

SENATE CONCURRENT RESOLUTION No. 63

STATE OF NEW JERSEY

INTRODUCED MAY 2, 1996

By Senator McGREEVEY

1 A CONCURRENT RESOLUTION proposing to amend Article VIII, Section I,
2 paragraph 1 of the Constitution of the State of New Jersey.

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4 BE IT RESOLVED by the Senate of the State of New Jersey (the
5 General Assembly concurring):

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7 1. The following proposed amendment to the Constitution of the State of
8 New Jersey is hereby agreed to:

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10 PROPOSED AMENDMENT

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12 Amend Article VIII, Section I, paragraph 1 to read:

13 1. (a) Property shall be assessed for taxation under general laws and by
14 uniform rules. All real property assessed and taxed locally or by the State for
15 allotment and payment to taxing districts shall be assessed according to the
16 same standard of value, except as otherwise permitted herein, and such real
17 property shall be taxed at the general tax rate of the taxing district in which the
18 property is situated, for the use of such taxing district.

19 (b) The Legislature shall enact laws to provide that the value of land, not
20 less than 5 acres in area, which is determined by the assessing officer of the
21 taxing jurisdiction to be actively devoted to agricultural or horticultural use and
22 to have been so devoted for at least the 2 successive years immediately
23 preceding the tax year in issue, shall, for local tax purposes, for an owner with
24 assets valued at \$50,000 or less, exclusive of the owner's primary residence,
25 one private passenger automobile, farmland, farm structures, and farm
26 machinery, equipment and implements, on application of the owner, be that
27 value which such land has for agricultural or horticultural use.

28 Any such laws shall provide that when land which has been valued in this
29 manner for local tax purposes is applied to a use other than for agriculture or
30 horticulture it shall be subject to additional taxes in an amount equal to the
31 difference, if any, between the taxes paid or payable on the basis of the
32 valuation and the assessment authorized hereunder and the taxes that would

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 have been paid or payable had the land been valued and assessed as
2 otherwise provided in this Constitution, in the current year and in such of the
3 tax years immediately preceding, not in excess of 2 such years in which the
4 land was valued as herein authorized.

5 Such laws shall also provide for the equalization of assessments of land
6 valued in accordance with the provisions hereof and for the assessment and
7 collection of any additional taxes levied thereupon and shall include such other
8 provisions as shall be necessary to carry out the provisions of this amendment.
9 (cf: Article VIII, Section I, paragraph 1; amended effective December 5,
10 1963)

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12 2. When this proposed amendment to the Constitution is finally agreed to
13 pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted
14 to the people at the next general election occurring more than three months
15 after the final agreement and shall be published at least once in at least one
16 newspaper of each county designated by the President of the Senate, the
17 Speaker of the General Assembly and the Secretary of State, not less than
18 three months prior to the general election.

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20 3. This proposed amendment to the Constitution shall be submitted to the
21 people at that election in the following manner and form:

22 There shall be printed on each official ballot to be used at the general
23 election, the following:

24 a. In every municipality in which voting machines are not used, a legend
25 which shall immediately precede the question, as follows:

26 If you favor the proposition printed below make a cross (X), plus (+) or
27 check (T) in the square opposite the word 'Yes.' If you are opposed thereto
28 make a cross (X), plus (+) or check (T) in the square opposite the word 'No.'

29 In every municipality the following question:

<p>1 2 3 4 5 6 7 8 9 10 11 12 13</p>	<p>YES</p>	<p>CONSTITUTIONAL AMENDMENT RESTRICTING CURRENT FARMLAND ASSESSMENT BENEFIT TO OWNERS WITH LIMITED ASSETS.</p> <p>Shall the amendment to Article VIII, Section 1, paragraph 1 of the State Constitution, agreed to by the Legislature, directing the Legislature to enact laws, restricting the current farmland assessment benefit to those owners with assets of \$50,000 or less, excluding the farmland, the owner's primary residence, an automobile, and farm-related items, be approved?</p>
<p>14 15 16 17 18 19 20 21 22 23 24 25 26 27</p>	<p>NO</p>	<p>INTERPRETIVE STATEMENT</p> <p>This proposed amendment would require the Legislature to enact laws restricting the farmland property tax assessment benefit to owners of farmland who have assets valued at \$50,000 or less, excluding their farmland, home, an automobile, and farm-related machinery, equipment, structures and implements. Currently, land that is at least five acres in area and is , and has been for at least the two previous years, actively devoted to agriculture or horticultural use is assessed at the value of the land for that use, irrespective of the wealth of the owner.</p>

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STATEMENT

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This concurrent resolution proposes to amend the State Constitution to provide that the Legislature shall enact laws to restrict the current farmland property tax assessment benefit to owners with assets valued at \$50,000 or less, excluding their farmland, primary residence, an automobile, and farm-related machinery, equipment, implements and structures.

Amends Constitution to restrict current farmland property tax assessment benefit to owners with limited assets.