

SENATE, No. 4623

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED OCTOBER 1, 2026

Sponsored by:
Senator ANTHONY M. BUCCO
District 25 (Morris and Passaic)

SYNOPSIS

Establishes Unanticipated Revenue Fund; dedicates monies in fund to provision of one-time gross income tax credits to State residents.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT establishing the “Unanticipated Revenue Fund,”
2 supplementing Title 52 of the Revised Statutes, amending
3 P.L.2023, c.159, and repealing P.L.1990, c.44.
4

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

8 1. (New section) a. There is created within the General Fund a
9 special fund to be known as the “Unanticipated Revenue Fund.”
10 The State Treasurer shall credit to the Unanticipated Revenue Fund,
11 annually on or before December 30, all General Fund revenues that
12 exceed the amount of General Fund anticipated revenue certified by
13 the Governor upon approval of the annual appropriations act for the
14 fiscal year immediately preceding the fiscal year, as determined
15 pursuant to section 2 of P.L. , c. (C.) (pending before the
16 Legislature as this bill).

17 b. Moneys credited to the Unanticipated Revenue Fund may be
18 invested in the same manner as assets of the General Fund, and any
19 investment earnings on the Unanticipated Revenue Fund shall
20 accrue to the Unanticipated Revenue Fund and shall be available
21 subject to the same terms and conditions as other balances in the
22 fund.

23 c. On or before January 15 of each year, the State Treasurer
24 shall provide a report of the status of the Unanticipated Revenue
25 Fund to the Governor and to the Legislature through the Joint
26 Budget Oversight Committee, or its successor.
27

28 2. (New section) a. As used in this section, “anticipated
29 revenue” means the amount of revenue estimated to be realized in a
30 fiscal year as General Fund resources to support appropriations
31 made, including taxes, license fees, other miscellaneous
32 departmental revenue, and revenue transfers to the General Fund
33 from other funds in the State Treasury, and excluding federal funds
34 and any fund balances, whether designated, undesignated, or
35 reserved.

36 b. The amount to be annually credited to the Unanticipated
37 Revenue Fund shall be determined by the State Treasurer in the
38 following manner:

39 (1) The State Treasurer shall identify the amount of General
40 Fund anticipated revenue certified by the Governor upon approval
41 of the annual appropriations act for the fiscal year immediately
42 preceding the fiscal year in which a credit to the Unanticipated
43 Revenue Fund is required.

44 (2) The State Treasurer shall determine, from the annual
45 financial report of the General Fund for the fiscal year immediately

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 preceding the fiscal year in which a credit to the Unanticipated
2 Revenue Fund is required, the amount of revenue actually deposited
3 in the General Fund in that fiscal year. If in any preceding fiscal
4 year for which a determination under this subsection is to be made,
5 there is a law enacted which will increase the revenue to the
6 General Fund, the yield from that increase for that preceding fiscal
7 year in which the increase is in effect shall be disregarded in
8 determining the amount to be credited to the Unanticipated Revenue
9 Fund.

10 (3) The amount of the credit to the Unanticipated Revenue Fund
11 shall be an amount equivalent to the excess, if there be any, of the
12 amount determined in paragraph (2) of this subsection over the
13 amount determined in paragraph (1) of this subsection. If actual
14 revenue collections pursuant to the “New Jersey Gross Income Tax
15 Act,” N.J.S.54A:1-1 et seq., for the fiscal year immediately
16 preceding the fiscal year in which a credit to the Unanticipated
17 Revenue Fund is required are less than the amount of revenue
18 collections pursuant to that act as certified by the Governor upon
19 approval of the annual appropriations act for that fiscal year, the
20 amount of the credit to the Unanticipated Revenue Fund otherwise
21 calculated pursuant to this section shall be reduced by the difference
22 between the amount so certified and the actual collections.

23 c. The Governor’s annual budget message to the Legislature
24 shall include an estimate of the amount to be credited to the
25 Unanticipated Revenue Fund, as of July 1 of the fiscal year for
26 which the Governor is making budget recommendations.

27
28 3. (New section) Monies in the Unanticipated Revenue Fund
29 shall be dedicated exclusively for the provision of State one-time
30 refundable gross income tax credits or tax rebates for State
31 residents, subject to appropriation by the Legislature, in a manner
32 determined and prescribed by the Legislature.

33
34 4. Section 1 of P.L.2023, c.159 (C.52:27B-46.1) is amended to
35 read as follows:

36 1. a. Within 30 days following the publication of the New Jersey
37 Annual Comprehensive Financial Report pursuant to section 37 of
38 P.L.1944, c.112 (C.52:27B-46), the Office of the State Auditor shall
39 annually publish a user-friendly, plain-language report that
40 summarizes and analyzes the contents of the New Jersey Annual
41 Comprehensive Financial Report. At a minimum, the report shall
42 include:

43 (1) a summary of the State's financial condition compared to
44 other states in the Mid-Atlantic and Northeastern regions of the
45 United States, which summary shall include statistical comparisons
46 based on the population and gross domestic product of each state;

47 (2) a summary of the State's total long-term financial liabilities,
48 including, but not limited to, net pension obligations, post-

1 employment benefits other than pensions including, but not limited
2 to, health, dental, and vision care, and payments for principal and
3 interest due on general obligation bonds and appropriations-backed
4 contract bonds issued by independent authorities of the State,
5 including all items comprising long-term liability as recorded in a
6 schedule of long-term debt changes, bonded and non-bonded, in the
7 State's annual comprehensive financial report prepared pursuant to
8 section 37 of P.L.1944, c.112 (C.52:27B-46), which analysis shall
9 compare the State's long-term liabilities to those of other states in
10 the Mid-Atlantic and Northeastern regions of the United States;

11 (3) a summary of the State's revenue collections for the General
12 Fund, Property Tax Relief Fund, Casino Revenue Fund, and all
13 other budgeted State revenues, which summary shall compare the
14 State's actual revenue collections during the five preceding fiscal
15 years to the anticipated revenue collections for each year;

16 (4) a summary of the State's anticipated revenue collections for
17 the General Fund, Property Tax Relief Fund, Casino Revenue Fund,
18 and all other budgeted State revenues and the State's appropriations
19 to fund State aid for education, State municipal aid, State pension
20 liabilities, employer contributions for State healthcare benefits, the
21 State Medicaid program, State support for hospitals, the Annual
22 Transportation Capital Program, and programs of direct taxpayer
23 property tax relief, which summary shall compare the State's
24 anticipated revenue collections during the five preceding fiscal
25 years to the State's appropriations for each of those fiscal years; and

26 (5) a summary of the State's unrestricted fund balance, whether
27 designated, undesignated, or reserved, including the amounts
28 deposited **【pursuant to the "Surplus Revenue Fund,"】** into the
29 Unanticipated Revenue Fund, established pursuant to **【P.L.1990,**
30 **c.44 (C.52:9H-14 et seq.)】** P.L. , c. (C.) (pending before
31 the Legislature as this bill), which summary shall compare the
32 State's unrestricted cash reserves to those of other states in the Mid-
33 Atlantic and Northeastern regions of the United States.

34 b. The report required pursuant to this section may be prepared
35 by an independent auditor selected by the Office of the State
36 Auditor in accordance with applicable laws regarding selection of
37 auditing services.

38 c. The report prepared pursuant to this section shall be
39 transmitted to the Governor and the Legislature pursuant to section
40 2 of P.L.1991, c.164 (C.52:14-19.1). The Legislature, Department
41 of the Treasury, and Office of the State Auditor shall make the
42 report publicly accessible on their Internet websites within five days
43 of transmittal.

44 The first report required by this section shall be published within
45 30 days following the publication of the New Jersey Annual
46 Comprehensive Financial Report that occurs at least 12 months
47 after the effective date of P.L.2023, c.159 (C.52:27B-46.1).

1 d. After submission of the Governor's budget message to the
2 Legislature pursuant to section 11 of P.L.1944, c.112 (C.52:27B-20)
3 the State Auditor shall, on or before May 31 annually, appear before
4 the Legislature's budget committees to present the information
5 contained within the most recent report required pursuant to this
6 section.

7 (cf: P.L.2023, c.159, s.1)

8
9 5. P.L.1990, c.44 (C.52:9H-14 through C.52:9H-23) is
10 repealed.

11
12 6. This act shall take effect immediately and shall apply to
13 State fiscal years beginning on or after the date of enactment.

14
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16 STATEMENT

17
18 This bill establishes a special fund, known as the Unanticipated
19 Revenue Fund, into which certain excess, unanticipated State
20 revenues are to be deposited for the sole purpose of providing gross
21 income tax credits to State residents.

22 The bill establishes the "Unanticipated Revenue Fund" as a
23 special fund within the General Fund. Under the bill, the fund is
24 required to annually be credited with all General Fund revenues that
25 are collected in excess of the amounts anticipated in the Governor's
26 revenue certification. Specifically, the amount to be credited to the
27 fund will be determined by the State Treasurer, on or before
28 December 30 of each year, based on the difference, if any, between
29 the anticipated revenue certified by the Governor for the annual
30 appropriations act of the prior fiscal year and the amount of such
31 revenues actually deposited in the General Fund in the prior fiscal
32 year.

33 For the purposes of this bill, "anticipated revenue" means the
34 amount of revenue estimated to be realized in a fiscal year as
35 General Fund resources to support appropriations made, including
36 taxes, license fees, other miscellaneous departmental revenue, and
37 revenue transfers to the General Fund from other funds in the State
38 Treasury, and excluding federal funds and any fund balances,
39 whether designated, undesignated or reserved. Accordingly, the
40 requirements of this bill do not apply to excess revenues collected
41 under the gross income tax, which are deposited into the Property
42 Tax Relief Fund, and dedicated exclusively for the purposes of
43 property tax relief.

44 The bill requires that all monies credited to the Unanticipated
45 Revenue Fund be appropriated for the provision of one-time
46 refundable gross income tax credits or tax rebates to residents of
47 New Jersey, subject to appropriation by the Legislature, in a manner
48 determined by the Legislature.

1 Under current law, the State has a restricted reserve fund known
2 as the “Surplus Revenue Fund.” The amount annually credited to
3 this fund is equal to 50 percent of excess revenue realized by the
4 State in a given fiscal year. The excess revenue is determined by
5 the State Treasurer by calculating the difference, if any, between the
6 anticipated revenue certified by the Governor upon approval of the
7 annual appropriations act and the amount of revenue actually
8 deposited in the General Fund, as described in the annual financial
9 report, for a given fiscal year. Monies in the Surplus Revenue Fund
10 may be used to: offset State revenue declines; meet the costs of an
11 emergency identified by the Governor; manage general obligation
12 bonds; administer capital projects; and reduce or offset real
13 property taxes. This bill repeals the law establishing the Surplus
14 Revenue Fund and removes relevant statutory references.