

SENATE, No. 1648

STATE OF NEW JERSEY

INTRODUCED OCTOBER 28, 1996

By Senators CARDINALE, SCOTT, Bassano, Connors, McNamara, Bubba, Lesniak, Casey, Baer, Bryant, Singer, Rice, Haines, Kenny, O'Connor, Girgenti, Kyrillos, Ewing, Cafiero, Kosco, Inverso, Adler, Lipman, Codey, Ciesla, Matheussen, Martin, LaRossa and Sacco

1 AN ACT concerning certain deductions from the taxes against the real
2 property of certain senior citizens and disabled residents of this
3 State, and amending P.L.1963, c.172.

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

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

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

28 For the purposes of this section, the annual income limitation shall
29 be: \$5,000.00 for any year prior to 1981; \$8,000.00 for the year 1981;
30 \$9,000.00 for the year 1982; [and] \$10,000.00 for [year] the years

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 1983 through 1997; and \$18,500.00 for the year 1998 and each year
2 thereafter.

3 The sum deducted pursuant to this section shall not exceed: in any
4 year prior to 1981, \$160.00; in the year 1981, \$200.00; in the year
5 1982, \$225.00; and in the year 1983 and in each year thereafter,
6 \$250.00.

7 For the purposes of this act:

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

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

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17 2. This act shall take effect on the January 1 next following the
18 approval by the people of the State of New Jersey of an amendment to
19 Article VIII, Section 1, paragraph 4 of the Constitution of the State of
20 New Jersey, as proposed and agreed to by the Legislature in Senate
21 Concurrent Resolution ____ of 1996.

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STATEMENT

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26 This bill proposes to increase from \$10,000 to \$18,500 per year the
27 annual income limitation for eligibility to receive the annual \$250
28 property tax deduction for certain senior and disabled citizens and
29 residents beginning in 1998.

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34 _____
35 Increases annual income limitation for property tax deduction for
certain senior citizens and disabled residents.