

SENATE, No. 441

STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Mercer)

Senator ROBERT M. GORDON

District 38 (Bergen)

SYNOPSIS

Limits annual fee increases in shared service agreement to 4% or waiver amount.

CURRENT VERSION OF TEXT

As reported by the Senate Community and Urban Affairs Committee with technical review.



(Sponsorship Updated As Of: 11/23/2010)

S441 TURNER, GORDON

2

1 AN ACT concerning agreements for shared services and amending
2 P.L.2007, c.63.

3

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

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7 1. Section 4 of P.L.2007, c.63 (C.40A:65-4) is amended to read
8 as follows:

9 4. a. (1) Any local unit may enter into an agreement with any
10 other local unit or units to provide or receive any service that each
11 local unit participating in the agreement is empowered to provide or
12 receive within its own jurisdiction, including services incidental to
13 the primary purposes of any of the participating local units.

14 (2) Notwithstanding any law, rule or regulation to the contrary,
15 any agreement between local units for the provision of shared
16 services shall be entered into pursuant to sections 1 to 37 of
17 P.L.2007, c.63 (C.40A:65-1 et al.); provided, however, that
18 agreements regarding shared services that are otherwise regulated
19 by statute, rule, or regulation are specifically excluded from
20 sections 1 to 37 of P.L.2007, c.63 (C.40A:65-1 et al.).

21 (3) The board is authorized to render a decision in the
22 determination of the statutory basis under which a specific shared
23 service is governed.

24 b. Any agreement entered into pursuant to this section shall be
25 filed, for informational purposes, with the Division of Local
26 Government Services in the Department of Community Affairs,
27 pursuant to rules and regulations promulgated by the director.

28 c. Any agreement entered into pursuant to this section shall
29 contain a provision limiting any annual increase in fees under the
30 agreement or annual renewals or extensions of the agreement to be
31 paid through the property tax to the greater of four percent or the
32 amount permitted by a waiver from the board pursuant to section 11
33 of P.L.2007, c.62 (C.40A:4-45.46).
34 (cf: P.L.2007, c.63, s.4)

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36 2. This act shall take effect immediately and shall be applicable
37 to shared service agreements executed after the date of enactment.

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.