

**ASSEMBLY CONCURRENT  
RESOLUTION No. 37**

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**STATE OF NEW JERSEY**

**218th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

**Sponsored by:**

**Assemblyman R. BRUCE LAND**

**District 1 (Atlantic, Cape May and Cumberland)**

**Assemblyman BOB ANDRZEJCZAK**

**District 1 (Atlantic, Cape May and Cumberland)**

**Assemblyman ROY FREIMAN**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Assemblyman MATTHEW W. MILAM**

**District 1 (Atlantic, Cape May and Cumberland)**

**SYNOPSIS**

Proposes constitutional amendment to require two-thirds majority vote by Legislature for bills proposing a new or increased State tax, fee, surcharge or civil penalty.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 5/14/2019)**

1    **A CONCURRENT RESOLUTION** proposing to amend Article IV,  
2       Section IV, paragraph 6 of the Constitution of the State of New  
3       Jersey.

4  
5       **BE IT RESOLVED** *by the Senate of the State of New Jersey (the*  
6       *General Assembly concurring):*

7  
8       1. The following proposed amendment to the Constitution of  
9       the State of New Jersey is agreed to:

10  
11                                   **PROPOSED AMENDMENT**

12  
13       Amend Article IV, Section IV, paragraph 6 to read as follows:

14       6. All bills and joint resolutions shall be read three times in  
15       each house before final passage. No bill or joint resolution shall be  
16       read a third time in either house until after the intervention of one  
17       full calendar day following the day of the second reading; but if  
18       either house shall resolve by vote of three-fourths of all its  
19       members, signified by yeas and nays entered on the journal, that a  
20       bill or joint resolution is an emergency measure, it may proceed  
21       forthwith from second to third reading. No bill or joint resolution  
22       shall pass, other than a bill or joint resolution enacting a new or  
23       increased State tax, fee, surcharge or civil penalty, unless there shall  
24       be a majority of all the members of each body personally present  
25       and agreeing thereto, and the yeas and nays of the members voting  
26       on such final passage shall be entered on the journal.

27       No bill or joint resolution proposing a new or increased State tax,  
28       fee, surcharge or civil penalty shall pass, unless there be a two-  
29       thirds majority of all the members of each house of the Legislature  
30       agreeing thereto. The yeas and nays of the members voting on such  
31       final passage shall be entered on the journal.

32       (cf: Art.IV, Sec.IV, par.6)

33  
34       2. When this proposed amendment to the Constitution is finally  
35       agreed to pursuant to Article IX, paragraph 1 of the Constitution, it  
36       shall be submitted to the people at the next general election  
37       occurring more than three months after the final agreement and  
38       shall be published at least once in at least one newspaper of each  
39       county designated by the President of the Senate, the Speaker of the  
40       General Assembly and the Secretary of State, not less than three  
41       months prior to the general election.

42  
43       3. This proposed amendment to the Constitution shall be  
44       submitted to the people at that election in the following manner and  
45       form:

**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.

## ACR37 LAND, ANDRZEJCZAK

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1       There shall be printed on each official ballot to be used at the  
2       general election, the following:

3       a. In every municipality in which voting machines are not used,  
4       a legend which shall immediately precede the question as follows:

5 If you favor the proposition printed below make a cross (X), plus  
6 (+), or check ( ✓ ) in the square opposite the word "Yes." If you are  
7 opposed thereto make a cross (X), plus (+) or check ( ✓ ) in the  
8 square opposite the word "No."

9      b. In every municipality the following question:

		<p>CONSTITUTIONAL AMENDMENT TO REQUIRE A TWO-THIRDS MAJORITY VOTE BY THE LEGISLATURE FOR BILLS AND JOINT RESOLUTIONS PROPOSING A NEW OR INCREASED STATE TAX, FEE, SURCHARGE OR CIVIL PENALTY</p>
	YES	<p>Do you approve the proposed amendment to the Constitution of the State of New Jersey to require that all bills and joint resolutions proposing a new or increased State tax, fee, surcharge or civil penalty be passed by a two-thirds majority vote of each house of the Legislature?</p>
	NO	<p>INTERPRETIVE STATEMENT</p> <p>Approval of this constitutional amendment would require that all bills and joint resolutions proposing a new or increased State tax, fee, surcharge or civil penalty be passed by a two-thirds majority vote of each house of the Legislature, instead of a vote by simple majority as is currently required.</p>

## SCHEDULE

14 This proposed amendment to the Constitution of the State of  
15 New Jersey shall, if approved, be applicable to action upon bills and  
16 joint resolutions pending in either house of the Legislature during  
17 the legislative sessions constituted on and after approval of this  
18 amendment by the voters.

STATEMENT

This concurrent resolution proposes an amendment to the State Constitution requiring all bills or joint resolutions proposing a new or increased State tax, fee, surcharge or civil penalty be passed by a two-thirds majority of the authorized membership of each house of the Legislature. The purpose of this measure is to strengthen the procedural standard which must be satisfied before the State embarks upon certain traditional revenue raising methods.

Currently, the Constitution of the State of New Jersey requires only a majority vote of the members in each house of the Legislature to pass a bill. This means that the Legislature could deliver a new or increased tax, fee, surcharge or civil penalty to the Governor's desk for signature with no more than a simple majority in each house.

This measure would ensure that no bill or joint resolution proposing a new or increased State tax, fee, surcharge or civil penalty could be enacted without a two-thirds majority vote in each house. This enhanced procedural standard will ensure that the revenue raising methods subject to this proposal must be agreeable to a supermajority of the Legislature before securing enactment.