

P.L. 2024, CHAPTER 3, *approved March 20, 2024*
Assembly, No. 1495 (*Second Reprint*)

1 AN ACT exempting receipts from the sales of materials, supplies,
2 and services for certain affordable housing projects from taxation
3 under the sales and use tax, and amending P.L.1980, c.105.
4

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

8 1. Section 34 of P.L.1980, c.105 (C.54:32B-8.22) is amended to
9 read as follows:

10 34. Receipts from sales made to contractors or repairmen of
11 materials, supplies or services for exclusive use in erecting structures
12 or building on, or otherwise improving, altering or repairing real
13 property of:

14 a. Organizations described in subsections (a) and (b) of section 9
15 of the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-9) that are
16 exempt from the tax imposed under the "Sales and Use Tax Act";

17 b. Qualified businesses within an enterprise zone as authorized in
18 section 20 of the "New Jersey Urban Enterprise Zones Act," P.L.1983,
19 c.303 (C.52:27H-79);**[and]**

20 c. Housing sponsors who have obtained financing for housing
21 projects pursuant to the "New Jersey Housing and Mortgage Finance
22 Agency Law of 1983," P.L.1983, c.530 (C.55:14K-1 et seq.), which
23 projects have received other federal, State or local subsidies in order to
24 achieve financial feasibility; and

25 d. Housing sponsors engaged in affordable housing projects where
26 all of the units are ¹**[intended]** restricted¹ for occupants with
27 moderate, low, or very low incomes as defined in P.L.1985, c.222
28 (C.52:27D-301 et al.) are exempt from the tax imposed under the
29 "Sales and Use Tax Act," provided any person seeking to qualify for
30 the exemption shall do so pursuant to such rules and regulations and
31 upon forms as shall be prescribed by the director.

32 For the purposes of this section, a qualified business within an
33 enterprise zone shall include any urban renewal entity established
34 pursuant to P.L.1961, c.40 (C.40:55C-40 et seq.), provided, however,
35 that the entity is the sole owner of an operating company which is a
36 qualified business pursuant to subsection c. of section 3 of P.L.1983,
37 c.303 (C.52:27H-62), and that the entity and its operating company are
38 situated within the same zone.
39 (cf: P.L.2006, c.34, s.2)

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AHO committee amendments adopted January 29, 2024.

²Assembly AAP committee amendments adopted February 8, 2024.

1 2. This act shall take effect ²**【immediately】** on the first day of the
2 second month next following the date of enactment² and shall apply to
3 sales made on or after the ²**【date of enactment】** effective date².
4
5
6

7
8 _____
9 Exempts receipts from sales of materials, supplies, and services for
certain affordable housing projects from sales and use tax.