

SENATE, No. 357

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senator BUBBA

1 AN ACT concerning deductions from real property taxes and amending
2 P.L.1963, c.172.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 2 of P.L.1963, c.172 (C.54:4-8.41) is amended to read
8 as follows:

9 2. Every person, a citizen and resident of this State of the age of
10 65 or more years, or less than 65 years of age who is permanently and
11 totally disabled, having an annual income not in excess of the
12 limitations provided in this section and residing in a dwelling house
13 owned by him which is a constituent part of his real property or
14 residing in a dwelling house owned by him which is assessed as real
15 property but which is situated on land owned by another or others, or
16 residing as a tenant shareholder in a cooperative or mutual housing
17 corporation, shall be entitled, annually, on proper claim being made
18 therefor, to a deduction against the tax or taxes assessed against such
19 real property, to an amount not exceeding the amount of said tax, the
20 proportionate share of said tax attributable to his unit, or the sum
21 provided in this section, whichever is the lesser, but no such deduction
22 from taxes shall be in addition to any other deduction or exemption
23 from taxes to which said person may be entitled, except a veteran's
24 deduction provided under P.L.1963, c.171 (C.54:4-8.10 et seq.). A
25 citizen and resident granted a deduction pursuant to this section may
26 receive in addition any homestead rebate or credit provided by law.

27 For the purposes of this section, the annual income limitation shall
28 be: \$5,000.00 for any year prior to 1981, \$8,000.00 for the year 1981;
29 \$9,000.00 for the year 1982; and, \$10,000 for year 1983 and each year
30 thereafter.

31 The sum deducted pursuant to this section shall not exceed: in any
32 year prior to 1981, \$160.00; in the year 1981, \$200.00; in the year

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 1982, \$225.00; [and,]in the year 1983 and [in each year thereafter] the
2 year 1984, \$250.00; and, in the year 1985 and in each year thereafter
3 \$300.00.

4 For the purposes of this act:

5 a. The income of a married person shall be deemed to include an
6 amount equal to the income of the spouse during the applicable income
7 year, except for such portion of that year as the two were living apart
8 in a state of separation, whether under judicial decree or otherwise.

9 b. The requirement of ownership shall be satisfied by the holding
10 of a beneficial interest in the dwelling house where legal title thereto
11 is held by another who retains a security interest in the dwelling house.
12 (cf: P.L.1989, c.252, s.2)

13

14 2. This act shall take effect immediately and shall be applicable for
15 the tax year which follows the voters' approval of the Constitutional
16 amendment authorizing this increase.

17

18

19

STATEMENT

20

21 This bill increases the annual senior citizen's and disabled person's
22 deduction from taxes assessed against certain real property from
23 \$250.00 to \$300.00 to help mitigate the effect of increasing property
24 taxes.

25

26

27

28

29 _____
30 Increases to \$300.00 the annual senior citizen's and disabled person's
deduction from real property taxes.