as
32 the eligible claimant shall identify, in four equal installments after
33 the application for the credit has been approved. The State
34 Treasurer shall pay and distribute Stay NJ property tax credit
35 payments to each municipal tax collector or eligible claimant, as
36 applicable, on a quarterly basis at least 10 days prior to the statutory
37 due date for each property tax year quarter payment. Notice of
38 payments of Stay NJ credit installments shall be provided to the
39 eligible claimant and the appropriate local tax collector.

40 (2) Notwithstanding the provisions of this section to the
41 contrary, for the first year in which the Stay NJ property tax
42 program is implemented, each Stay NJ property tax credit awarded
43 an eligible claimant shall be paid and distributed by check or direct
44 deposit.

45 b. Each municipal tax collector who applies a Stay NJ property
46 tax credit to the property tax account of the homestead of an eligible
47 claimant pursuant to this section shall provide timely notice thereof
48 to the eligible claimant and to any mortgagee or servicing

1 organization noted on the property tax account that requires a
2 mortgagor to make property tax payments to an escrow account, for
3 the purpose of encouraging the escrow account property tax
4 requirements to be promptly adjusted to the benefit of the property
5 tax taxpayer on account of Stay NJ property tax credit payments.

6 (cf: P.L.2023, c.75, s.5)

7
8 5. Section 6 of P.L.2023, c.75 (C.54:4-8.75f) is amended to read
9 as follows:

10 6. a. (1) Notwithstanding the provisions of section 6 of
11 P.L.1990, c.61 (C.54:4-8.62) and section 3 of P.L.1997, c.348
12 (C.54:4-8.70) concerning the form and deadline of applications for
13 the ANCHOR rebate program and the homestead property tax
14 reimbursement, the director shall promulgate, not later than
15 February 1, 2025, a single combined application form to be used by
16 State residents to apply for the ANCHOR rebate program, the
17 homestead property tax reimbursement program, and the Stay NJ
18 property tax credit in accordance with the recommendations of the
19 Stay NJ Task Force established pursuant to section 18 of P.L.2023,
20 c.75 (C.54:4-8.75o).

21 **【The】** (2) To the extent practicable, the single combined
22 application shall resemble the form and manner of the application
23 for the homestead property tax reimbursement program, as created
24 pursuant to section 3 of P.L.1997, c.348 (C.54:4-8.70), except that
25 the single combined application form shall, at a minimum, require
26 the applicant to submit information about his or her age, annual
27 income, including the amount of Social Security payments received
28 by the applicant, homestead property address, as well as any other
29 information determined necessary by the director in order to
30 approve or disapprove the applicant's participation in those
31 programs.

32 (3) The combined application form shall also advise the
33 applicant that the director shall determine the eligibility of an
34 applicant to receive an ANCHOR rebate, a homestead property tax
35 reimbursement, or a Stay NJ property tax credit, or any combination
36 thereof. The director shall, for good cause shown, extend the time
37 of any applicant to file an application for a reasonable period, and
38 in such case, the application shall be processed and payment of an
39 ANCHOR rebate, homestead property tax reimbursement, or a Stay
40 NJ property tax credit, or any combination thereof, made in
41 accordance with the procedures established in the case of
42 applications timely filed, except the date for the payment may be
43 delayed for a reasonable period. If an applicant or an applicant's
44 spouse has filed an application for an extension of time to file a
45 gross income tax return, the date by which the applicant shall file an
46 application may, in the discretion of the director, be extended for a
47 reasonable period, and the date for the payment of an ANCHOR
48 rebate, homestead property tax reimbursement, or a Stay NJ

1 property tax credit, or any combination thereof, may be delayed for
2 a reasonable period. A State resident seeking property tax benefits
3 under any of those programs shall accurately complete the entire
4 application and file it with the director.

5 (4) For purposes of this subsection, in order to establish good
6 cause to extend the time of an eligible claimant to file an
7 application, the eligible claimant shall provide to the director either
8 medical evidence, such as a doctor's certification, that the claimant
9 was unable to file the claim by the date prescribed by the director
10 because of illness or hospitalization, or evidence that the applicant
11 attempted to file a timely application. Except as may be established
12 by medical evidence or inability to file a claim, good cause shall not
13 be established due to a claimant not having received an application
14 from the director.

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

26 c. If an application contains a claim for a Stay NJ property tax
27 credit that contains incorrect information from the claimant or is
28 based upon incorrect or insufficient information from which the
29 director is to determine and approve the claim, the director may
30 determine the eligibility of the claimant for a Stay NJ property tax
31 credit and the correct amount of a Stay NJ property tax credit from
32 such other information as may be available to the director.

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

43 (cf: P.L.2023, c.75, s.6)

44

45 6. Section 10 of P.L.2023, c.75 (C.54:4-8.75j) is amended to
46 read as follows:

47 10. a. Except as provided in subsection b. of this section, a
48 person who receives a Stay NJ property tax credit otherwise

1 authorized under this act but which has been paid in error and
2 which is recoverable by the director, and fails to return the payment
3 within 45 days of receiving notice from the director that such
4 payment was erroneous, shall pay, in addition to the amount of the
5 erroneous credit, interest at the rate prescribed in R.S.54:49-3,
6 assessed for each month or fraction thereof, compounded annually
7 at the end of each year, from the date next following the 45th day
8 after receiving the notice from the director that such payment was
9 erroneous until the date of the return of the erroneous payment.

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

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

26 (cf: P.L.2023, c.75, s.10)

27

28 7. Section 16 of P.L.2023, c.75 (C.54:4-8.75m) is amended to
29 read as follows:

30 16. a. The Department of the Treasury shall establish a
31 dedicated, nonlapsing account for the purpose of providing property
32 tax benefits to homestead owners **and tenants** 65 years of age or
33 older **on their principal residences, whether owned or rented**. All
34 moneys deposited into the account shall be used for the payment of
35 property tax benefits in accordance with subsection c. of this
36 section.

37 b. (1) There is appropriated to the account established by
38 subsection a. of this section in State Fiscal Year 2024,
39 \$100,000,000 for the purpose of providing property tax benefits in
40 accordance with subsection c. of this section, subject to the
41 approval of the Director of the Division of Budgeting and
42 Accounting in the Department of the Treasury.

43 (2) The annual appropriations act for State Fiscal Year 2025
44 shall include an appropriation to the account established by
45 subsection a. of this section, in an amount not to exceed
46 \$200,000,000 for the purpose of providing property tax benefits in
47 accordance with subsection c. of this section.

1 (3) The annual appropriations act for State Fiscal Year 2026
2 shall include an appropriation to the account established by
3 subsection a. of this section, in an amount not to exceed
4 \$300,000,000 for the purpose of providing property tax benefits in
5 accordance with subsection c. of this section.

6 c. Beginning in State Fiscal Year 2026, moneys in the account
7 established by subsection a. of this section shall be appropriated
8 solely for the Stay NJ property tax credit program established
9 pursuant to section 3 of P.L.2023, c.75 (C.54:4-8.75c).
10 (cf: P.L.2023, c.75, s.16)

11
12 8. Section 17 of P.L.2023, c.75 (C.54:4-8.75n) is amended to
13 read as follows:

14 17. The **amendatory and supplementary provisions of**
15 appropriation of funds necessary to support the provision of
16 property tax relief under the Stay NJ property tax credit program as
17 provided under sections 1 through 16 of P.L.2023, c.75 (C.54:4-
18 8.75a et al.), as amended and supplemented by P.L. , c. (C.)
19 (pending before the Legislature as this bill), shall not supersede,
20 impact, or interfere with any of the following:

21 a. the full funding in each State fiscal year necessary to satisfy
22 the requirement in Article VIII, Section IV, paragraph 1 of the New
23 Jersey Constitution that the Legislature provide for the maintenance
24 and support of a thorough and efficient system of free public
25 schools for the instruction of children in the State between the ages
26 of five and 18 years;

27 b. the full funding of the veterans' \$250 property tax deduction,
28 required to be provided to eligible veterans pursuant to Article VIII,
29 Section I, paragraph 3 of the New Jersey Constitution;

30 c. the full funding of the senior citizens' and disabled persons'
31 \$250 property tax deduction authorized by Article VIII, Section I,
32 paragraph 4 of the New Jersey Constitution;

33 d. the full payment of the contributions required by law to be
34 made to the State-administered retirement systems; and

35 e. the maintenance of a budgetary surplus target of no less than
36 12 percent of total **expenditures** appropriations from the General
37 Fund and the Property Tax Relief Fund in a given State fiscal year.

38 (cf: P.L.2023, c.75, s.17)

39
40 9. Section 18 of P.L.2023, c.75 (C.54:4-8.75o) is amended to
41 read as follows:

42 18. a. There is established in the Department of the Treasury
43 the Stay NJ Task Force. The purpose of the task force shall be to
44 develop recommendations for establishing and funding uniform
45 property tax relief to all senior citizen homeowners **and tenants**
46 making under \$500,000 per year. The task force shall review all of
47 the existing property tax relief programs and present, to the
48 Governor and the Legislature, no later than May 30, 2024, a report

1 containing recommendations about how to restructure, and
2 consolidate, the various property tax relief programs into one,
3 streamlined, property tax relief program that would deliver to senior
4 citizens having an annual gross income under \$500,000 an annual
5 property tax benefit, which for homeowners shall be in the amount
6 of 50 percent of the property tax bill on their principal residence,
7 beginning with the tax year 2026, which commences on January 1
8 of that year. The report shall include recommendations concerning
9 system improvements that both the State and local government units
10 would need to implement the Stay NJ property tax credit program
11 and the funding required to establish and maintain such system
12 improvements. The task force shall provide recommendations that
13 have a target implementation date of January 1, 2026.

14 b. The task force shall be comprised of six members. The
15 membership of the task force shall be appointed as follows:

16 The State Treasurer, or the State Treasurer's designee, who shall
17 serve ex officio;

18 The Commissioner of Community Affairs, or the commissioner's
19 designee, who shall serve ex officio;

20 One public member, who shall be appointed by the Governor,
21 who may be an employee of the Executive Branch of State
22 government;

23 One public member who shall be appointed by the Governor
24 upon the recommendation of the Senate President;

25 One public member who shall be appointed by the Governor
26 upon the recommendation of the Speaker of the General Assembly;
27 and

28 One public member who shall be appointed by the Governor
29 upon the joint recommendation of the Senate President and the
30 Speaker of the General Assembly.

31 The task force shall have a chairperson and a vice chairperson
32 designated by the Governor. The Governor shall designate as the
33 chairperson one of the cabinet members of the task force, or their
34 designee, or the public member appointed by the Governor. The
35 Governor shall designate as the vice chairperson a public member
36 upon the joint recommendation of the Senate President and the
37 Speaker of the General Assembly. The Governor shall also appoint
38 a secretary. There shall be required affirmative vote of four out of
39 the six members of the task force for an action to be taken or a
40 decision made.

41 The task force shall organize as expeditiously as practicable
42 following the appointment of all its public members. Appointments
43 to the task force shall be made in an expeditious manner to ensure
44 the task force has sufficient time to make the recommendations
45 required by this section in order to facilitate implementation of the
46 Stay NJ program on or before the dates set forth in P.L.2023, c.75
47 (C.54:4-8.75a et al.).

1 c. The Governor shall appoint an executive director, who shall
2 be employed by the task force and paid by the task force from funds
3 appropriated for its use pursuant to P.L.2023, c.75 (C.54:4-8.75a et
4 al.).

5 The Department of the Treasury shall provide staff support to the
6 task force. The task force shall be entitled to call to its assistance
7 and avail itself of the services of the employees of any State,
8 county, or municipal department, board, bureau, commission, or
9 agency as the task force may require and as may be available to the
10 task force for its purposes. The task force may consult with experts
11 or other knowledgeable individuals in the public or private sector
12 on any aspect of its mission outlined in this section; provided,
13 however, any services, professional or otherwise, that the task force
14 requires shall be procured by the Department of the Treasury.

15 No later than May 30, 2024, the task force shall prepare and
16 submit to the Governor and, pursuant to section 2 of P.L.1991,
17 c.164 (C.52:14-19.1), to the Legislature, a report detailing the task
18 force's recommendations as required by this section, including any
19 recommendations for legislative or regulatory action that are
20 necessary to effectuate the recommendations.

21 d. Beginning September 1, 2023 and on the first day of each
22 calendar quarter thereafter, the executive director shall submit to
23 the presiding officer of each House of the Legislature, and to the
24 chairs of the Senate Budget and Appropriations Committee and the
25 Assembly Budget Committee, a status update on the work
26 undertaken by the task force during the previous calendar quarter.
27 The presiding officer of each House of the Legislature, and the
28 chairs of the Senate Budget and Appropriations Committee and the
29 Assembly Budget Committee, may request that specific information
30 be included in the quarterly status updates required by this
31 subsection concerning the work of the task force and the
32 formulation of any recommendations it may make for the
33 streamlining of the various property tax relief programs for senior
34 citizens provided by the State into one, uniform program.

35 e. **【The】** Following the issuance of its report, the task force
36 shall 【disband on the 30th day after the enactment of legislation in
37 response to the Stay NJ Task Force pursuant to section 19 of
38 P.L.2023, c.75 (C.54:4-8.75p)】 continue to meet not less than once
39 per calendar quarter for the purpose of assisting the Director of the
40 Division of Taxation in the Department of the Treasury in
41 developing a process to implement a property tax credit for the
42 payment of benefits under the homestead property tax
43 reimbursement program and the Stay NJ property tax credit
44 program, and collecting information from local officials regarding
45 how to effectively implement property tax credits in future years for
46 those programs, as required pursuant to the provisions of section 11
47 of P.L. , c. (C.) (pending before the Legislature as this bill).
48 (cf: P.L.2023, c.75, s.18)

1 10. Section 19 of P.L.2023, c.75 (C.54:4-8.75p) is amended to
2 read as follows:

3 19. After the Legislature and the Governor review the Stay NJ
4 Task Force's recommendations and determine such
5 recommendations are appropriate, the Legislature shall consider and
6 approve, and the Governor shall enact, the legislation recommended
7 by the Stay NJ Task Force, or legislation substantially similar to the
8 legislation recommended by the task force, regarding the objectives
9 set forth in section 18 of P.L.2023, c.75 (C.54:4-8.75o) not later
10 than 90 days prior to **July** February 1, 2025, the date by which the
11 State Treasurer shall be required to produce the application for the
12 Stay NJ program in **2026** 2025 pursuant to section 4 of P.L.2023,
13 c.75 (C.54:4-8.75d). **Notwithstanding the provisions of this act or**
14 **any law to the contrary, if the Legislature and the Governor fail: (1)**
15 **to enact legislation following the release of the task force's report or**
16 **(2) to enact legislation that the Governor and Legislature deem**
17 **appropriate which otherwise addresses the issues the task force is**
18 **required to consider pursuant to section 18 of P.L.2023, c.75**
19 **(C.54:4-8.75o), then promulgation of a combined single application**
20 **form shall not be required on or before the date set forth in section**
21 **4 of P.L.2023, c.75 (C.54:4-8.75d) and the implementation of the**
22 **Stay NJ property tax credit program shall be delayed until the**
23 **enactment of such legislation.】 If legislation is enacted after the**
24 **90th day preceding July February 1, 2025, then promulgation of a**
25 **combined single application form shall be required no earlier than**
26 **the 91st day next following the enactment of such legislation and**
27 **the implementation of the Stay NJ property tax credit program shall**
28 **begin no earlier than the first tax year quarter beginning no less**
29 **than six months following the promulgation of the combined single**
30 **application form.**

31 (cf: P.L.2023, c.75, s.19)

32

33 11. (New section) a. After the effective date of
34 P.L. , c. (C.) (pending before the Legislature as this bill), the
35 Director of the Division of Taxation in the Department of the
36 Treasury, in consultation with the Director of the Division of Local
37 Government Services in the Department of Community Affairs and
38 local officials, shall develop a process to implement a property tax
39 credit for the payment of benefits under the homestead property tax
40 reimbursement program and the Stay NJ property tax credit
41 program. As a part of that process, the Director of the Division of
42 Taxation shall collect information from local officials regarding
43 how to effectively implement property tax credits in future years for
44 those programs. The collection of such information may include,
45 but shall not be limited to, the administration of a standardized
46 survey data collection instrument.

1 b. Notwithstanding the provisions of subsection a. of this section
2 regarding the development of a process for implementing property
3 tax credits, the Director of the Division of Taxation shall also
4 determine the feasibility of allowing eligible claimants for
5 homestead property tax reimbursement and Stay NJ property tax
6 credits to choose to continue to receive annual checks or direct
7 deposits into a bank account instead of a property tax credit.

8
9 12. Section 1 of P.L.1990, c.61 (C.54:4-8.57) is amended to read
10 as follows:

11 1. Sections 1 through 10 of P.L.1990, c.61 (C.54:4-8.57 through
12 54:4-8.66) and sections 3, 14 through 16, 18 and 19 of P.L.1999,
13 c.63 (C.54:4-8.58a and C.54:4-8.66a through C.54:4-8.66e) shall be
14 known and may be cited as the "ANCHOR Homestead Property Tax
15 Credit Act" **];** provided, however, that on and after the first day of
16 the first tax year quarter in which the Stay NJ property tax credit
17 program is implemented, those sections shall be known and may be
18 cited as the "Stay NJ Act." **].**

19 (cf: P.L.2023, c.75, s.20)

20
21 13. Section 2 of P.L.1990, c.61 (C.54:4-8.58) is amended to read
22 as follows:

23 2. As used in sections 2 through 10 of P.L.1990, c.61 (C.54:4-
24 8.58 through 54:4-8.66) and sections 3 and 14 through 16 of
25 P.L.1999, c.63 (C.54:4-8.58a and 54:4-8.66a through C.54:4-8.66c),
26 and where the context requires, as may be applicable to the
27 Affordable New Jersey Communities for Homeowners and Renters
28 (ANCHOR) Property Tax Relief Program:

29 "Annualized rent" means, for tax years 2004 and thereafter, the
30 rent paid by the claimant during the tax year for which the
31 homestead rebate is being claimed, and if paid for a lease term
32 covering less than the full tax year, the actual rent paid for the days
33 during the term of the lease of the homestead proportionalized as if
34 the term of the lease had been for 365 days of the tax year;

35 "Arm's-length transaction" means a transaction in which the
36 parties are dealing from equal bargaining positions, neither party is
37 subject to the other's control or dominant influence, and the
38 transaction is entirely legal in all respects and is treated with
39 fairness and integrity;

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

43 "Continuing care retirement community" means a residential
44 facility primarily for retired persons where lodging and nursing,
45 medical or other health related services at the same or another
46 location are provided as continuing care to an individual pursuant to
47 an agreement effective for the life of the individual or for a period
48 greater than one year, including mutually terminable contracts, and

1 in consideration of the payment of an entrance fee with or without
2 other periodic charges;

3 "Cooperative" means a housing corporation or association which
4 entitles the holder of a share or membership interest thereof to
5 possess and occupy for dwelling purposes a house, apartment,
6 manufactured or mobile home or other unit of housing owned or
7 leased by the corporation or association, or to lease or purchase a
8 unit of housing constructed or to be constructed by the corporation
9 or association;

10 "Director" means the Director of the Division of Taxation in the
11 Department of the Treasury;

12 "Dwelling house" means any residential property assessed as real
13 property which consists of not more than four units, of which not
14 more than one may be used for commercial purposes, but shall not
15 include a unit in a condominium, cooperative, horizontal property
16 regime or mutual housing corporation;

17 "Homestead" means:

18 a. (1) a dwelling house and the land on which that dwelling
19 house is located which constitutes the place of the claimant's
20 domicile and is owned and used by the claimant as the claimant's
21 principal residence;

22 (2) a dwelling house situated on land owned by a person other
23 than the claimant which constitutes the place of the claimant's
24 domicile and is owned and used by the claimant as the claimant's
25 principal residence;

26 (3) a condominium unit or a unit in a horizontal property regime
27 which constitutes the place of the claimant's domicile and is owned
28 and used by the claimant as the claimant's principal residence;

29 (4) for purposes of this definition as provided in this subsection,
30 in addition to the generally accepted meaning of owned or
31 ownership, a homestead shall be deemed to be owned by a person if
32 that person is a tenant for life or a tenant under a lease for 99 years
33 or more and is entitled to and actually takes possession of the
34 homestead under an executory contract for the sale thereof or under
35 an agreement with a lending institution which holds title as security
36 for a loan, or is a resident of a continuing care retirement
37 community pursuant to a contract for continuing care for the life of
38 that person which requires the resident to bear a share of the
39 property taxes that are assessed upon the continuing care retirement
40 community, if a share is attributable to the unit that the resident
41 occupies;

42 b. a unit in a cooperative or mutual housing corporation which
43 constitutes the place of domicile of a residential shareholder or
44 lessee therein, or of a lessee, or shareholder who is not a residential
45 shareholder therein, and which is used by the claimant as the
46 claimant's principal residence; and

1 c. a unit of residential rental property which unit constitutes the
2 place of the claimant's domicile and is used by the claimant as the
3 claimant's principal residence;

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

7 "Gross income" means all New Jersey gross income required to
8 be reported pursuant to the "New Jersey Gross Income Tax Act,"
9 N.J.S.54A:1-1 et seq., other than income excludable from the gross
10 income tax return, but before reduction thereof by any applicable
11 exemptions, deductions and credits, received during the taxable
12 year by the owner or residential shareholder in, or lessee of, a
13 homestead;

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

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

19 (2) Is built on a permanent chassis;

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

22 (4) Is manufactured in accordance with the standards
23 promulgated for a manufactured home by the Secretary of the
24 United States Department of Housing and Urban Development
25 pursuant to the "National Manufactured Housing Construction and
26 Safety Standards Act of 1974," Pub.L.93-383 (42 U.S.C. s.5401 et
27 seq.) and the standards promulgated for a manufactured or mobile
28 home by the commissioner pursuant to the "State Uniform
29 Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.);

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

39 (1) The construction and maintenance of streets;

40 (2) Lighting of streets and other common areas;

41 (3) Garbage removal;

42 (4) Snow removal; and

43 (5) Provisions for the drainage of surface water from home sites
44 and common areas;

45 "Mutual housing corporation" means a corporation not-for-profit,
46 incorporated under the laws of this State on a mutual or cooperative
47 basis within the scope of section 607 of the Lanham Act (National
48 Defense Housing), Pub.L.849, 76th Congress (42 U.S.C. s.1521 et

1 seq.), as amended, which acquired a National Defense Housing
2 Project pursuant to that act;

3 "Principal residence" means a homestead actually and
4 continually occupied by a claimant as the claimant's permanent
5 residence, as distinguished from a vacation home, property owned
6 and rented or offered for rent by the claimant, and other secondary
7 real property holdings;

8 "Property tax" means payments to a municipality based upon an
9 assessment made by the municipality upon real property on an ad
10 valorem basis on land and improvements, and shall include the
11 amount of property tax credit as defined in section 1 of P.L.2018,
12 c.11 (C.54:4-66.6), but shall not include payments made in lieu of
13 taxes;

14 "Rent" means the amount due in an arm's-length transaction
15 solely for the right of occupancy of a homestead that is a unit of
16 residential rental property. Rent shall not include any amount paid
17 under the federal Housing Choice Voucher (Section 8) Program or
18 paid as a rental assistance grant under section 1 of P.L.2004, c.140
19 (C.52:27D-287.1). If the director finds that the parties in a rental
20 transaction have not dealt with each other in an arm's-length
21 transaction and that the rent due was excessive, the director may,
22 for purposes of the homestead rebate claim, adjust the rent claimed
23 in the homestead rebate application to a reasonable amount of rent;

24 "Rent constituting property taxes" means 18% of the rent paid by
25 the homestead rebate claimant during the tax year on a unit of
26 residential rental property which constitutes the claimant's
27 homestead, and in the case of a manufactured home or mobile home
28 in a mobile home park which constitutes the claimant's homestead
29 means 18% of the site fee paid by the claimant during the tax year
30 to the owner of the mobile home park. Provided however, that for
31 tax year 2004 and for each tax year thereafter, rent constituting
32 property taxes shall equal 18% of annualized rent, and in the case of
33 a manufactured home or mobile home in a mobile home park rent
34 constituting property taxes shall equal 18% of a similarly
35 annualized site fee;

36 "Resident" means an individual:

37 a. who is domiciled in this State, unless he maintains no
38 permanent place of abode in this State, maintains a permanent place
39 of abode elsewhere, and spends in the aggregate no more than 30
40 days of the tax year in this State; or

41 b. who is not domiciled in this State but maintains a permanent
42 place of abode in this State and spends in the aggregate more than
43 183 days of the tax year in this State, unless the individual is in the
44 Armed Forces of the United States;

45 "Residential rental property" means:

46 a. any building or structure or complex of buildings or
47 structures in which dwelling units are rented or leased or offered for
48 rental or lease for residential purposes;

1 b. a rooming house, hotel or motel, if the rooms constituting
2 the homestead are equipped with kitchen and bathroom facilities;

3 c. any building or structure or complex of buildings or
4 structures constructed under the following sections of the National
5 Housing Act (Pub.L.73-479) as amended and supplemented: section
6 202, Housing Act of 1959 (Pub.L.86-372) and as subsequently
7 amended, section 231, Housing Act of 1959; and

8 d. a site in a mobile home park equipped for the installation of
9 manufactured or mobile homes, where these sites are under
10 common ownership and control for the purpose of leasing each site
11 to the owner of a manufactured or mobile home for the installation
12 thereof;

13 "Residential shareholder in a cooperative or mutual housing
14 corporation" means a tenant or holder of a membership interest in
15 that cooperative or corporation, whose residential unit therein
16 constitutes the tenant or holder's domicile and principal residence,
17 and who may deduct real property taxes for purposes of federal
18 income tax pursuant to section 216 of the federal Internal Revenue
19 Code of 1986, 26 U.S.C. s.216; and

20 "Tax year" means the calendar year in which property taxes are
21 due and payable.

22 (cf: P.L.2018, c.11, s.10)

23

24 14. Section 3 of P.L.1999, c.63 (C.54:4-8.58a) is amended to
25 read as follows:

26 3. a. For tax year 2003, the director shall determine the amount
27 of the homestead rebate that shall be paid to each claimant pursuant
28 to P.L.1990, c.61 (C.54:4-8.57 et al.), and P.L.1999, c.63 (C.54:4-
29 8.58a et al.), as amended by P.L.2004, c.40, based upon the
30 information provided by the individual applicant in the application
31 for either a NJ SAVER rebate or for a homestead rebate, or from
32 any other information as may be available to the director in order
33 that each individual applicant shall be paid the homestead rebate
34 that may be allowed to the claimant pursuant to sections 3 through 5
35 of P.L.1990, c.61 (C.54:4-8.59 through 54:4-8.61), as the director
36 determines is appropriate.

37 b. (1) For tax year 2003, a resident of this State who has paid
38 property taxes for the tax year on a homestead that is owned as
39 such, who has filed an application for an NJ SAVER rebate
40 pursuant to the provisions of P.L.1999, c.63 (C.54:4-8.58a et al.), or
41 pursuant to that act as amended and supplemented by P.L.2004,
42 c.40, and who meets the prerequisites for an NJ SAVER rebate at
43 12:01 A.M. on October 1, 2003 for that tax year, shall be
44 considered to have applied for a homestead rebate and shall be
45 allowed a homestead rebate instead of an NJ SAVER rebate for that
46 tax year pursuant to P.L.1990, c.61 (C.54:4-8.57 et al.), and
47 P.L.1999, c.63 (C.54:4-8.58a et al.), as amended by P.L.2004, c.40.
48 An application for an NJ SAVER rebate shall be allowed as a

1 homestead rebate for a homestead the title to which is held by a
2 partnership, to the extent of the applicant's interest as a partner
3 therein, and by a guardian, trustee, committee, conservator or other
4 fiduciary for any individual who would otherwise be eligible for an
5 NJ SAVER rebate. An application for an NJ SAVER rebate shall
6 not be allowed for a homestead, the title to which is held partially
7 or entirely by a corporate entity of any type, except as otherwise
8 specifically allowed for applications from residents of properties
9 owned by continuing care retirement community, cooperative or
10 mutual housing corporations.

11 (2) For tax year 2004 and tax year 2005, any rebates applied for
12 and paid pursuant to P.L.1990, c.61 (C.54:4-8.57 et al.), and
13 P.L.1999, c.63 (C.54:4-8.58a et al.), as amended and supplemented
14 by P.L.2004, c.40, shall be homestead rebates.

15 (3) For tax year 2006 and for tax years thereafter, any
16 homestead benefit applied for and provided pursuant to this act
17 shall be a rebate or credit, as annually determined by the Director of
18 the Division of Taxation.

19 (4) After the effective date of P.L. , c (C.) (pending
20 before the Legislature as this bill), and with respect to the payment
21 of ANCHOR rebates to eligible claimants, payments to eligible
22 claimants in calendar year 2026 shall be based on property taxes
23 billed for tax year 2025. Thereafter, payments to eligible claimants
24 in any succeeding benefit year shall be based on the immediately
25 preceding tax year.

26 (cf: P.L.2007, c.62, s.22)

27
28 15. (New section) Notwithstanding the provisions of any other
29 law to the contrary, after the effective date of P.L. , c. (C.)
30 (pending before the Legislature as this bill), ANCHOR rebates shall
31 be paid to eligible claimants on or before September 15 of each tax
32 year annually, whether such rebates are to be paid by check, direct
33 deposit, or as a credit on the eligible claimant's property tax bill.

34
35 16. Section 1 of P.L.1997, c.348 (C.54:4-8.67) is amended to
36 read as follows:

37 1. As used in **[this act]** P.L.1997, c.348 (C.54:4-8.67 et seq.):

38 "Base year" means, in the case of a person who is an eligible
39 claimant on or before December 31, 1997, the tax year 1997; and in
40 the case of a person who first becomes an eligible claimant after
41 December 31, 1997, the tax year in which the person first becomes
42 an eligible claimant. In the case of an eligible claimant who
43 subsequently moves from the homestead for which the initial
44 eligibility was established, the base year shall be the first full tax
45 year during which the person resides in the new homestead.
46 Provided however, a base year for an eligible claimant after such a
47 move shall not apply to tax years commencing prior to January 1,
48 2009. In the case of an eligible claimant who receives a Stay NJ

1 property tax credit in lieu of a homestead property tax
2 reimbursement pursuant to section 4 of P.L.2023, c.75 (C.54:4-
3 8.75d), the base year of that eligible claimant shall remain
4 unchanged.

5 "Commissioner" means the Commissioner of Community
6 Affairs.

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

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

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

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

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

27 "Eligible claimant" means a person who:

28 is 65 or more years of age on or before December 31 of any tax
29 year for which a homestead property tax reimbursement is sought,
30 or who is a disabled person;

31 is an owner of a homestead, or the lessee of a site in a mobile
32 home park on which site the applicant owns a manufactured or
33 mobile home for the entire tax year for which a homestead property
34 tax reimbursement is sought;

35 has an annual income of less than \$17,918 in tax year 1998, less
36 than \$18,151 in tax year 1999, or less than \$37,174 in tax year
37 2000, if single, or, if married, whose annual income combined with
38 that of the spouse is less than \$21,970 in tax year 1998, less than
39 \$22,256 in tax year 1999, or less than \$45,582 in tax year 2000,
40 which income eligibility limits for single and married persons shall
41 be subject to adjustments in tax years 2001 through 2006 pursuant
42 to section 9 of P.L.1997, c.348 (C.54:4-8.68);

43 has an annual income of \$60,000 or less in tax year 2007,
44 \$70,000 or less in tax year 2008, or \$80,000 or less in tax year
45 2009, if single or married, which income eligibility limits shall be
46 subject to adjustments in tax years 2010 through 2021 pursuant to
47 section 9 of P.L.1997, c.348 (C.54:4-8.68);

1 has an annual income of \$150,000 or less in tax year 2022, if
2 single or married, which income eligibility limits shall be subject to
3 adjustments in subsequent tax years pursuant to section 9 of
4 P.L.1997, c.348 (C.54:4-8.68);

5 has, for at least three calendar years, including the entire tax year
6 for which a homestead property tax reimbursement is sought,
7 owned and resided in the homestead for which a homestead
8 property tax reimbursement is sought prior to the date that an initial
9 application for a homestead property tax reimbursement is filed. A
10 person who has been an eligible claimant for a previous tax year
11 shall qualify as an eligible claimant beginning the second full tax
12 year following a move to another homestead in New Jersey, despite
13 not meeting the three-year minimum residency and ownership
14 requirement required for initial claimants under this paragraph;
15 provided that the person satisfies the income eligibility limits for
16 the tax year. Provided however, eligibility beginning in a second
17 full tax year after such a move shall not apply to tax years
18 commencing prior to January 1, 2010.

19 "Homestead" means:

20 a dwelling house and the land on which that dwelling house is
21 located which constitutes the place of the eligible claimant's
22 domicile and is owned and used by the eligible claimant as the
23 eligible claimant's principal residence;

24 a site in a mobile home park equipped for the installation of
25 manufactured or mobile homes, where these sites are under
26 common ownership and control for the purpose of leasing each site
27 to the owner of a manufactured or mobile home for the installation
28 thereof and such site is used by the eligible claimant as the eligible
29 claimant's principal residence;

30 a dwelling house situated on land owned by a person other than
31 the eligible claimant which constitutes the place of the eligible
32 claimant's domicile and is owned and used by the eligible claimant
33 as the eligible claimant's principal residence;

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

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

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

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

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

20 "Income" means all New Jersey gross income required to be
21 reported pursuant to the "New Jersey Gross Income Tax Act,"
22 N.J.S.54A:1-1 et seq., before the application of any authorized
23 exclusion or deduction, except also including: interest income
24 excluded from taxation pursuant to N.J.S.54A:6-14; pension and
25 annuity income excluded from taxation pursuant to N.J.S.54A:6-10;
26 income derived from distributions from, or roll over to, a Roth IRA
27 excluded from taxation pursuant to N.J.S.54A:6-28; other
28 retirement income excluded from taxation pursuant to N.J.S.54A:6-
29 15; and Social Security income excluded from taxation pursuant to
30 N.J.S.54A:6-2, as self-reported by the homeowner.

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

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

36 (2) Is built on a permanent chassis;

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

39 (4) Is manufactured in accordance with the standards
40 promulgated for a manufactured home by the Secretary of the
41 United States Department of Housing and Urban Development
42 pursuant to the "National Manufactured Housing Construction and
43 Safety Standards Act of 1974," Pub.L.93-383 (42 U.S.C. s.5401 et
44 seq.) and the standards promulgated for a manufactured or mobile
45 home by the commissioner pursuant to the "State Uniform
46 Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.).

47 "Mobile home park" means a parcel of land, or two or more
48 parcels of land, containing no fewer than 10 sites equipped for the

1 installation of manufactured or mobile homes, where these sites are
2 under common ownership and control for the purpose of leasing
3 each site to the owner of a manufactured or mobile home for the
4 installation thereof, and where the owner or owners provide
5 services, which are provided by the municipality in which the park
6 is located for property owners outside the park, which services may
7 include but shall not be limited to:

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

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

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

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

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

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

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

40 (cf: P.L.2023, c.75, s.13)

41

42 17. Section 3 of P.L.1997, c.348 (C.54:4-8.70) is amended to
43 read as follows:

44 3. **【An】** a. For tax years before the implementation of the
45 single combined application required pursuant to section 6 of
46 P.L.2023, c.75 (C.54:4-8.75f), an application for a homestead
47 property tax reimbursement hereunder shall be filed with the
48 director annually beginning April 1 and ending October 31 of the

1 year following the year for which the claim is being made and shall
2 reflect the prerequisites for a homestead property tax
3 reimbursement on December 31 of the tax year for which the claim
4 is being made; provided, however, that the director may, by rule,
5 designate a later date as the date by which the application shall be
6 filed or waive the requirement for filing an annual application for
7 any year or years subject to any limitations and conditions the
8 director may deem appropriate. The application shall be on a form
9 prescribed by the director and provided for the use of applicants
10 hereunder. Each applicant making a claim for a homestead property
11 tax reimbursement under this act shall provide, if required by the
12 director, to the director a copy of his or her current year property
13 tax bill or current year site fee bill on the homestead constituting
14 that person's principal residence and a copy of his or her property
15 tax bill for the base year or site fee bill for the base year on the
16 same homestead, or other equivalent proof as permitted by the
17 director.

18 It shall be the duty of every eligible claimant to inform the
19 director of any change in his or her status or homestead which may
20 affect his or her right to continuance of the homestead property tax
21 reimbursement.

22 If an eligible claimant receives an additional homestead property
23 tax reimbursement to which the claimant was not entitled or greater
24 than the reimbursement to which the claimant was entitled, the
25 director shall permit the claimant to enter into an installment
26 payment agreement for a reasonable period of time that will enable
27 the claimant to completely satisfy the amount of the reimbursement
28 paid to which the claimant was not entitled. If the claimant does
29 not enter into an installment payment agreement, the director may,
30 in addition to all other available legal remedies, offset such amount
31 against a gross income tax refund or amount due pursuant to
32 P.L.1990, c.61.

33 b. For tax years on and after the implementation of the single
34 combined application required pursuant to section 6 of P.L.2023,
35 c.75 (C.54:4-8.75f), an application for a homestead property tax
36 reimbursement hereunder shall be filed with the director annually,
37 beginning February 1 and ending October 31 of the year following
38 the year for which the claim is being made, using the single
39 combined application and in accordance with the requirements of
40 section 6 of P.L.2023, c.75 (C.54:4-8.75f).

41 (cf: P.L.2017, c.370, s.1)

42

43 18. Section 4 of P.L.1997, c.348 (C.54:4-8.71) is amended to
44 read as follows:

45 4. a. The director shall administer the homestead property tax
46 reimbursement program. A payment for the homestead property tax
47 reimbursement amount, as calculated by the director, shall be
48 **[mailed]** paid, by check, direct deposit, or credit against the

1 eligible claimant's property tax bill, to each person determined by
2 the director to be an eligible claimant **【under this act】** pursuant to
3 P.L.1997, c.348 (C.54:4-8.67 et seq.) and shall be made according
4 to the following schedule: **【**on or before July 15, 1999 and July 15
5 annually thereafter, except that the payment of any homestead
6 property tax reimbursement amount for an eligible claimant whose
7 application is filed during the period May 1 through June 1 shall be
8 mailed on or before September 1 annually. Provided further,
9 however, that the payment of any homestead property tax
10 reimbursement amount for an eligible claimant whose application is
11 filed during a period after June 1 pursuant to an extended
12 application deadline as may be designated by the director shall be
13 mailed on or before such latter mailing date as the director may
14 determine.**】**

15 (1) for applications received on or before May 1 of the tax year,
16 the reimbursement amount shall be paid on or before July 15 of that
17 tax year; and

18 (2) for applications received on or after May 1 of the tax year,
19 the reimbursement amount shall be made on a rolling monthly
20 basis.

21 b. All payments made pursuant to this section shall be
22 appropriated from receipts in the Casino Revenue Fund.

23 (cf: P.L.2003, c.30, s.2)

24

25 19. (New section) The Director of the Division of Taxation in
26 the Department of the Treasury is authorized to take any
27 administrative action with respect to the Stay NJ program,
28 P.L.2023, c.75 (C.54:4-8.75a et al.), the homestead property tax
29 reimbursement program, P.L.1997, c.348 (C.54:4-8.67 et seq.), or
30 the ANCHOR Property Tax Relief Program that may be necessary
31 to implement the provisions of P.L. , c. (C.) (pending
32 before the Legislature as this bill).

33

34 20. Section 3 of P.L.2021, c.371 (C.47:1B-3) is amended to read
35 as follows:

36 3. a. The following exceptions shall apply to the requirement to
37 redact, and the prohibition against the disclosure of, a home address
38 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2) in accordance
39 with section 2 of P.L.2015, c.226 (C.47:1-17), section 1 of
40 P.L.1995, c.23 (C.47:1A-1.1), or section 6 of P.L.2001, c.404
41 (C.47:1A-5):

42 (1) Copies of voter registration files maintained in the Statewide
43 voter registration system pursuant to section 2 of P.L.2005, c.145
44 (C.19:31-32) and maintained by the commissioner of registration in
45 each county pursuant to R.S.19:31-3 shall be provided as redacted
46 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2), except that
47 copies of the files as unredacted pursuant thereto shall be provided
48 to the following individuals, upon the individual's signing of an

1 affidavit attesting to the individual's qualifying status pursuant
2 hereto:

3 (a) the chairperson of the county or municipal committee of a
4 political party, as appropriate under R.S.19:7-1, or a designee
5 thereof, for distribution to any person authorized to serve as a
6 challenger pursuant to R.S.19:7-1 or section 2 of P.L.2021, c.40
7 (C.19:15A-2), subject to the limitations in section 1 of P.L.1960,
8 c.82 (C.19:7-6.1); and the unredacted copies may only be used for
9 the purpose specified in R.S.19:7-5;

10 (b) a candidate, or a designee thereof, for distribution to a
11 challenger appointed thereby pursuant to section 2 of P.L.2021, c.40
12 (C.19:15A-2) for the person's use in accordance with R.S.19:7-5;

13 (c) a candidate acting as a challenger pursuant to R.S.19:7-2 or
14 the other person appointed thereunder, for use in accordance with
15 R.S.19:7-5;

16 (d) any vendor, contractor, or organization carrying out a
17 function of a county or of the State concerning the administration or
18 conduct of elections; and

19 (e) upon order of a judge of the Superior Court after a finding
20 that the unredacted copy is necessary to determine the merits of a
21 petition filed in accordance with R.S.19:29-3, a person filing such
22 petition or the respondent or both.

23 This paragraph shall apply to registry lists as described in section
24 2 of P.L.1947, c.347 (C.19:31-18.1).

25 (2) Other than as provided in subparagraphs (d) and (e) of
26 paragraph (4) of this subsection, a document affecting the title to
27 real property, as defined by N.J.S.46:26A-2, recorded and indexed
28 by a county recording officer, or as otherwise held or maintained by
29 the Division of Taxation, a county board of taxation, a county tax
30 administrator, or a county or municipal tax assessor, that contains
31 an address subject to redaction or nondisclosure consistent with this
32 act, P.L.2021, c.371 (C.47:1B-1 et al.):

33 may instead or in addition include the redaction and
34 nondisclosure of the names or other information of approved
35 covered persons, as specified by the Director of the Division of
36 Taxation, which redaction and nondisclosure may include masking
37 of such names or other information, and

38 shall be provided as unredacted to the following persons when
39 requested in such person's ordinary course of business:

40 (a) a title insurance company, a title insurance agent, or an
41 approved attorney, as defined in section 1 of P.L.1975, c.106
42 (C.17:46B-1);

43 (b) a mortgage guarantee insurance company, as described in
44 section 4 of P.L.1968, c.248 (C.17:46A-4);

45 (c) a mortgage loan originator, as defined in section 3 of
46 P.L.2009, c.53 (C.17:11C-53);

47 (d) a registered title search business entity, as defined in section
48 4 of P.L.2021, c.371 (C.17:46B-1.1);

1 (e) a real estate broker, a real estate salesperson, a real estate
2 broker-salesperson, a real estate salesperson licensed with a real
3 estate referral company, or a real estate referral company, as such
4 terms are defined in R.S.45:15-3; and

5 (f) an individual or business that has made or received an offer
6 for the purchase of real estate and real property, or any portion
7 thereof, to or from a covered person whose address is subject to
8 redaction or nondisclosure pursuant to section 2 of P.L.2021, c.371
9 (C.47:1B-2).

10 This act shall not be construed to prohibit a county recording
11 officer from returning a document as unredacted to any person who
12 submitted the document for recordation.

13 (3) A home address as unredacted may be provided by a public
14 agency to the majority representative of such agency's employees.

15 (4) The following shall not be subject to redaction or
16 nondisclosure pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2):

17 (a) records and documents, including Uniform Commercial
18 Code filings and financing statements, maintained by the Division
19 of Revenue and Enterprise Services in the Department of the
20 Treasury;

21 (b) petitions naming candidates for office pursuant to R.S.19:13-
22 1 and R.S.19:13-4;

23 (c) petitions signed in accordance with R.S.19:13-6;

24 (d) records evidencing any lien, judgement, or other
25 encumbrance upon real or other property;

26 (e) assessment lists subject to inspection pursuant to R.S.54:4-
27 38 when inspected in person;

28 (f) the index of all recorded documents maintained by a county
29 recording officer as under N.J.S.46:26A-8 when inspected in
30 person; and

31 (g) property that is presumed abandoned under the "Uniform
32 Unclaimed Property Act," P.L.1989, c.58 (C.46:30B-1 et seq.).

33 (5) A public agency may share unredacted information with any
34 vendor, contractor, or organization to carry out the purposes for
35 which the public agency entered into an agreement with the vendor,
36 contractor, or organization. The vendor, contractor, or organization
37 shall not use such information in any manner other than as
38 necessary to carry out the purposes of the agreement.

39 (6) For a record or other document containing a home address
40 required to be redacted pursuant to section 2 of P.L.2021, c.371
41 (C.47:1B-2) that, because of the characteristics or properties of the
42 record or document, is only available to be viewed in person, a
43 custodian or other government official shall make every reasonable
44 effort to hide such address when allowing an individual without
45 authority to view such address as unredacted to view the record or
46 document.

47 (7) For the purposes of the calculation of property tax benefits
48 and the administration of property tax credits for eligible claimants

1 pursuant to the "Stay NJ Act," P.L.2021, c.75 (C.54:4-8.75a et al.),
2 municipalities may share unredacted property tax information with
3 the Director of the Division of Taxation in the Department of the
4 Treasury, and the director may provide to municipalities unredacted
5 amounts of property tax credits to be applied against property tax
6 bills of eligible claimants.

7 b. Nothing in this act shall be construed to require redaction or
8 nondisclosure of any information in any document, record,
9 information, or database shared with or otherwise provided to any
10 other government entity.

11 c. Information otherwise subject to redaction or nondisclosure
12 pursuant to section 2 of P.L.2021, c.371 (C.47:1B-2) may be
13 provided as unredacted upon order of a judge of the Superior Court
14 or of any other court of competent jurisdiction.

15 d. This section shall not be construed to require a record to be
16 made available that is not otherwise required to be made available
17 under any other law or regulation.

18 e. The Director of the Division of Taxation may issue any
19 guidance, guidelines, or rules and regulations necessary to
20 effectuate the purposes of this section. The rules and regulations
21 shall be effective immediately upon filing with the Office of
22 Administrative Law for a period not to exceed 18 months, and shall,
23 thereafter, be amended, adopted, or readopted in accordance with
24 the provisions of the "Administrative Procedure Act," P.L.1968,
25 c.410 (C.52:14B-1 et seq.).

26 (cf: P.L.2021, c.371, s.3)

27
28 21. R.S.54:50-8 is amended to read as follows:

29 54:50-8. a. The records and files of the director respecting the
30 administration of the State Uniform Tax Procedure Law or of any
31 State tax law, or respecting the administration of the Stay NJ
32 property tax credit, the ANCHOR Property Tax Relief Program, and
33 the homestead property tax reimbursement program, shall be
34 considered confidential and privileged and neither the director nor
35 any employee engaged in the administration thereof or charged with
36 the custody of any such records or files, nor any former officer or
37 employee, nor any person who may have secured information
38 therefrom under subsection d., e., f., g., p., q., r., or s. of R.S.54:50-
39 9 or any other provision of State law, shall divulge, disclose, use for
40 their own personal advantage, or examine for any reason other than
41 a reason necessitated by the performance of official duties any
42 information obtained from the said records or files or from any
43 examination or inspection of the premises or property of any
44 person. Neither the director nor any employee engaged in such
45 administration or charged with the custody of any such records or
46 files shall be required to produce any of them for the inspection of
47 any person or for use in any action or proceeding except when the
48 records or files or the facts shown thereby are directly involved in

1 an action or proceeding under the provisions of the State Uniform
2 Tax Procedure Law or of the State tax law affected, or where the
3 determination of the action or proceeding will affect the validity or
4 amount of the claim of the State under some State tax law, or in any
5 lawful proceeding for the investigation and prosecution of any
6 violation of the criminal provisions of the State Uniform Tax
7 Procedure Law or of any State tax law.

8 b. The prohibitions of this section, against unauthorized
9 disclosure, use or examination by any present or former officer or
10 employee of this State or any other individual having custody of
11 such information obtained pursuant to the explicit authority of State
12 law, shall specifically include, without limitation, violations
13 involving the divulgence or examination of any information from or
14 any copy of a federal return or federal return information required
15 by New Jersey law to be attached to or included in any New Jersey
16 return. Any person violating this section by divulging, disclosing or
17 using information shall be guilty of a crime of the fourth degree.
18 Any person violating this section by examining records or files for
19 any reason other than a reason necessitated by the performance of
20 official duties shall be guilty of a disorderly persons offense.

21 c. Whenever records and files are used in connection with the
22 prosecution of any person for violating the provisions of this section
23 by divulging, disclosing or using records or files or examining
24 records and files for any reason other than a reason necessitated by
25 the performance of official duties, the defendant shall be given
26 access to those records and files. The court shall review such
27 records and files in camera, and that portion of the court record
28 containing the records and files shall be sealed by the court.

29 (cf: P.L.2021, c.167, s.5)

30

31 22. Section 3 of P.L.1996, c.60 (C.54A:3A-17) is amended to
32 read as follows:

33 3. a. A resident taxpayer under the "New Jersey Gross Income
34 Tax Act," N.J.S.54A:1-1 et seq., shall be allowed a deduction from
35 gross income for the amount of property tax credit, as defined in
36 section 1 of P.L.2018, c.11 (C.54:4-66.6), plus property taxes paid
37 by the resident taxpayer, the total of which shall not exceed
38 \$15,000, subject to the limitations of subsection f. of this section.
39 Property taxes deductible under this section shall be due and paid
40 for the calendar year in which the taxes are due and payable on the
41 taxpayer's homestead.

42 b. A deduction for property taxes or property tax credits shall
43 be allowed pursuant to this section in relation to the amount of the
44 property taxes or property tax credits actually paid by **【or allocable**
45 **to】** a resident taxpayer who has more than one homestead, but the
46 aggregate amount of the property taxes or property tax credits
47 claimed shall not exceed the total of the proportionate amounts of
48 property taxes **【assessed and levied against or allocable to】** paid for

1 each homestead for the portion of the taxable year for which the
2 taxpayer occupied it as the taxpayer's principal residence.

3 c. If title to a homestead is held by more than one individual as
4 joint tenants or tenants in common, each individual shall be allowed
5 a deduction pursuant to this section only in relation to the
6 individual's proportionate share of the property taxes assessed and
7 levied against the homestead. The proportionate share shall be
8 equal to that of all other individuals who hold the title, but if the
9 conveyance under which the title is held provides for unequal
10 interests therein, a taxpayer's share of the property taxes shall be in
11 proportion to the taxpayer's interest in the title.

12 d. If title to a homestead is held by a husband and wife who
13 own the homestead as tenants by the entirety, or if that husband and
14 wife are both residential shareholders of a cooperative or mutual
15 housing corporation and occupy the same homestead therein, and
16 who elect to file separate income tax returns pursuant to the "New
17 Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq., that husband
18 and wife shall each be entitled to one-half of the deduction for
19 property taxes for which they may be jointly eligible pursuant to
20 this section.

21 e. If the homestead is a dwelling house consisting of more than
22 one unit, that taxpayer shall be allowed a deduction for property
23 taxes or property tax credits only in relation to the proportionate
24 share of the property taxes assessed and levied against the
25 residential unit occupied by the taxpayer, as determined by the local
26 tax assessor.

27 f. Notwithstanding the provisions of subsection a. of this
28 section to the contrary: (1) a resident taxpayer shall be allowed a
29 deduction for a taxpayer's taxable year beginning during 1996 based
30 on 50% of the property taxes not in excess of \$5,000 paid on the
31 taxpayer's homestead; and (2) a resident taxpayer shall be allowed a
32 deduction for a taxpayer's taxable year beginning during 1997 based
33 on 75% of the property taxes not in excess of \$7,500 paid on the
34 taxpayer's homestead.

35 g. Notwithstanding any other provision of this section, the
36 deduction allowed under this section to a resident taxpayer eligible
37 to receive a homestead property tax reimbursement pursuant to
38 P.L.1997, c.348 (C.54:4-8.67 et al.) shall not exceed that resident
39 taxpayer's base year property tax liability as determined pursuant to
40 P.L.1997, c.348 (C.54:4-8.67 et al.).

41 h. Notwithstanding any other provision of this section, for the
42 taxable year beginning January 1, 2009, a taxpayer who has gross
43 income for the taxable year of more than \$250,000 and is not:

- 44 (1) 65 years of age or older at the close of the taxable year; or
45 (2) allowed to claim a personal deduction as a blind or disabled
46 taxpayer pursuant to subsection (b) of N.J.S.54A:3-1, shall not be
47 allowed a deduction pursuant to this section;

1 provided however, the deduction for a taxpayer who has gross
2 income for the taxable year of more than \$150,000 but not
3 exceeding \$250,000 and is not:

4 (1) 65 years of age or older at the close of the taxable year; or

5 (2) allowed to claim a personal deduction as a blind or disabled
6 taxpayer pursuant to subsection (b) of N.J.S.54A:3-1, shall not
7 exceed \$5,000.

8 (cf: P.L.2018, c.45, s.1)

9

10 23. Section 5 of P.L.1996, c.60 (C.54A:3A-19) is amended to
11 read as follows:

12 5. a. If a taxpayer who is eligible for a deduction for property
13 taxes paid under section 3 of **【this act】** P.L.1996, c.60 (C.54A:3A-
14 17) for a part of the taxable year is also eligible for a deduction for
15 rent constituting property taxes under section 4 of this act for a part
16 of the taxable year, the taxpayer shall be allowed a deduction, not in
17 excess of \$15,000, subject to the limitations of subsection b. of this
18 section, the amount of which shall be equal to the sum of the
19 amount of property tax credit, as defined in section 1 of P.L.2018,
20 c.11 (C.54:4-66.6), plus the amount of property taxes due and paid
21 for the calendar year in which the property taxes are due and
22 payable on a homestead that is not a unit of residential rental
23 property and the amount of rent constituting property taxes due and
24 paid for the calendar year in which the rent constituting property
25 taxes is due and payable for the occupancy of a homestead that is a
26 unit of residential rental property, provided however, that the
27 amount of property taxes and property tax credits shall be subject to
28 the limitations set forth in subsections b. through e. of section 3 of
29 P.L.1996, c.60 (C.54A:3A-17) and the amount of rent constituting
30 property taxes shall be subject to the limitations set forth in
31 subsections b. and c. of section 4 of P.L.1996, c.60 (C.54A:3A-18)
32 as may be applicable.

33 b. Notwithstanding the provisions of subsection a. of this
34 section to the contrary: (1) a taxpayer who is eligible for a
35 deduction for property taxes paid under section 3 of **【this act】**
36 P.L.1996, c.60 (C.54A:3A-17) for a part of the taxable year and is
37 also eligible for a deduction for rent constituting property taxes
38 under section 4 of **【this act】** P.L.1996, c.60 (C.54A:3A-18) for a
39 part of the taxable year, shall be allowed a deduction for the
40 taxpayer's taxable year beginning during 1996 based on 50% of an
41 amount not in excess of \$5,000, the amount of which shall be equal
42 to the sum of the amount of property taxes paid on a homestead that
43 is not a unit of residential rental property and the amount of rent
44 constituting property taxes paid for the occupancy of a homestead
45 that is a unit of residential rental property; and (2) a taxpayer who is
46 eligible for a deduction for property taxes paid under section 3 of
47 **【this act】** P.L.1996, c.60 (C.54A:3A-17) for a part of the taxable
48 year and is also eligible for a deduction for rent constituting

1 property taxes under section 4 of **[this act]** P.L.1996, c.60
2 (C.54A:3A-18) for a part of the taxable year, shall be allowed a
3 deduction for the taxpayer's taxable year beginning during 1997
4 based on 75% of an amount not in excess of \$7,500, the amount of
5 which shall be equal to the sum of the amount of property taxes
6 paid on a homestead that is not a unit of residential rental property
7 and the amount of rent constituting property taxes paid for the
8 occupancy of a homestead that is a unit of residential rental
9 property.

10 (cf: P.L.2018, c.45, s.3)

11
12 24. This act shall take effect immediately.

13
14
15 STATEMENT

16
17 This bill amends and supplements the statutes concerning the
18 homestead property tax benefit program, the homestead property
19 tax reimbursement program, and the Stay NJ property tax credit
20 program in order to implement the recommendations of the Stay NJ
21 Task Force. The statutes controlling the homestead property tax
22 benefit program also provide statutory authority for the Affordable
23 New Jersey Communities for Homeowners and Renters (ANCHOR)
24 Property Tax Relief Program established by the Fiscal Year 2023
25 Appropriations Act. The proposed changes to these statutes are
26 intended to align the various administrative and eligibility
27 requirements methods for these programs in order to provide for the
28 efficient implementation of property tax benefits.

29
30 *Age and Residency Requirements.* Current law establishes a
31 different statutory residency date for qualification under each
32 property tax relief program. In order to provide consistency in
33 these dates, the bill amends current law to require an eligible
34 claimant to be a resident of New Jersey as of December 31 of the
35 year for which a benefit is sought. The bill also requires senior
36 citizens participating in each program to be age 65 as of December
37 31 of the benefit year.

38
39 *Application Process and Timeline.* Current law establishes
40 different application timelines for each property tax relief program.
41 The bill amends current law to provide that the period during which
42 an eligible claimant may submit the combined property tax relief
43 application will run from February 1 through October 31 of each
44 year. The bill also requires the Director of the Division of Taxation
45 in the Department of the Treasury to promulgate a single combined
46 application, to be used for all three programs, by no later than
47 February 1, 2026. To the extent practicable, the bill requires this

1 single combined application to resemble the application currently
2 used for the homestead property tax reimbursement program.

3
4 *Benefit Calculation.* The bill alters the method for determining
5 the amount of an eligible claimant's Stay NJ property tax credit.
6 Current law entitles an eligible claimant to the greater of the Stay
7 NJ property tax credit or the combined amount of the ANCHOR
8 property tax rebate and the homestead property tax reimbursement.
9 The maximum Stay NJ property tax credit is 50 percent of an
10 eligible claimant's property tax bill, not to exceed a maximum
11 amount of \$6,500 in tax year 2026, with annual adjustments based
12 on the annual increase in the average residential property tax bill.

13 Under the bill, if the sum total of an eligible claimant's
14 homestead property tax reimbursement and ANCHOR property tax
15 rebate exceeds the lesser of 50 percent of their property tax bill or
16 the maximum benefit amount, then the eligible claimant will not
17 receive an additional Stay NJ credit. If the combined amount of the
18 homestead property tax benefit and ANCHOR property tax rebate is
19 less than the Stay NJ benefit amount, then the eligible claimant will
20 receive a Stay NJ property tax credit equal to 50 percent of their
21 property tax bill, not to exceed the maximum benefit amount, less
22 the sum total of their homestead property tax reimbursement and
23 ANCHOR property tax benefit.

24
25 *Benefit Distribution.* Under current law, eligible claimants
26 receive benefit payments under each of the property tax relief
27 programs at different times. The bill requires the sequential
28 distribution of property tax benefits in accordance with a statutory
29 schedule, with the homestead property tax reimbursement provided
30 beginning in July, ANCHOR property tax rebates provided
31 beginning in September, and the Stay NJ property tax credit
32 provided beginning in November.

33 Additionally, current law requires a Stay NJ benefit to be
34 provided as a credit against an eligible claimant's property tax bill.
35 The bill allows benefits distributed through each of property tax
36 relief program to be provided through check, direct deposit, or as a
37 property tax credit. The bill allows municipalities and the Division
38 of Taxation in the Department of the Treasury to share unredacted
39 property tax information for the purpose of calculating and
40 distributing property tax credits.

41
42 *Calculation of Income.* Under current law there are different
43 methods of calculating income to determine eligibility for the
44 homestead property tax reimbursement and the Stay NJ property tax
45 credit. For the homestead property tax reimbursement, income is
46 determined based on an eligible claimant's total income, including
47 income that is excluded in gross income under the "New Jersey
48 Gross Income Tax Act," N.J.S.54A:1-1 et seq. For the Stay NJ

1 property tax credit, income is determined based on an eligible
2 claimant's gross income, which does not include income that is
3 excluded from gross income under the "New Jersey Gross Income
4 Tax Act," N.J.S.54A:1-1 et seq.

5 The bill establishes a uniform definition of income for purposes
6 of determining eligibility for the homestead property tax
7 reimbursement and the Stay NJ property tax credit. Under the new
8 definition, an eligible claimant's income will be determined using
9 gross income plus income from the following sources that are
10 excluded from income under current law: (1) all payments
11 received under the federal Social Security Act; (2) pension and
12 annuity income; (3) interest income; (4) other retirement income;
13 and (5) distributions from a Roth Individual Retirement Account.
14 Since Social Security payments are excluded from gross income and
15 not reported on annual gross income tax returns, the bill requires
16 eligible claimants to report those amounts when they apply for
17 property tax benefits.

18

19 *Budgetary Surplus Target.* Current law establishes the
20 maintenance of a budgetary surplus of 12 percent of total
21 expenditures from the General Fund and Property Tax Relief Fund
22 in a given State fiscal year as one of the prerequisites for funding
23 and implementing the Stay NJ property tax credit program. Total
24 expenditures from the General Fund and Property Tax Relief Fund
25 are usually not quantifiable until publication of the Annual
26 Comprehensive Financial Report for each fiscal year. In order to
27 establish an identifiable and measurable amount for determining
28 whether the budgetary surplus target is satisfied for each fiscal year,
29 the bill requires the maintenance of a budgetary surplus of 12
30 percent of total appropriations from the General Fund and Property
31 Tax Relief Fund. Total appropriations from the General Fund and
32 Property Tax Relief Fund are calculated and published in the annual
33 Appropriations Act.

34

35 *Gross Income Tax Deduction for Property Taxes.* Current law
36 allows taxpayers to deduct up to \$15,000 from gross income for
37 property taxes paid in a tax year. According to guidance published
38 by the Division of Taxation, taxpayers are not required to deduct
39 property tax relief payments from the amount of property taxes
40 deducted from gross income. In order to prevent taxpayers from
41 deducting from their gross income property taxes they did not pay
42 due to the receipt of a property tax credit, the bill amends current
43 law to clarify that amounts deducted from gross income will be
44 limited to the property taxes paid by the taxpayer, as opposed to the
45 amounts billed.

46

47 *Program Administration.* The bill requires the Director of the
48 Division of Taxation, in consultation with other State and local

1 officials, to develop a process for the payment of benefits provided
2 through the homestead property tax reimbursement program and the
3 Stay NJ program as property tax credits.

4 The bill also requires the Stay NJ Task Force to continue to meet
5 monthly to assist the Director of the Division of Taxation in
6 developing this process and collecting information from local
7 officials regarding how to effectively implement property tax
8 credits in future years for those programs. Under current law, the
9 task force would otherwise be required to disband 30 days after the
10 enactment of this bill.