

[First Reprint]

SENATE, No. 984

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JANUARY 30, 2020

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

SYNOPSIS

Requires municipalities to share certain payments in lieu of property taxes with school districts; informs counties, school districts, and DCA of certain information related to property tax exemptions and abatements.

CURRENT VERSION OF TEXT

As reported by the Senate Community and Urban Affairs Committee on February 13, 2020, with amendments.



1 AN ACT concerning ¹**[long-term]** certain property¹ tax exemptions
 2 and amending P.L.1991, c.431 ¹**[and]** ¹P.L.2007, c.62 ¹, and
 3 P.L.1991, c.441¹
 4

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

8 1. Section 3 of P.L.1991, c.431 (C.40A:20-3) is amended to
 9 read as follows:

10 3. As used in P.L.1991, c.431 (C.40A:20-1 et seq.):

11 a. "Gross revenue" means annual gross revenue or gross shelter
 12 rent or annual gross rents, as appropriate, and other income, for
 13 each urban renewal entity designated pursuant to P.L.1991, c.431
 14 (C.40A:20-1 et seq.). The financial agreement shall establish the
 15 method of computing gross revenue for the entity, and the method
 16 of determining insurance, operating and maintenance expenses paid
 17 by a tenant which are ordinarily paid by a landlord, which shall be
 18 included in the gross revenue; provided, however, that any federal
 19 funds received, whether directly or in the form of rental subsidies
 20 paid to tenants, by a nonprofit corporation that is the sponsor of a
 21 qualified subsidized housing project, shall not be included in the
 22 gross revenue of the project for purposes of computing the annual
 23 **[services]** service charge for **[municipal]** public services supplied
 24 to the project; and provided further that any gain realized by the
 25 urban renewal entity on the sale of any unit in fee simple, whether
 26 or not taxable under federal or State law, shall not be included in
 27 computing gross revenue.

28 b. "Limited-dividend entity" means an urban renewal entity
 29 incorporated pursuant to Title 14A of the New Jersey Statutes, or
 30 established pursuant to Title 42 of the Revised Statutes, for which
 31 the profits and the entity are limited as follows. The allowable net
 32 profits of the entity shall be determined by applying the allowable
 33 profit rate to each total project unit cost, if the project is undertaken
 34 in units, or the total project cost, if the project is not undertaken in
 35 units, and all capital costs, determined in accordance with generally
 36 accepted accounting principles, of any other entity whose revenue is
 37 included in the computation of excess profits, for the period
 38 commencing on the date on which the construction of the unit or
 39 project is completed, and terminating at the close of the fiscal year
 40 of the entity preceding the date on which the computation is made,
 41 where:

42 "Allowable profit rate" means the greater of 12% or the
 43 percentage per annum arrived at by adding 1 1/4% to the annual
 44 interest percentage rate payable on the entity's initial permanent
 45 mortgage financing. If the initial permanent mortgage is insured or

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:

¹Senate SCU committee amendments adopted February 13, 2020.

1 guaranteed by a governmental agency, the mortgage insurance
2 premium or similar charge, if payable on a per annum basis, shall
3 be considered as interest for this purpose. If there is no permanent
4 mortgage financing the allowable profit rate shall be the greater of
5 12% or the percentage per annum arrived at by adding 1 1/4% per
6 annum to the interest rate per annum which the municipality
7 determines to be the prevailing rate on mortgage financing on
8 comparable improvements in the county.

9 c. "Net profit" means the gross revenues of the urban renewal
10 entity less all operating and non-operating expenses of the entity, all
11 determined in accordance with generally accepted accounting
12 principles, but:

13 (1) there shall be included in expenses: (a) all annual service
14 charges paid pursuant to section 12 of P.L.1991, c.431 (C.40A:20-
15 12); (b) all payments to the municipality of excess profits pursuant
16 to section 15 or 16 of P.L.1991, c.431 (C.40A:20-15 or 40A:20-16);
17 (c) an annual amount sufficient to amortize the total project cost
18 and all capital costs determined in accordance with generally
19 accepted accounting principles, of any other entity whose revenue is
20 included in the computation of excess profits, over the term of the
21 abatement as set forth in the financial agreement; (d) all reasonable
22 annual operating expenses of the urban renewal entity and any other
23 entity whose revenue is included in the computation of excess
24 profits, including the cost of all management fees, brokerage
25 commissions, insurance premiums, all taxes or service charges paid,
26 legal, accounting, or other professional service fees, utilities,
27 building maintenance costs, building and office supplies, and
28 payments into repair or maintenance reserve accounts; (e) all
29 payments of rent including, but not limited to, ground rent by the
30 urban renewal entity; (f) all debt service;

31 (2) there shall not be included in expenses either depreciation or
32 obsolescence, interest on debt, except interest which is part of debt
33 service, income taxes, or salaries, bonuses or other compensation
34 paid, directly or indirectly to directors, officers and stockholders of
35 the entity, or officers, partners or other persons holding any
36 proprietary ownership interest in the entity.

37 The urban renewal entity shall provide to the municipality an
38 annual audited statement which clearly identifies the calculation of
39 net profit for the urban renewal entity during the previous year. The
40 annual audited statement shall be prepared by a certified public
41 accountant and shall be submitted to the municipality within 90
42 days of the close of the fiscal year.

43 d. "Nonprofit entity" means an urban renewal entity
44 incorporated pursuant to Title 15A of the New Jersey Statutes for
45 which no part of its net profits inures to the benefit of its members.

46 e. "Project" means any work or undertaking pursuant to a
47 redevelopment plan adopted pursuant to the "Local Redevelopment
48 and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et al.), which has

1 as its purpose the redevelopment of all or any part of a
2 redevelopment area including any industrial, commercial,
3 residential or other use, and may include any buildings, land,
4 including demolition, clearance or removal of buildings from land,
5 equipment, facilities, or other real or personal properties which are
6 necessary, convenient, or desirable appurtenances, such as, but not
7 limited to, streets, sewers, utilities, parks, site preparation,
8 landscaping, and administrative, community, health, recreational,
9 educational and welfare facilities.

10 f. "Redevelopment area" means an area determined to be in
11 need of redevelopment and for which a redevelopment plan has
12 been adopted by a municipality pursuant to the "Local
13 Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-
14 1 et al.).

15 g. "Urban renewal entity" means a limited-dividend entity, the
16 New Jersey Economic Development Authority or a nonprofit entity
17 which enters into a financial agreement pursuant to P.L.1991, c.431
18 (C.40A:20-1 et seq.) with a municipality to undertake a project
19 pursuant to a redevelopment plan for the redevelopment of all or
20 any part of a redevelopment area, or a project necessary, useful, or
21 convenient for the relocation of residents displaced or to be
22 displaced by the redevelopment of all or any part of one or more
23 redevelopment areas, or a low and moderate income housing
24 project.

25 h. "Total project unit cost" or "total project cost" means the
26 aggregate of the following items as related to a unit of a project, if
27 the project is undertaken in units, or to the total project, if the
28 project is not undertaken in units, all of which as limited by, and
29 approved as part of the financial agreement: (1) cost of the land and
30 improvements to the entity, whether acquired from a private or a
31 public owner, with cost in the case of leasehold interests to be
32 computed by capitalizing the aggregate rental at a rate provided in
33 the financial agreement; (2) architect, engineer and attorney fees,
34 paid or payable by the entity in connection with the planning,
35 construction and financing of the project; (3) surveying and testing
36 charges in connection therewith; (4) actual construction costs which
37 the entity shall cause to be certified and verified to the municipality
38 and the municipal governing body by an independent and qualified
39 architect, including the cost of any preparation of the site
40 undertaken at the entity's expense; (5) insurance, interest and
41 finance costs during construction; (6) costs of obtaining initial
42 permanent financing; (7) commissions and other expenses paid or
43 payable in connection with initial leasing; (8) real estate taxes and
44 assessments during the construction period; (9) a developer's
45 overhead based on a percentage of actual construction costs, to be
46 computed at not more than the following schedule:

S984 [1R] SINGLETON

5

1 \$500,000 or less - 10%
2
3 \$500,000 through \$1,000,000 - \$50,000 plus 8% on
4 excess above \$500,000
5
6 \$1,000,001 through \$2,000,000 - \$90,000 plus 7% on
7 excess above \$1,000,000
8
9 \$2,000,001 through \$3,500,000 - \$160,000 plus 5.6667%
10 on excess above \$2,000,000
11
12 \$3,500,001 through \$5,500,000 - \$245,000 plus 4.25% on
13 excess above \$3,500,000
14
15 \$5,500,001 through \$10,000,000 - \$330,000 plus 3.7778%
16 on excess above \$5,500,000
17
18 over \$10,000,000 - 5%
19

20 If the project includes units in fee simple, with respect to those
21 units, "total project cost" shall mean the sales price of the individual
22 housing unit which shall be the most recent true consideration paid
23 for a deed to the unit in fee simple in a bona fide arm's length sales
24 transaction, but not less than the assessed valuation of the unit in
25 fee simple assessed at 100 percent of true value.

26 If the financial agreement so provides, there shall be excluded
27 from the total project cost: (1) actual costs incurred by the entity
28 and certified to the municipality by an independent and qualified
29 architect or engineer which are associated with site remediation and
30 cleanup of environmentally hazardous materials or contaminants in
31 accordance with State or federal law; and (2) any extraordinary
32 costs incurred by the entity and certified to the chief financial
33 officer of the municipality by an independent certified public
34 accountant in order to alleviate blight conditions within the area in
35 need of redevelopment including, but not limited to, the cost of
36 demolishing structures considered by the entity to be an impediment
37 to the proposed redevelopment of the property, costs associated
38 with the relocation or removal of public utility facilities as defined
39 pursuant to section 10 of P.L.1992, c.79 (C.40A:12A-10)
40 considered necessary in order to implement the redevelopment plan,
41 costs associated with the relocation of residents or businesses
42 displaced or to be displaced by the proposed redevelopment, and the
43 clearing of title to properties within the area in need of
44 redevelopment in order to facilitate redevelopment.

45 i. "Housing project" means any work or undertaking to provide
46 decent, safe, and sanitary dwellings for families in need of housing;
47 the undertaking may include any buildings, land (including
48 demolition, clearance or removal of buildings from land),

1 equipment, facilities, or other real or personal properties or interests
2 therein which are necessary, convenient or desirable appurtenances
3 of the undertaking, such as, but not limited to, streets, sewers,
4 water, utilities, parks; site preparation; landscaping, and
5 administrative, community, health, recreational, educational,
6 welfare, commercial, or other facilities, or to provide any part or
7 combination of the foregoing.

8 j. "Redevelopment relocation housing project" means a
9 housing project which is necessary, useful or convenient for the
10 relocation of residents displaced by redevelopment of all or any part
11 of one or more redevelopment areas.

12 k. "Low and moderate income housing project" means a
13 housing project which is occupied, or is to be occupied, exclusively
14 by households whose incomes do not exceed income limitations
15 established pursuant to any State or federal housing program.

16 l. "Qualified subsidized housing project" means a low and
17 moderate income housing project owned by a nonprofit corporation
18 organized under the provisions of Title 15A of the New Jersey
19 Statutes for the purpose of developing, constructing and operating
20 rental housing for senior citizens under section 202 of Pub.L. 86-
21 372 (12 U.S.C. s.1701q) or rental housing for persons with
22 disabilities under section 811 of Pub.L. 101-625 (42 U.S.C. s.8013),
23 or under any other federal program that the Commissioner of
24 Community Affairs by rule may determine to be of a similar nature
25 and purpose.

26 m. "Debt service" means the amount required to make annual
27 payments of principal and interest or the equivalent thereof on any
28 construction mortgage, permanent mortgage or other financing
29 including returns on institutional equity financing and market rate
30 related party debt for a project for a period equal to the term of the
31 tax exemption granted by a financial agreement.

32 n. "Chief executive officer of the county" means the county
33 executive, county manager, county supervisor, or president of the
34 board of chosen freeholders, as appropriate to the form of
35 government of a county.

36 (cf: P.L.2003, c.125, s.7)

37
38 2. Section 8 of P.L.1991, c.431 (C.40A:20-8) is amended to
39 read as follows:

40 8. Every urban renewal entity qualifying under ¹[this act]
41 P.L.1991, c.431 (C.40A:20-1 et seq.)¹, before proceeding with any
42 projects, shall make written application to the municipality for
43 approval thereof, and shall provide copies of the application, for
44 informational purposes, to the board of chosen freeholders and the
45 chief executive officer of the county within which the municipality
46 is located, and to the board of education and superintendent of any
47 school district, including a regional school district, that is
48 coextensive with the municipality, or of which the municipality is a

1 constituent. ¹The urban renewal entity, at the time an application is
2 made, shall provide notice of the application submission to the
3 Director of the Division of Local Government Services in the
4 Department of Community Affairs, which shall post the notice on
5 the Internet website of the department.¹ The application shall be in
6 a form, and shall certify to those facts and data, as shall be required
7 by the municipality, and shall include but not be limited to:

8 a. A general statement of the nature of the proposed project,
9 that the undertaking conforms to all applicable municipal
10 ordinances, and that the project accords with the redevelopment
11 plan and master plan of the municipality, or, in the case of a
12 redevelopment relocation housing project, provides for the
13 relocation of residents displaced or to be displaced from a
14 redevelopment area, or, in the case of a low and moderate income
15 housing project, the housing units are restricted to occupation by
16 low and moderate income households.

17 b. A description of the proposed project outlining the area
18 included and a description of each unit thereof if the project is to be
19 undertaken in units and setting forth architectural and site plans as
20 required.

21 c. A statement prepared by a qualified architect or engineer of
22 the estimated cost of the proposed project in the detail required,
23 including the estimated cost of each unit to be undertaken.

24 d. The source, method and amount of money to be subscribed
25 through the investment of private capital, setting forth the amount
26 of stock or other securities to be issued therefor or the extent of
27 capital invested and the proprietary or ownership interest obtained
28 in consideration therefor.

29 e. A fiscal plan for the project outlining a schedule of annual
30 gross revenue, the estimated expenditures for operation and
31 maintenance, payments for interest, amortization of debt and
32 reserves, and payments **【to the municipality】** in lieu of taxes to be
33 made pursuant to a financial agreement to be entered into with the
34 municipality.

35 f. A proposed financial agreement conforming to the
36 provisions of section 9 of **【this act】** P.L.1991, c.431 (C.40A:20-9).

37 ¹g. Any other information relevant to determining the financial
38 impact of the project as may be required pursuant to a rule adopted
39 by the Commissioner of Community Affairs or the Local Finance
40 Board.¹

41 The application shall be addressed and submitted to the mayor or
42 other chief executive officer of the municipality. The mayor or
43 other chief executive officer shall, within 60 days of his receipt of
44 the application thereafter, submit the application with his
45 recommendations to the municipal governing body. **【The】**
46 Simultaneously therewith, the mayor or other chief executive
47 officer of the municipality shall submit copies of his
48 recommendations to the board of chosen freeholders and the chief

1 executive officer of the county within which the municipality is
2 located and to the board of education and superintendent of any
3 school district, including a regional school district, that is
4 coextensive with the municipality, or of which the municipality is a
5 constituent. Representatives of the county and school district or
6 districts may submit recommendations to the municipal governing
7 body within 10 days after the date of submittal of the
8 recommendations of the mayor or chief executive officer of the
9 municipality. After affording representatives of the county and
10 school district, or districts, a 10-day period to review the proposed
11 project and the recommendations of the mayor or chief executive
12 officer of the municipality, and after giving due consideration to the
13 recommendations submitted by all interested parties, the municipal
14 governing body shall by resolution approve or disapprove the
15 application, but in the event of disapproval, changes may be
16 suggested to secure approval. An application may be revised and
17 resubmitted.

18 (cf: P.L.1991, c.431, s.8)

19
20 3. Section 9 of P.L.1991, c.431 (C.40A:20-9) is amended to
21 read as follows:

22 9. Every approved project shall be evidenced by a financial
23 agreement between the municipality and the urban renewal entity.
24 The agreement shall be prepared by the entity and submitted as a
25 separate part of its application for project approval. The agreement
26 shall not take effect until approved by ordinance of the
27 municipality. Any amendments or modifications of the agreement
28 made thereafter shall be by mutual consent of the municipality and
29 the urban renewal entity, and shall be subject to approval by
30 ordinance of the municipal governing body upon recommendation
31 of the mayor or other chief executive officer of the municipality
32 prior to taking effect.

33 The financial agreement shall be in the form of a contract
34 requiring full performance within 30 years from the date of
35 completion of the project, and shall include the following:

36 a. That the profits of or dividends payable by the urban
37 renewal entity shall be limited according to terms appropriate for
38 the type of entity in conformance with the provisions of P.L.1991,
39 c.431 (C.40A:20-1 et seq.).

40 b. That all improvements and land, to the extent authorized
41 pursuant to section 12 of P.L.1991, c.431 (C.40A:20-12), in the
42 project to be constructed or acquired by the urban renewal entity
43 shall be exempt from taxation as provided in P.L.1991, c.431
44 (C.40A:20-1 et seq.).

45 c. That the urban renewal entity shall make payments for
46 **【municipal】** public services as provided in P.L.1991, c.431
47 (C.40A:20-1 et seq.).

1 d. That the urban renewal entity shall submit annually, within
2 90 days after the close of its fiscal year, its auditor's reports to the
3 mayor and governing body of the municipality, in which the urban
4 renewal entity shall certify to the mayor and the governing body of
5 the municipality the number of school-age children residing in the
6 approved project who are attending a public school. ¹The urban
7 renewal entity, at the time the auditor's reports are submitted, shall
8 provide copies of the reports to the Director of the Division of
9 Local Government Services in the Department of Community
10 Affairs, which shall post the reports on the Internet website of the
11 department.¹

12 e. That the urban renewal entity shall, upon request, permit
13 inspection of property, equipment, buildings and other facilities of
14 the entity, and also permit examination and audit of its books,
15 contracts, records, documents and papers by authorized
16 representatives of the municipality or the State.

17 f. That in the event of any dispute between the parties matters
18 in controversy shall be resolved by arbitration in the manner
19 provided in the financial agreement.

20 g. That operation under the financial agreement shall be
21 terminable by the urban renewal entity in the manner provided by
22 P.L.1991, c.431 (C.40A:20-1 et seq.).

23 h. That the urban renewal entity shall at all times prior to the
24 expiration or other termination of the financial agreement remain
25 bound by the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.).

26 The financial agreement shall contain detailed representations
27 and covenants by the urban renewal entity as to the manner in
28 which it proposes to use, manage or operate the project. The
29 financial agreement shall further set forth the method for computing
30 gross revenue for the urban renewal entity, the method of
31 determining insurance, operating and maintenance expenses paid by
32 a tenant which are ordinarily paid by a landlord, the plans for
33 financing the project, including the estimated total project cost, the
34 amortization rate on the total project cost, the source of funds, the
35 interest rates to be paid on the construction financing, the source
36 and amount of paid-in capital, the terms of mortgage amortization
37 or payment of principal on any mortgage, a good faith projection of
38 initial sales prices of any condominium units and expenses to be
39 incurred in promoting and consummating such sales, and the rental
40 schedules and lease terms to be used in the project. Any financial
41 agreement may allow the municipality to levy an annual
42 administrative fee, not to exceed two percent of the annual service
43 charge for public services.

44 (cf: P.L.2015, c.95, s.28)

45

46 ¹[4. Section 12 of P.L.1991, c.431 (C.40A:20-12) is amended
47 to read as follows:

1 12. The rehabilitation or improvements made in the development
2 or redevelopment of a redevelopment area or area appurtenant
3 thereto or for a redevelopment relocation housing project, pursuant
4 to P.L.1991, c.431 (C.40A:20-1 et seq.), shall be exempt from
5 taxation for a limited period as hereinafter provided. When housing
6 is to be constructed, acquired or rehabilitated by an urban renewal
7 entity, the land upon which that housing is situated shall be exempt
8 from taxation for a limited period as hereinafter provided. The
9 exemption shall be allowed when the clerk of the municipality
10 wherein the property is situated shall certify to the municipal tax
11 assessor that a financial agreement with an urban renewal entity for
12 the development or the redevelopment of the property, or the
13 provision of a redevelopment relocation housing project, or the
14 provision of a low and moderate income housing project has been
15 entered into and is in effect as required by P.L.1991, c.431
16 (C.40A:20-1 et seq.).

17 Delivery by the municipal clerk to the municipal tax assessor of
18 a certified copy of the ordinance of the governing body approving
19 the tax exemption and financial agreement with the urban renewal
20 entity shall constitute the required certification. For each
21 exemption granted pursuant to P.L.2003, c.125 (C.40A:12A-
22 4.1 et al.), upon certification as required hereunder, the tax assessor
23 shall implement the exemption and continue to enforce that
24 exemption without further certification by the clerk until the
25 expiration of the entitlement to exemption by the terms of the
26 financial agreement or until the tax assessor has been duly notified
27 by the clerk that the exemption has been terminated.

28 Within 10 calendar days following the later of the effective date
29 of an ordinance following its final adoption by the governing body
30 approving the tax exemption or the execution of the financial
31 agreement by the urban renewal entity, the municipal clerk shall
32 transmit a certified copy of the ordinance and financial agreement
33 to the chief financial officer of the county and to the county counsel
34 of the county within which the municipality is located, and to the
35 board of education and the superintendent of any school district
36 coextensive with the municipality or of which the municipality is a
37 constituent, including a regional school district, for informational
38 purposes.

39 Whenever an exemption status changes during a tax year, the
40 procedure for the apportionment of the taxes for the year shall be
41 the same as in the case of other changes in tax exemption status
42 during the tax year. Tax exemptions granted pursuant to P.L.2003,
43 c.125 (C.40A:12A-4.1 et al.) represent long term financial
44 agreements between the municipality and the urban renewal entity
45 and as such constitute a single continuing exemption from local
46 property taxation for the duration of the financial agreement. The
47 validity of a financial agreement or any exemption granted pursuant
48 thereto may be challenged only by filing an action in lieu of

1 prerogative writ within 20 days from the publication of a notice of
2 the adoption of an ordinance by the governing body granting the
3 exemption and approving the financial agreement. Such notice
4 shall be published in a newspaper of general circulation in the
5 municipality and in a newspaper of general circulation in the county
6 if different from the municipal newspaper.

7 a. The financial agreement shall specify the duration of the
8 exemption for urban renewal entities **【shall be as follows】** in
9 accordance with the parameters of either paragraph (1) or paragraph
10 (2) of this subsection:

11 **【for all projects, a term of】** (1) the financial agreement may
12 specify a duration of not more than 30 years from the completion of
13 the entire project, or unit of the project if the project is undertaken
14 in units, or not more than 35 years from the execution of the
15 financial agreement between the municipality and the urban renewal
16 entity ; or

17 (2) for each project undertaken pursuant to a redevelopment
18 agreement which allows the redeveloper to undertake two or more
19 projects sequentially, the financial agreement may specify a
20 duration of not more than 30 years from the completion of a project,
21 or unit of the project if the project is undertaken in units, or not
22 more than 50 years from the execution of the first financial
23 agreement implementing a project under the redevelopment
24 agreement. As used in this subsection, “redevelopment”
25 means an agreement entered into pursuant to subsection f. of section
26 8 of P.L.1992, c.79 (C.40A:12A-8) between a municipality or
27 redevelopment entity and a redeveloper.

28 A financial agreement may provide for an exemption period of
29 less than 30 years from the completion of the entire project, less
30 than 35 years from the execution of the financial agreement, or less
31 than 50 years from the execution of the first financial agreement
32 implementing a project under the redevelopment agreement.
33 Nothing in this subsection shall be construed as requiring a
34 financial agreement for a project undertaken pursuant to a
35 redevelopment agreement which allows the redeveloper to
36 undertake two or more projects sequentially to specify a duration
37 within the parameters of paragraph (2) of this subsection.

38 b. During the term of any exemption, in lieu of any taxes to be
39 paid on the buildings and improvements of the project and, to the
40 extent authorized pursuant to this section, on the land, the urban
41 renewal entity shall make payment to the municipality of an annual
42 service charge **【, which】** for public services. The municipality shall
43 remit a portion of that revenue to the county, and to the school
44 district or districts, as provided hereinafter. In addition, the
45 municipality may assess an administrative fee, not to exceed two
46 percent of the annual service charge, for the processing of the
47 application. The annual service charge for 【municipal】 public

1 services supplied to the project to be paid by the urban renewal
2 entity for any period of exemption, shall be determined as follows:

3 (1) An annual amount equal to a percentage determined
4 pursuant to this subsection and section 11 of P.L.1991, c.431
5 (C.40A:20-11), of the annual gross revenue from each unit of the
6 project, if the project is undertaken in units, or from the total
7 project, if the project is not undertaken in units. The percentage of
8 the annual gross revenue shall not be more than **【15%】** 15 percent
9 in the case of a low and moderate income housing project, nor less
10 than **【10%】** 10 percent in the case of all other projects.

11 At the option of the municipality, or where because of the nature
12 of the development, ownership, use or occupancy of the project or
13 any unit thereof, if the project is to be undertaken in units, the total
14 annual gross rental or gross shelter rent or annual gross revenue
15 cannot be reasonably ascertained, the governing body shall provide
16 in the financial agreement that the annual service charge shall be a
17 sum equal to a percentage determined pursuant to this subsection
18 and section 11 of P.L.1991, c.431 (C.40A:20-11), of the total
19 project cost or total project unit cost determined pursuant to
20 P.L.1991, c.431 (C.40A:20-1 et seq.) calculated from the first day
21 of the month following the substantial completion of the project or
22 any unit thereof, if the project is undertaken in units. The
23 percentage of the total project cost or total project unit cost shall not
24 be more than **【2%】** two percent in the case of a low and moderate
25 income housing project, and shall not be less than **【2%】** two
26 percent in the case of all other projects.

27 (2) In either case, the financial agreement shall establish a
28 schedule of annual service charges to be paid over the term of the
29 exemption period, which shall be in stages as follows:

30 (a) For the first stage of the exemption period, which shall
31 commence with the date of completion of the unit or of the project,
32 as the case may be, and continue for a time of not less than six years
33 nor more than 15 years, as specified in the financial agreement, the
34 urban renewal entity shall pay the municipality an annual service
35 charge for **【municipal】** public services supplied to the project in an
36 annual amount equal to the amount determined pursuant to
37 paragraph (1) of this subsection and section 11 of P.L.1991, c.431
38 (C.40A:20-11). For the remainder of the period of the exemption, if
39 any, the annual service charge shall be determined as follows:

40 (b) For the second stage of the exemption period, which shall
41 not be less than one year nor more than six years, as specified in the
42 financial agreement, an amount equal to either the amount
43 determined pursuant to paragraph (1) of this subsection and section
44 11 of P.L.1991, c.431 (C.40A:20-11), or **【20%】** 20 percent of the
45 amount of taxes otherwise due on the value of the land and
46 improvements, whichever shall be greater;

47 (c) For the third stage of the exemption period, which shall not
48 be less than one year nor more than six years, as specified in the

1 financial agreement, an amount equal to either the amount
2 determined pursuant to paragraph (1) of this subsection and section
3 11 of P.L.1991, c.431 (C.40A:20-11), or **【40%】** 40 percent of the
4 amount of taxes otherwise due on the value of the land and
5 improvements, whichever shall be greater;

6 (d) For the fourth stage of the exemption period, which shall not
7 be less than one year nor more than six years, as specified in the
8 financial agreement, an amount equal to either the amount
9 determined pursuant to paragraph (1) of this subsection and section
10 11 of P.L.1991, c.431 (C.40A:20-11), or **【60%】** 60 percent of the
11 amount of taxes otherwise due on the value of the land and
12 improvements, whichever shall be greater; and

13 (e) For the final stage of the exemption period, the duration of
14 which shall not be less than one year and shall be specified in the
15 financial agreement, an amount equal to either the amount
16 determined pursuant to paragraph (1) of this subsection and section
17 11 of P.L.1991, c.431 (C.40A:20-11), or **【80%】** 80 percent of the
18 amount of taxes otherwise due on the value of the land and
19 improvements, whichever shall be greater.

20 If the financial agreement provides for an exemption period of
21 less than 30 years from the completion of the entire project, **【or】**
22 less than 35 years from the execution of the financial agreement, or
23 less than 50 years from the execution of the first financial
24 agreement implementing a project under the redevelopment
25 agreement, the financial agreement shall set forth a schedule of
26 annual service charges for the exemption period which shall be
27 based upon the minimum service charges and staged adjustments set
28 forth in this section.

29 The annual service charge shall be paid to the municipality on a
30 quarterly basis in a manner consistent with the municipality's tax
31 collection schedule.

32 Each municipality which enters into a financial agreement on or
33 after the effective date of P.L.2003, c.125 (C.40A:12A-4.1 et al.)
34 shall remit **【5】** five percent of the annual service charge collected
35 by the municipality to the county in accordance with the provisions
36 of R.S.54:4-74.

37 Each municipality which enters into a financial agreement on or
38 after the effective date of P.L. , c. (C.) (pending before the
39 Legislature as this bill), shall remit a percentage of the annual
40 service charge to the school district or districts, including regional
41 school districts, immediately upon receipt of that service charge.
42 The amount of the annual service charge to be remitted to the
43 school district or districts, including regional school districts,
44 pursuant to this section shall be: for a residential project, the
45 amount calculated by multiplying the number of school-age
46 children who are attending public school in the municipality or at a
47 school in a regional school district that serves the municipality and
48 who are residing in the approved project as certified by the urban

1 renewal entity in the annual auditor's report to the mayor and
2 governing body of the municipality, by the school district's
3 budgetary base per pupil amount included in the "user-friendly"
4 plain language budget summary pursuant to section 2 of P.L.2007,
5 c.53 (C.18A:22-8a); and for a nonresidential project or a project
6 with both residential and nonresidential components, five percent of
7 the annual service charge collected by the municipality or an in-
8 kind contribution equal in value to five percent of the annual
9 service charge.

10 Against the annual service charge the urban renewal entity shall
11 be entitled to credit for the amount, without interest, of the real
12 estate taxes on land paid by it in the last four preceding quarterly
13 installments.

14 Notwithstanding the provisions of this section or of the financial
15 agreement, the minimum annual service charge shall be the amount
16 of the total taxes levied against all real property in the area covered
17 by the project in the last full tax year in which the area was subject
18 to taxation, and the minimum annual service charge shall be paid in
19 each year in which the annual service charge calculated pursuant to
20 this section or the financial agreement would be less than the
21 minimum annual service charge.

22 c. All exemptions granted pursuant to the provisions of
23 P.L.1991, c.431 (C.40A:20-1 et seq.) shall terminate at the time
24 prescribed in the financial agreement.

25 Upon the termination of the exemption granted pursuant to the
26 provisions of P.L.1991, c.431 (C.40A:20-1 et seq.), the project, all
27 affected parcels, land and all improvements made thereto shall be
28 assessed and subject to taxation as are other taxable properties in
29 the municipality. After the date of termination, all restrictions and
30 limitations upon the urban renewal entity shall terminate and be at
31 an end upon the entity's rendering its final accounting to and with
32 the municipality.

33 (cf: P.L.2018, c.97, s.17)]¹

34
35 ¹4. Section 12 of P.L.1991, c.431 (C.40A:20-12) is amended to
36 read as follows:

37 12. The rehabilitation or improvements made in the development
38 or redevelopment of a redevelopment area or area appurtenant
39 thereto or for a redevelopment relocation housing project, pursuant
40 to P.L.1991, c.431 (C.40A:20-1 et seq.), shall be exempt from
41 taxation for a limited period as hereinafter provided. When housing
42 is to be constructed, acquired or rehabilitated by an urban renewal
43 entity, the land upon which that housing is situated shall be exempt
44 from taxation for a limited period as hereinafter provided. The
45 exemption shall be allowed when the clerk of the municipality
46 wherein the property is situated shall certify to the municipal tax
47 assessor that a financial agreement with an urban renewal entity for
48 the development or the redevelopment of the property, or the

1 provision of a redevelopment relocation housing project, or the
2 provision of a low and moderate income housing project has been
3 entered into and is in effect as required by P.L.1991, c.431
4 (C.40A:20-1 et seq.).

5 Delivery by the municipal clerk to the municipal tax assessor of
6 a certified copy of the ordinance of the governing body approving
7 the tax exemption and financial agreement with the urban renewal
8 entity shall constitute the required certification. For each
9 exemption granted pursuant to P.L.2003, c.125 (C.40A:12A-
10 4.1 et al.), upon certification as required hereunder, the tax assessor
11 shall implement the exemption and continue to enforce that
12 exemption without further certification by the clerk until the
13 expiration of the entitlement to exemption by the terms of the
14 financial agreement or until the tax assessor has been duly notified
15 by the clerk that the exemption has been terminated.

16 Within 10 calendar days following the later of the effective date
17 of an ordinance following its final adoption by the governing body
18 approving the tax exemption or the execution of the financial
19 agreement by the urban renewal entity, the municipal clerk shall
20 transmit a certified copy of the ordinance and financial agreement
21 to the Director of the Division of Local Government Services in the
22 Department of Community Affairs, the chief financial officer of the
23 county and to the county counsel of the county within which the
24 municipality is located, and to the board of education and the
25 superintendent of any school district coextensive with the
26 municipality or of which the municipality is a constituent, including
27 a regional school district, for informational purposes. Upon receipt
28 of an ordinance and financial agreement, the Department of
29 Community Affairs shall post the ordinance and agreement on the
30 Internet website of the department.

31 Whenever an exemption status changes during a tax year, the
32 procedure for the apportionment of the taxes for the year shall be
33 the same as in the case of other changes in tax exemption status
34 during the tax year. Tax exemptions granted pursuant to P.L.2003,
35 c.125 (C.40A:12A-4.1 et al.) represent long term financial
36 agreements between the municipality and the urban renewal entity
37 and as such constitute a single continuing exemption from local
38 property taxation for the duration of the financial agreement. The
39 validity of a financial agreement or any exemption granted pursuant
40 thereto may be challenged only by filing an action in lieu of
41 prerogative writ within 20 days from the publication of a notice of
42 the adoption of an ordinance by the governing body granting the
43 exemption and approving the financial agreement. Such notice
44 shall be published in a newspaper of general circulation in the
45 municipality and in a newspaper of general circulation in the county
46 if different from the municipal newspaper.

47 a. The financial agreement shall specify the duration of the
48 exemption for urban renewal entities in accordance with the

1 parameters of either paragraph (1) or paragraph (2) of this
2 subsection:

3 (1) the financial agreement may specify a duration of not more
4 than 30 years from the completion of the entire project, or unit of
5 the project if the project is undertaken in units, or not more than 35
6 years from the execution of the financial agreement between the
7 municipality and the urban renewal entity; or

8 (2) for each project undertaken pursuant to a redevelopment
9 agreement which allows the redeveloper to undertake two or more
10 projects sequentially, the financial agreement may specify a
11 duration of not more than 30 years from the completion of a project,
12 or unit of the project if the project is undertaken in units, or not
13 more than 50 years from the execution of the first financial
14 agreement implementing a project under the redevelopment
15 agreement. As used in this subsection, "redevelopment agreement"
16 means an agreement entered into pursuant to subsection f. of section
17 8 of P.L.1992, c.79 (C.40A:12A-8) between a municipality or
18 redevelopment entity and a redeveloper.

19 A financial agreement may provide for an exemption period of
20 less than 30 years from the completion of the entire project, less
21 than 35 years from the execution of the financial agreement, or less
22 than 50 years from the execution of the first financial agreement
23 implementing a project under the redevelopment agreement.
24 Nothing in this subsection shall be construed as requiring a
25 financial agreement for a project undertaken pursuant to a
26 redevelopment agreement which allows the redeveloper to
27 undertake two or more projects sequentially to specify a duration
28 within the parameters of paragraph (2) of this subsection.

29 b. During the term of any exemption, in lieu of any taxes to be
30 paid on the buildings and improvements of the project and, to the
31 extent authorized pursuant to this section, on the land, the urban
32 renewal entity shall make payment to the municipality of an annual
33 service charge **【, which】** for public services. The municipality shall
34 remit a portion of that revenue to the county, and to the school
35 district or districts, as provided hereinafter. In addition, the
36 municipality may assess an administrative fee, not to exceed two
37 percent of the annual service charge, for the processing of the
38 application. The annual service charge for **【municipal】** public
39 services supplied to the project to be paid by the urban renewal
40 entity for any period of exemption, shall be determined as follows:

41 (1) An annual amount equal to a percentage determined
42 pursuant to this subsection and section 11 of P.L.1991, c.431
43 (C.40A:20-11), of the annual gross revenue from each unit of the
44 project, if the project is undertaken in units, or from the total
45 project, if the project is not undertaken in units. The percentage of
46 the annual gross revenue shall not be more than **【15%】** 15 percent
47 in the case of a low and moderate income housing project, nor less
48 than **【10%】** 10 percent in the case of all other projects.

1 At the option of the municipality, or where because of the nature
2 of the development, ownership, use or occupancy of the project or
3 any unit thereof, if the project is to be undertaken in units, the total
4 annual gross rental or gross shelter rent or annual gross revenue
5 cannot be reasonably ascertained, the governing body shall provide
6 in the financial agreement that the annual service charge shall be a
7 sum equal to a percentage determined pursuant to this subsection
8 and section 11 of P.L.1991, c.431 (C.40A:20-11), of the total
9 project cost or total project unit cost determined pursuant to
10 P.L.1991, c.431 (C.40A:20-1 et seq.) calculated from the first day
11 of the month following the substantial completion of the project or
12 any unit thereof, if the project is undertaken in units. The
13 percentage of the total project cost or total project unit cost shall not
14 be more than **【2%】** two percent in the case of a low and moderate
15 income housing project, and shall not be less than **【2%】** two
16 percent in the case of all other projects.

17 (2) In either case, the financial agreement shall establish a
18 schedule of annual service charges to be paid over the term of the
19 exemption period, which shall be in stages as follows:

20 (a) For the first stage of the exemption period, which shall
21 commence with the date of completion of the unit or of the project,
22 as the case may be, and continue for a time of not less than six years
23 nor more than 15 years, as specified in the financial agreement, the
24 urban renewal entity shall pay the municipality an annual service
25 charge for **【municipal】** public services supplied to the project in an
26 annual amount equal to the amount determined pursuant to
27 paragraph (1) of this subsection and section 11 of P.L.1991, c.431
28 (C.40A:20-11). For the remainder of the period of the exemption, if
29 any, the annual service charge shall be determined as follows:

30 (b) For the second stage of the exemption period, which shall
31 not be less than one year nor more than six years, as specified in the
32 financial agreement, an amount equal to either the amount
33 determined pursuant to paragraph (1) of this subsection and section
34 11 of P.L.1991, c.431 (C.40A:20-11), or **【20%】** 20 percent of the
35 amount of taxes otherwise due on the value of the land and
36 improvements, whichever shall be greater;

37 (c) For the third stage of the exemption period, which shall not
38 be less than one year nor more than six years, as specified in the
39 financial agreement, an amount equal to either the amount
40 determined pursuant to paragraph (1) of this subsection and section
41 11 of P.L.1991, c.431 (C.40A:20-11), or **【40%】** 40 percent of the
42 amount of taxes otherwise due on the value of the land and
43 improvements, whichever shall be greater;

44 (d) For the fourth stage of the exemption period, which shall not
45 be less than one year nor more than six years, as specified in the
46 financial agreement, an amount equal to either the amount
47 determined pursuant to paragraph (1) of this subsection and section
48 11 of P.L.1991, c.431 (C.40A:20-11), or **【60%】** 60 percent of the

1 amount of taxes otherwise due on the value of the land and
2 improvements, whichever shall be greater; and

3 (e) For the final stage of the exemption period, the duration of
4 which shall not be less than one year and shall be specified in the
5 financial agreement, an amount equal to either the amount
6 determined pursuant to paragraph (1) of this subsection and section
7 11 of P.L.1991, c.431 (C.40A:20-11), or **【80%】** 80 percent of the
8 amount of taxes otherwise due on the value of the land and
9 improvements, whichever shall be greater.

10 If the financial agreement provides for an exemption period of
11 less than 30 years from the completion of the entire project, less
12 than 35 years from the execution of the financial agreement, or less
13 than 50 years from the execution of the first financial agreement
14 implementing a project under the redevelopment agreement, the
15 financial agreement shall set forth a schedule of annual service
16 charges for the exemption period which shall be based upon the
17 minimum service charges and staged adjustments set forth in this
18 section.

19 The annual service charge shall be paid to the municipality on a
20 quarterly basis in a manner consistent with the municipality's tax
21 collection schedule.

22 Each municipality which enters into a financial agreement on or
23 after the effective date of P.L.2003, c.125 (C.40A:12A-4.1 et al.)
24 shall remit **【5】** five percent of the annual service charge collected
25 by the municipality to the county in accordance with the provisions
26 of R.S.54:4-74.

27 Each municipality which enters into a financial agreement on or
28 after the effective date of P.L. , c. (C.) (pending before the
29 Legislature as this bill), shall remit a percentage of the annual
30 service charge to the school district or districts, including regional
31 school districts, immediately upon receipt of that service charge.
32 The amount of the annual service charge to be remitted to the
33 school district or districts, including regional school districts,
34 pursuant to this section shall be: for a residential project, the
35 amount calculated by multiplying the number of school-age
36 children who are attending public school in the municipality or at a
37 school in a regional school district that serves the municipality and
38 who are residing in the approved project as certified by the urban
39 renewal entity in the annual auditor's report to the mayor and
40 governing body of the municipality, by the base per pupil amount
41 determined by the Commissioner of Education for the previous
42 school year pursuant to section 7 of P.L.2007, c.260 (C.18A:7F-49);
43 and for a nonresidential project or a project with both residential
44 and nonresidential components, five percent of the annual service
45 charge collected by the municipality or an in-kind contribution
46 equal in value to five percent of the annual service charge. When
47 an amount is remitted to more than one school district, including
48 regional school districts, the amount shall be divided amongst the

1 districts in proportion to each district's share of the total school tax
2 levy in the municipality.

3 Against the annual service charge the urban renewal entity shall
4 be entitled to credit for the amount, without interest, of the real
5 estate taxes on land paid by it in the last four preceding quarterly
6 installments.

7 Notwithstanding the provisions of this section or of the financial
8 agreement, the minimum annual service charge shall be the amount
9 of the total taxes levied against all real property in the area covered
10 by the project in the last full tax year in which the area was subject
11 to taxation, and the minimum annual service charge shall be paid in
12 each year in which the annual service charge calculated pursuant to
13 this section or the financial agreement would be less than the
14 minimum annual service charge.

15 c. All exemptions granted pursuant to the provisions of
16 P.L.1991, c.431 (C.40A:20-1 et seq.) shall terminate at the time
17 prescribed in the financial agreement.

18 Upon the termination of the exemption granted pursuant to the
19 provisions of P.L.1991, c.431 (C.40A:20-1 et seq.), the project, all
20 affected parcels, land and all improvements made thereto shall be
21 assessed and subject to taxation as are other taxable properties in
22 the municipality. After the date of termination, all restrictions and
23 limitations upon the urban renewal entity shall terminate and be at
24 an end upon the entity's rendering its final accounting to and with
25 the municipality.¹

26 (cf: P.L.2018, c.97, s.17)

27

28 5. Section 3 of P.L.2007, c.62 (C.18A:7F-38) is amended to
29 read as follows:

30 3. a. Notwithstanding the provisions of any other law to the
31 contrary, a school district shall not adopt a budget pursuant to
32 sections 5 and 6 of P.L.1996, c.138 (C.18A:7F-5 and 18A:7F-6)
33 with an increase in its adjusted tax levy that exceeds, except as
34 provided in subsection e. of section 4 of P.L.2007, c.62 (C.18A:7F-
35 39), the tax levy growth limitation calculated as follows: the sum of
36 the prebudget year adjusted tax levy and the adjustment for
37 increases in enrollment multiplied by 2.0 percent, and adjustments
38 for an increase in health care costs, increases in amounts for certain
39 normal and accrued liability pension contributions set forth in
40 sections 1 and 2 of P.L.2009, c.19 amending section 24 of
41 P.L.1954, c.84 (C.43:15A-24) and section 15 of P.L.1944, c.255
42 (C.43:16A-15) for the year set forth in those sections, less any
43 payment received in the prebudget year pursuant to section 12 of
44 P.L.1991, c.431 (C.40A:20-12), and, in the case of an SDA district
45 as defined pursuant to section 3 of P.L.2000, c.72 (C.18A:7G-3),
46 during the 2018-2019 through the 2024-2025 school years,
47 increases to raise a general fund tax levy to an amount that does not
48 exceed its local share

- 1 b. (1) The allowable adjustment for increases in enrollment
2 authorized pursuant to subsection a. of this section shall equal the
3 per pupil prebudget year adjusted tax levy multiplied by EP, where
4 EP equals the sum of:
- 5 (a) 0.50 for each unit of weighted resident enrollment that
6 constitutes an increase from the prebudget year over 1%, but not
7 more than 2.5%;
- 8 (b) 0.75 for each unit of weighted resident enrollment that
9 constitutes an increase from the prebudget year over 2.5%, but not
10 more than 4%; and
- 11 (c) 1.00 for each unit of weighted resident enrollment that
12 constitutes an increase from the prebudget year over 4%.
- 13 (2) A school district may request approval from the
14 commissioner to calculate EP equal to 1.00 for any increase in
15 weighted resident enrollment if it can demonstrate that the
16 calculation pursuant to paragraph (1) of this subsection would result
17 in an average class size that exceeds 10% above the facilities
18 efficiency standards established pursuant to P.L.2000, c.72
19 (C.18A:7G-1 et al.).
- 20 c. (Deleted by amendment, P.L.2010, c.44)
- 21 d. (1) The allowable adjustment for increases in health care
22 costs authorized pursuant to subsection a. of this section shall equal
23 that portion of the actual increase in total health care costs for the
24 budget year, less any withdrawals from the current expense
25 emergency reserve account for increases in total health care costs,
26 that exceeds 2.0 percent of the total health care costs in the
27 prebudget year, but that is not in excess of the product of the total
28 health care costs in the prebudget year multiplied by the average
29 percentage increase of the State Health Benefits Program, P.L.1961,
30 c.49 (C.52:14-17.25 et seq.), as annually determined by the
31 Division of Pensions and Benefits in the Department of the
32 Treasury.
- 33 (2) The allowable adjustment for increases in the amount of
34 normal and accrued liability pension contributions authorized
35 pursuant to subsection a. of this section shall equal that portion of
36 the actual increase in total normal and accrued liability pension
37 contributions for the budget year that exceeds 2.0 percent of the
38 total normal and accrued liability pension contributions in the
39 prebudget year.
- 40 (3) In the case of an SDA district, as defined pursuant to section
41 3 of P.L.2000, c.72 (C.18A:7G-3), in which the prebudget year
42 adjusted tax levy is less than the school district's prebudget year
43 local share as calculated pursuant to section 10 of P.L.2007, c.260
44 (C.18A:7F-52), the allowable adjustment for increases to raise a tax
45 levy that does not exceed the school district's local share shall equal
46 the difference between the prebudget year adjusted tax levy and the
47 prebudget year local share.

1 e. (Deleted by amendment, P.L.2010, c.44)

2 f. The adjusted tax levy shall be increased or decreased
3 accordingly whenever the responsibility and associated cost of a
4 school district activity is transferred to another school district or
5 governmental entity.

6 (cf: P.L.2018, c.67, s.6)

7

8 ¹6. Section 4 of P.L.1991, c.441 (C.40A:21-4) is amended to
9 read as follows:

10 4. The governing body of a municipality may determine to
11 utilize the authority granted under Article VIII, Section I, paragraph
12 6 of the New Jersey Constitution, and adopt an ordinance setting
13 forth the eligibility or noneligibility of dwellings, multiple
14 dwellings, or commercial and industrial structures, or all of these,
15 for exemptions or abatements, or both, from taxation in areas in
16 need of rehabilitation. The ordinance may differentiate among
17 these types of structures as to whether the property shall be eligible
18 for exemptions or abatements, or both, within the limitations set
19 forth in P.L.1991, c.441 (C.40A:21-1 et seq.). With respect to a
20 type of structure, the ordinance shall specify the eligibility of
21 improvements, conversions, or construction, or all of these, for each
22 type of structure. The ordinance may differentiate for the purposes
23 of determining eligibility pursuant to this section among the various
24 neighborhoods, zones, areas or portions of the designated area in
25 need of rehabilitation.

26 An ordinance adopted pursuant to this section may be amended
27 from time to time. An amendment to an ordinance shall not affect
28 any exemption, abatement, or tax agreement previously granted and
29 in force prior to the amendment.

30 Application for exemptions and abatements from taxation may
31 be filed pursuant to an ordinance so adopted to take initial effect in
32 the tax year in which the ordinance is adopted, and for tax years
33 thereafter as set forth in P.L.1991, c.441 (C.40A:21-1 et seq.), but
34 no application for exemptions or abatements shall be filed for
35 exemptions or abatements to take initial effect in the eleventh tax
36 year or any tax year occurring thereafter, unless the ordinance is
37 readopted by the governing body pursuant to this section.

38 The municipality shall provide a copy of an ordinance introduced
39 or adopted pursuant to this section, including one amending or
40 repealing an ordinance, to the Director of the Division of Local
41 Government Services in the Department of Community Affairs,
42 which shall post the ordinance on the Internet website of the
43 department.¹

44 (cf: P.L.2007, c.268, s.2)

45

46 ¹[6.] 7.¹ This act shall take effect immediately.