

LEGISLATIVE FISCAL ESTIMATE TO
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 1564
STATE OF NEW JERSEY

DATED: JULY 25, 1997

The Senate Committee Substitute to Senate Bill No. 1564 of 1996 would establish a continuing education program for certified tax assessors. The substitute would also amend a provision of the "Real Estate Appraisers Act," P.L.1991, c.68 (C.45:14F-1 et seq.), in order to clarify that certified tax assessors, working within the scope of their employment as tax assessors, are exempt from that statute's certification and licensing requirements.

The substitute would provide that tax assessor certificates would have to be renewed every five years. Under current law tax assessor certificates do not expire.

An applicant for renewal would be required to submit a \$25 renewal fee to the Director of the Division of Taxation and furnish the director with proof of having earned 50 continuing education hours over the prior five-year period. The substitute would establish the Tax Assessor Continuing Education Eligibility Board which would establish the curriculum areas and the number of hours in each curriculum area that an assessor would be required to complete prior to certificate renewal. The tax assessor certificate would be renewed after the director had verified that the applicant had fulfilled the continuing education requirement and had paid the \$25 renewal fee.

The substitute would also provide that the provisions of the "Real Estate Appraisers Act," P.L.1991, c.68 (C.45:14F-1 et seq.), do not apply to certified tax assessors employed by a county or municipal government or any political subdivision thereof whose appraisal activities are limited to and related to appraisals performed in the course of the tax assessor's employment, including, but not limited to, appraisals performed by the tax assessor in connection with tax appeals of properties located in the employing county or municipality pending before the county board of taxation or the tax court. A recent opinion of the Attorney General of New Jersey has concluded that the appraiser licensing law does not apply to assessors. This amendment would provide statutory clarification that the Legislature never intended that tax assessors working within the scope of their employment must also comply with certification or licensing requirements for real estate appraisers.

The Office of Legislative Services (OLS) is unable to determine the cost to the State of this bill because the bill does not state how the

continuing education requirements are to be satisfied, or which entity of State government is to actually develop and implement the continuing education coursework. However, the OLS notes that the administrative cost to the Division of Taxation in the Department of the Treasury and to county boards of taxation will be a continuing one, and it is likely that the Division of Taxation can absorb any additional administrative costs in its current operating budget. The OLS also notes that the provisions of the bill establishing the Tax Assessor Continuing Education Eligibility Board in the Division of Taxation specifically provide that the members of this board will be reimbursed for expenses and provided with office, meeting facilities and support staff by the Division of Taxation. The requirement of reimbursement for expenses will create a continuing cost to the State, and if the Division of Taxation will require the hiring of additional personnel to staff this board as required by the bill, such a cost will also be a continuing one to the State.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.