

ASSEMBLY, No. 3851

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Assemblyman GARY S. SCHAER

District 36 (Bergen and Passaic)

Assemblyman GERARD SCHARFENBERGER, PHD

District 13 (Monmouth)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

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Senator FRED H. MADDEN, JR.

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District 22 (Middlesex, Somerset and Union)

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Senator CHRIS A. BROWN

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Senator JAMES W. HOLZAPFEL

District 10 (Ocean)

Senator ROBERT W. SINGER

District 30 (Monmouth and Ocean)

Senator DECLAN J. O'SCANLON, JR.

District 13 (Monmouth)

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

Assemblywomen McKnight, Chaparro, Timberlake and Assemblyman Giblin

SYNOPSIS

Permits extension of deadlines for adoption of county and municipal budgets under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 3/19/2020)

1 AN ACT concerning county and municipal budgets and amending
2 P.L.1989, c.31.

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

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7 1. Section 1 of P.L.1989, c.31 (C.40A:4-5.1) is amended to
8 read as follows:

9 1. a. Notwithstanding the provisions of any law, rule or
10 regulation to the contrary, the Director of the Division of Local
11 Government Services, in the Department of Community Affairs,
12 hereinafter the "director," may, with the approval of the Local
13 Finance Board, in the Department of Community Affairs, extend the
14 dates for the introduction and approval, and for the adoption, of
15 county and municipal budgets, for any local fiscal year, beyond the
16 dates required under the "Local Budget Law" (N.J.S.40A:4-1 et
17 seq.).

18 b. Notwithstanding the provisions of subsection a. of this
19 section, whenever a Public Health Emergency pursuant to the
20 "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et
21 seq.) or a State of Emergency pursuant to P.L.1942, c. 251
22 (C.App.A.9-33 et seq.), or both, has been declared by the Governor
23 and is in effect, the director may extend the statutory dates for the
24 introduction and approval, and adoption, of county and municipal
25 budgets without the approval of the Local Finance Board.

26 Notwithstanding any provision of this section to the contrary, the
27 governing body of a local unit may adopt the budget for that unit at
28 any time within 10 days after the director has certified his approval
29 thereof and returned the same, if the certification is later than the
30 date of the advertised hearing.

31 (cf: P.L.1991, c.75, s.10)

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33 2. This act shall take effect immediately.

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STATEMENT

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38 This bill would expand the current authority of the Director of
39 the Division of Local Government Services, in the Department of
40 Community Affairs, to extend the statutory dates for the
41 introduction and approval, and for the adoption, of county and
42 municipal budgets when the Governor has declared a Public Health
43 Emergency or State of Emergency.

44 P.L.1989, c.31 permits the Director of the Division of Local
45 Government Services in the Department of Community Affairs,

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.

A3851 SCHAER, SCHARFENBERGER

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1 with the approval of the Local Finance Board, to extend the dates
2 for the introduction and approval, and for the adoption, of county
3 and municipal budgets, for any local fiscal year, beyond the dates
4 required under the "Local Budget Law" (N.J.S.40A:4-1 et seq.).

5 This bill would amend that law to permit the director to extend
6 those dates unilaterally whenever a Public Health Emergency or a
7 State of Emergency, or both, has been declared by the Governor and
8 is in effect.