

Title 40.
Chapter
48J.(New)
Community
Service
Contribution.
§§1,2 -
C.40:48J-1 &
40:48J-2
§3 - C.54:4-3.6j
§4 - T&E & Note
§7 - Note

P.L. 2021, CHAPTER 17, *approved February 22, 2021*
Assembly, No. 1135 (*Third Reprint*)

1 AN ACT concerning property tax exemptions, supplementing chapter
2 48 of Title 40 and chapter 4 of Title 54 of the Revised Statutes,
3 and amending R.S.54:4-3.6 and R.S.54:3-21.

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

7
8 1. (New section) a. ¹(1)¹ The owner of property used as a hospital
9 or a satellite emergency care facility, which is exempt from taxation
10 pursuant to section 3 of P.L. , c. (C.) (pending before the
11 Legislature as this bill), shall annually be assessed a community service
12 contribution to the municipality in which the licensed beds of the
13 hospital are located and, in the case of a satellite emergency care facility,
14 to the municipality in which such facility is located. These contributions
15 shall be remitted directly to the municipalities in which the contributions
16 are assessed.

17 ¹(2) If a hospital and municipality have entered into a voluntary
18 agreement prior to the enactment of P.L. , c. (C.) (pending
19 before the Legislature as this bill), the hospital shall be required to pay
20 the greater of the community service contribution required under
21 paragraph (1) of subsection b. of this section, or the amount agreed upon
22 in a voluntary agreement for the duration of the agreement between the
23 municipality and the hospital.

24 (3) Nothing in this section shall be construed to prohibit a
25 municipality and a hospital from entering into a voluntary agreement
26 requiring additional payments by the hospital to the municipality
27 pursuant to this section.¹

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:

¹Assembly AAP committee amendments adopted September 17, 2020.

²Senate SBA committee amendments adopted October 22, 2020.

³Senate SBA committee amendments adopted December 14, 2020.

1 b. (1) For tax year ¹~~2018~~ 2021¹, the annual community service
2 contribution required pursuant to this section shall, for a hospital, be
3 equal to ³~~[\$2.50]~~ \$3³ a day for each licensed bed at the hospital in the
4 prior tax year, and shall, for a satellite emergency care facility, be equal
5 to ³~~[\$250]~~ \$300³ for each day in the prior tax year. For tax year
6 ¹~~2019~~ 2022¹ and each tax year thereafter, the per day amount used to
7 calculate an annual community service contribution for a hospital and a
8 satellite emergency care facility shall increase by two percent over the
9 prior tax year. The Commissioner of Health shall annually promulgate
10 the per day amount to apply for each tax year. ¹For the purposes of this
11 subsection, the number of licensed beds per hospital shall not be less
12 than the number of such beds in existence on January 1, 2020.¹

13 (2) An annual community service contribution shall be reduced by
14 an amount equal to the sum of any payments remitted to the
15 municipality in which the licensed beds of the hospital or satellite
16 emergency care facility, as the case may be, is located, pursuant to a
17 voluntary agreement operative in the prior tax year between the owner
18 and the municipality to compensate for any municipal ¹~~public safety~~¹
19 services benefitting the occupants and premises of the hospital or
20 satellite emergency care facility¹.

21 (3) An annual community service contribution shall be payable in
22 equal quarterly installments. The installments shall be payable on
23 February 1, May 1, August 1, and November 1.

24 c. The obligation to remit an annual community service
25 contribution pursuant to this section is legal, valid, and binding. If a
26 quarterly installment of an annual community service contribution
27 installment is not paid as and when due pursuant to subsection b. of this
28 section, the unpaid balance shall constitute a municipal lien on the
29 hospital or satellite emergency care facility property after 30 days, and
30 shall be enforced and collected in the same manner as unpaid property
31 taxes.

32 d. A municipality that receives an annual community service
33 contribution installment pursuant to this section, or a payment under a
34 voluntary agreement that reduces the amount of such contribution
35 pursuant to paragraph (2) of subsection b. of this section, shall forthwith,
36 upon receipt, remit five percent of the installment or voluntary payment,
37 as the case may be, to the county in which the municipality is located.

38 e. The Commissioner of Health, in consultation with the New
39 Jersey Health Care Facilities Financing Authority in the Department of
40 Health and the Director of the Division of Local Government Services
41 in the Department of Community Affairs, shall, by ¹~~January 1, 2019~~¹
42 the first day of the fourth month next following the enactment of
43 P.L. , c. (C.) (pending before the Legislature as this
44 bill)¹, adopt regulations necessary to effectuate the provisions of this
45 section pursuant to the "Administrative Procedure Act," P.L.1968, c.410
46 (C.52:14B-1 et seq.).

1 f. ¹Notwithstanding any other provision of this section to the
2 contrary, an owner of property used as a hospital ³[that would otherwise
3 be required to remit a community service contribution pursuant to this
4 section shall be exempt from remitting any such contribution for a tax
5 year if prior to December 1 of the pre-tax year: (1) the owner certifies
6 to the Department of Health that the hospital did not balance bill or
7 collect payment from an individual for inpatient services rendered at the
8 hospital by its employed physicians during the current calendar year,
9 and that the hospital's forbearance of payment was lawful and consistent
10 with an advisory opinion issued to the hospital by the federal
11 government; and (2)] shall be exempt from remitting an annual
12 community service contribution for the hospital if the owner certifies to
13 the Department of Health that, in the prior year, the hospital did not bill
14 any patient for inpatient or outpatient professional or technical services
15 rendered at the hospital and ³ the hospital has provided community
16 benefit over the preceding three years for which the hospital has filed
17 such forms averaging at least 12 percent of the hospital's total expenses,
18 as documented on IRS Form 990, Schedule H, part 1, line 7K, column
19 F. The hospital shall file a copy of the documentation as enumerated in
20 ³[items (1) and (2) of] ³ this subsection with the municipal tax assessor
21 on or before December 1 of the pre-tax year. Upon receipt of a copy of
22 the documentation, the tax assessor shall notify the hospital, on or before
23 December 31, that it is exempt from payment of the community service
24 contribution for the tax year commencing January 1.

25 g. ¹ As used in this section:

26 "Hospital" means a general acute care hospital licensed pursuant to
27 P.L.1971, c.136 (C.26:2H-1 et seq.), which maintains and operates
28 organized facilities and services as approved and licensed by the
29 Department of Health for the diagnosis, treatment, or care of persons
30 suffering from acute illness, injury, or deformity and in which all
31 diagnosis, treatment, and care are administered by or performed under
32 the direction of persons licensed to practice medicine or osteopathy in
33 the State, and includes all land and buildings that are used in the delivery
34 of health care services by such hospital and its medical providers or that
35 are used for the management, maintenance, administration, support, and
36 security of such hospital and its medical providers. ³"Hospital" shall
37 not include a hospital owned or operated by a federal, State, regional, or
38 local government entity, directly or as an instrumentality thereof. ³

39 "Licensed bed" means one of the total number of acute care beds for
40 which an acute care hospital is approved for patient care by the
41 Commissioner of Health, excluding skilled nursing, psychiatric, sub-
42 acute, and newborn beds, and further excluding any acute care beds not
43 commissioned for use.

44 "Medical provider" means an individual or entity which, acting
45 within the scope of a licensure or certification, provides health care
46 services, and includes, but is not limited to, a physician, physician
47 assistant, psychologist, pharmacist, dentist, nurse, nurse practitioner,

1 social worker, paramedic, respiratory care practitioner, medical or
2 laboratory technician, ambulance or emergency medical worker,
3 orthotist or prosthetist, radiological or other diagnostic service facility,
4 bioanalytical laboratory, health care facility, or other limited licensed
5 health care professional, and further includes administrative support
6 staff of the individual or entity.

7 “Owner” means an association or corporation organized as a
8 nonprofit entity pursuant to Title 15 of the Revised Statutes or Title 15A
9 of the New Jersey Statutes exclusively for hospital purposes that owns
10 a hospital.

11 “Satellite emergency care facility” means a facility, which is owned
12 and operated by a hospital, and which provides emergency care and
13 treatment for patients.

14 ¹“Voluntary agreement” means any payment in lieu of taxes
15 agreement or other agreement entered into between the owner of the
16 property and the municipality for the purpose of compensating the
17 municipality for any municipal services the municipality provides to the
18 hospital.¹

19

20 2. (New section) a. There is established, in but not of the
21 Department of Health, a commission to be known as the Nonprofit
22 Hospital Community Service Contribution Study Commission. The
23 commission shall consist of ³[nine] ³ten³ members as follows: the
24 Commissioner of Health, ex officio; ³the Director of the Division of
25 Local Government Services in the Department of Community Affairs,
26 ex officio;³ two members of the Senate to be appointed by the President
27 of the Senate, who shall not both be of the same political party; two
28 members of the General Assembly to be appointed by the Speaker of
29 the General Assembly, who shall not both be of the same political party;
30 two members, appointed by the Governor, who are mayors of
31 municipalities entitled to receive annual community service
32 contributions pursuant to section 1 of P.L. , c. (C.) (pending
33 before the Legislature as this bill); and two members, appointed by the
34 Governor, who are chief executive officers of hospitals assessed annual
35 community service contributions pursuant to section 1 of P.L. ,
36 c. (C.) (pending before the Legislature as this bill). Each member
37 may designate a representative to attend meetings of the commission,
38 and each designee may lawfully vote and otherwise act on behalf of the
39 member who designated that individual to serve as a designee. The
40 members shall serve for terms of three years, commencing on the date
41 of appointment, and may be reappointed. Vacancies in the membership
42 of the commission shall be filled for the unexpired terms in the same
43 manner as the original appointments.

44 b. The members shall be appointed within 60 days following the
45 effective date of this section. The commission shall organize as soon as
46 practicable after the appointment of a majority of its members and shall
47 select a chair and a treasurer from among its members, and a secretary

1 who need not be a member of the commission. The presence of ³**[five]**
2 six³ members of the commission shall constitute a quorum. The
3 commission may conduct business without a quorum, but may only vote
4 on the issuance of the report required to be submitted to the Governor
5 and the Legislature pursuant to subsection e. of this section, and on any
6 recommendations, when a quorum is present.

7 c. All commission members shall serve without compensation, but
8 shall be eligible for reimbursement of necessary and reasonable
9 expenses incurred in the performance of their official duties within the
10 limits of funds appropriated or otherwise made available to the
11 commission for its purposes.

12 d. The commission may meet and hold public hearings at the place
13 or places it designates during the sessions or recesses of the Legislature.

14 e. The commission shall study the implementation of P.L. ,
15 c. (C.) (pending before the Legislature as this bill) and shall issue
16 a report to the Governor and the Legislature, pursuant to section 2 of
17 P.L.1991, c.164 (C.52:14-19.1), every three years from the effective
18 date of this section; provided, however, that the initial report shall be
19 issued within one year following that effective date. The reports shall
20 include: (1) an analysis of the financial impact of P.L. , c. (C.)
21 (pending before the Legislature as this bill) on both hospitals and
22 satellite emergency care facilities assessed annual community service
23 contributions thereunder and the municipalities receiving such
24 contributions; (2) an assessment of the adequacy of the amount of the
25 annual community service contributions; (3) an analysis of the
26 administration and equity of these contributions; and (4) any
27 recommendations that the commission determines would improve the
28 administration, equity, or any other aspect of the annual community
29 service contribution system established by P.L. , c. (C.) (pending
30 before the Legislature as this bill).

31
32 3. (New section) a. Property, including land and buildings, used
33 as a hospital or a satellite emergency care facility, which is owned by
34 an association or corporation organized as a nonprofit entity pursuant to
35 Title 15 of the Revised Statutes or Title 15A of the New Jersey Statutes
36 exclusively for hospital purposes, shall be exempt from taxation, ²**[and**
37 the exemption shall extend to any portion of the hospital property that
38 is leased to or otherwise used by a profit-making medical provider for
39 medical purposes; provided, however, that any portion of the property
40 that is leased to any other profit-making organization or otherwise used
41 for any other purposes which are not themselves exempt from taxation
42 shall be subject to taxation and the remaining portion only shall be
43 exempt from taxation] provided that, except as provided in subsection
44 b. of this section, if any portion of the property is leased to a profit-
45 making organization or otherwise used for purposes which are not
46 themselves exempt from taxation, that portion shall be subject to
47 taxation and the remaining portion only shall be exempt from taxation².

1 b. ²If any portion of a hospital or a satellite emergency care facility
 2 is leased to or otherwise used by a profit-making medical provider for
 3 medical purposes related to the delivery of health care services directly
 4 to the hospital, that portion shall be exempt from taxation ³, provided
 5 that the portion of the hospital or satellite emergency care facility is used
 6 exclusively for hospital purposes³.

7 c.² The owner of property exempt from taxation pursuant to
 8 subsection a. of this section shall be assessed an annual community
 9 service contribution pursuant to section 1 of P.L. , c. (C.)
 10 (pending before the Legislature as this bill).

11 ²**[c.] d.²** As used in this section:

12 “Hospital” means a general acute care hospital licensed pursuant to
 13 P.L.1971, c.136 (C.26:2H-1 et seq.), which maintains and operates
 14 organized facilities and services as approved and licensed by the
 15 Department of Health for the diagnosis, treatment, or care of persons
 16 suffering from acute illness, injury, or deformity and in which all
 17 diagnosis, treatment, and care are administered by or performed under
 18 the direction of persons licensed to practice medicine or osteopathy in
 19 the State, and includes all land and buildings that are used in the delivery
 20 of health care services by such hospital and its medical providers or that
 21 are used for the management, maintenance, administration, support, and
 22 security of such hospital and its medical providers. ³“Hospital” shall
 23 not include a hospital owned or operated by a federal, State, regional, or
 24 local government entity, directly or as an instrumentality thereof.³

25 “Medical provider” means an individual or entity which, acting
 26 within the scope of a licensure or certification, provides health care
 27 services, and includes, but is not limited to, a physician, physician
 28 assistant, psychologist, pharmacist, dentist, nurse, nurse practitioner,
 29 social worker, paramedic, respiratory care practitioner, medical or
 30 laboratory technician, ambulance or emergency medical worker,
 31 orthotist or prosthetist, radiological or other diagnostic service facility,
 32 bioanalytical laboratory, health care facility, or other limited licensed
 33 health care professional, and further includes administrative support
 34 staff of the individual or entity.

35 “Satellite emergency care facility” means a facility, which is owned
 36 and operated by a hospital, and which provides emergency care and
 37 treatment for patients.

38
 39 4. (New section) For tax years 2014, 2015, 2016, ¹**[and]**¹ 2017,
 40 ¹2018, 2019, and 2020.¹ property that would have been exempt from
 41 taxation pursuant to section 3 of P.L. , c. (C.) (pending before
 42 the Legislature as this bill), had that section been effective in those
 43 tax years, shall not be assessed as ¹an¹ omitted ¹**[property]**
 44 assessment¹ pursuant to P.L.1947, c.413 (C.54:4-63.12 et seq.) ¹or as
 45 a regular assessment pursuant to R.S.54:4-1¹. This section shall
 46 apply to all property owned by an association or corporation
 47 organized as a nonprofit entity pursuant to Title 15 of the Revised

1 Statutes or Title 15A of the New Jersey Statutes exclusively for
2 hospital purposes, whether or not assessed as ¹an¹ omitted
3 ¹**【property】** assessment or a regular assessment¹, as well as the
4 omitted assessments ¹or regular assessments¹ of such property that is
5 the subject of litigation that is pending or that may be subject to
6 appeal before the county board of taxation, the tax court, or any other
7 court on or after the date of enactment of P.L. , c. (C.)
8 (pending before the Legislature as this bill). ¹**【Any】** Nothing in this
9 section shall be construed to require a municipality to refund any¹
10 taxes paid on such property ¹as a result of such omitted assessments
11 or regular assessments pursuant to any previous settlement of
12 litigation or other agreement¹ for tax years 2014, 2015, 2016, ¹**【or】**¹
13 2017 ¹**【shall be refunded】** , 2018, 2019, and 2020¹.
14

15 5. R.S.54:4-3.6 is amended to read as follows:

16 54:4-3.6. The following property shall be exempt from taxation
17 under this chapter: all buildings actually used for colleges, schools,
18 academies or seminaries, provided that if any portion of such
19 buildings are leased to profit-making organizations or otherwise used
20 for purposes which are not themselves exempt from taxation, said
21 portion shall be subject to taxation and the remaining portion only
22 shall be exempt; all buildings actually used for historical societies,
23 associations or exhibitions, when owned by the State, county or any
24 political subdivision thereof or when located on land owned by an
25 educational institution which derives its primary support from State
26 revenue; all buildings actually and exclusively used for public
27 libraries, asylum or schools for adults and children with intellectual
28 disabilities; all buildings used exclusively by any association or
29 corporation formed for the purpose and actually engaged in the work
30 of preventing cruelty to animals; all buildings actually and
31 exclusively used and owned by volunteer first-aid squads, which
32 squads are or shall be incorporated as associations not for pecuniary
33 profit; all buildings actually used in the work of associations and
34 corporations organized exclusively for the moral and mental
35 improvement of men, women and children, provided that if any
36 portion of a building used for that purpose is leased to profit-making
37 organizations or is otherwise used for purposes which are not
38 themselves exempt from taxation, that portion shall be subject to
39 taxation and the remaining portion only shall be exempt; all buildings
40 actually used in the work of associations and corporations organized
41 exclusively for religious purposes, including religious worship, or
42 charitable purposes, provided that if any portion of a building used
43 for that purpose is leased to a profit-making organization or is
44 otherwise used for purposes which are not themselves exempt from
45 taxation, that portion shall be subject to taxation and the remaining
46 portion shall be exempt from taxation, and provided further that if
47 any portion of a building is used for a different exempt use by an

1 exempt entity, that portion shall also be exempt from taxation; all
2 buildings, other than those exempt from taxation pursuant to section
3 3 of P.L. , c. (C.) (pending before the Legislature as this
4 bill), actually used in the work of associations and corporations
5 organized exclusively for hospital purposes, provided that if any
6 portion of a building used for hospital purposes is leased to profit-
7 making organizations or otherwise used for purposes which are not
8 themselves exempt from taxation, that portion shall be subject to
9 taxation and the remaining portion only shall be exempt; all buildings
10 owned or held by an association or corporation created for the
11 purpose of holding the title to such buildings as are actually and
12 exclusively used in the work of two or more associations or
13 corporations organized exclusively for the moral and mental
14 improvement of men, women and children; all buildings owned by a
15 corporation created under or otherwise subject to the provisions of
16 Title 15 of the Revised Statutes or Title 15A of the New Jersey
17 Statutes and actually and exclusively used in the work of one or more
18 associations or corporations organized exclusively for charitable or
19 religious purposes, which associations or corporations may or may
20 not pay rent for the use of the premises or the portions of the premises
21 used by them; the buildings, not exceeding two, actually occupied as
22 a parsonage by the officiating clergymen of any religious corporation
23 of this State, together with the accessory buildings located on the
24 same premises; the land whereon any of the buildings hereinbefore
25 mentioned are erected, and which may be necessary for the fair
26 enjoyment thereof, and which is devoted to the purposes above
27 mentioned and to no other purpose and does not exceed five acres in
28 extent; the furniture and personal property in said buildings if used
29 in and devoted to the purposes above mentioned; all property owned
30 and used by any nonprofit corporation in connection with its
31 curriculum, work, care, treatment and study of men, women, or
32 children with intellectual disabilities shall also be exempt from
33 taxation, provided that such corporation conducts and maintains
34 research or professional training facilities for the care and training of
35 men, women, or children with intellectual disabilities; provided, in
36 case of all the foregoing, the buildings, or the lands on which they
37 stand, or the associations, corporations or institutions using and
38 occupying them as aforesaid, are not conducted for profit, except that
39 the exemption of the buildings and lands used for charitable,
40 benevolent or religious purposes shall extend to cases where the
41 charitable, benevolent or religious work therein carried on is
42 supported partly by fees and charges received from or on behalf of
43 beneficiaries using or occupying the buildings; provided the building
44 is wholly controlled by and the entire income therefrom is used for
45 said charitable, benevolent or religious purposes; and any tract of
46 land purchased pursuant to subsection (n) of section 21 of P.L.1971,
47 c.199 (C.40A:12-21), and located within a municipality, actually
48 used for the cultivation and sale of fresh fruits and vegetables and

1 owned by a duly incorporated nonprofit organization or association
2 which includes among its principal purposes the cultivation and sale
3 of fresh fruits and vegetables, other than a political, partisan,
4 sectarian, denominational or religious organization or association.
5 The foregoing exemption shall apply only where the association,
6 corporation or institution claiming the exemption owns the property
7 in question and is incorporated or organized under the laws of this
8 State and authorized to carry out the purposes on account of which
9 the exemption is claimed or where an educational institution, as
10 provided herein, has leased said property to a historical society or
11 association or to a corporation organized for such purposes and
12 created under or otherwise subject to the provisions of Title 15 of the
13 Revised Statutes or Title 15A of the New Jersey Statutes.

14 As used in this section "hospital purposes" includes health care
15 facilities for the elderly, such as nursing homes; residential health
16 care facilities; assisted living residences; facilities with a Class C
17 license pursuant to P.L.1979, c.496 (C.55:13B-1 et al.), the
18 "Rooming and Boarding House Act of 1979"; similar facilities that
19 provide medical, nursing or personal care services to their residents;
20 and that portion of the central administrative or service facility of a
21 continuing care retirement community that is reasonably allocable as
22 a health care facility for the elderly.

23 (cf: P.L.2011, c.171, s.4)

24
25 ¹[6. R.S.54:3-21 is amended to read as follows:

26 54:3-21. a. (1) Except as provided in subsection b. of this section
27 a taxpayer feeling aggrieved by the assessed valuation or exempt
28 status of the taxpayer's property **],** or feeling discriminated against
29 by the assessed valuation of other **],** or a taxing
30 district which may feel discriminated against by the assessed
31 valuation or exempt status of property in the taxing district, or by the
32 assessed valuation or exempt status of property in another taxing
33 district in the county, may on or before April 1, or 45 days from the
34 date the bulk mailing of notification of assessment is completed in
35 the taxing district, whichever is later, appeal to the county board of
36 taxation by filing with it a petition of appeal; provided, however, that
37 any such taxpayer or taxing district may on or before April 1, or 45
38 days from the date the bulk mailing of notification of assessment is
39 completed in the taxing district, whichever is later, file a complaint
40 directly with the Tax Court, if the assessed valuation of the property
41 subject to the appeal exceeds \$1,000,000. In a taxing district where
42 a municipal-wide revaluation or municipal-wide reassessment has
43 been implemented, a taxpayer or a taxing district may appeal before
44 or on May 1 to the county board of taxation by filing with it a petition
45 of appeal or, if the assessed valuation of the property subject to the
46 appeal exceeds \$1,000,000, by filing a complaint directly with the
47 State Tax Court. Within ten days of the completion of the bulk
48 mailing of notification of assessment, the assessor of the taxing

1 district shall file with the county board of taxation a certification
2 setting forth the date on which the bulk mailing was completed. If a
3 county board of taxation completes the bulk mailing of notification
4 of assessment, the tax administrator of the county board of taxation
5 shall within ten days of the completion of the bulk mailing prepare
6 and keep on file a certification setting forth the date on which the
7 bulk mailing was completed. A taxpayer shall have 45 days to file
8 an appeal upon the issuance of a notification of a change in
9 assessment. An appeal to the Tax Court by one party in a case in
10 which the Tax Court has jurisdiction shall establish jurisdiction over
11 the entire matter in the Tax Court. All appeals to the Tax Court
12 hereunder shall be in accordance with the provisions of the State
13 Uniform Tax Procedure Law, R.S.54:48-1 et seq.

14 If a petition of appeal or a complaint is filed on April 1 or during
15 the 19 days next preceding April 1, a taxpayer or a taxing district
16 shall have 20 days from the date of service of the petition or
17 complaint to file a cross-petition of appeal with a county board of
18 taxation or a counterclaim with the Tax Court, as appropriate.

19 (2) With respect to property located in a county participating in
20 the demonstration program established in section 4 of P.L.2013, c.15
21 (C.54:1-104) or a property located in a county operating under the
22 "Property Tax Assessment Reform Act," P.L.2009, c.118 (C.54:1-86
23 et seq.), and except as provided in subsection b. of this section, a
24 taxpayer feeling aggrieved by the assessed valuation or exempt status
25 of the taxpayer's property [, or feeling discriminated against by the
26 assessed valuation of other property in the county,] or a taxing
27 district which may feel discriminated against by the assessed
28 valuation or exempt status of property in the taxing district, or by the
29 assessed valuation or exempt status of property in another taxing
30 district in the county, may on or before January 15, or 45 days from
31 the date the bulk mailing of notification of assessment is completed
32 in the taxing district, whichever date is later, appeal to the county
33 board of taxation by filing with it a petition of appeal; provided,
34 however, that any such taxpayer, or taxing district, may on or before
35 April 1, or 45 days from the date the bulk mailing of notification of
36 assessment is completed in the taxing district, whichever date is later,
37 file a complaint directly with the Tax Court, if the assessed valuation
38 of the property subject to the appeal exceeds \$1,000,000.

39 If a petition of appeal is filed on January 15 or during the 19 days
40 next preceding January 15, or a complaint is filed with the Tax Court
41 on April 1 or during the 19 days next preceding April 1, a taxpayer
42 or a taxing district shall have 20 days from the date of service of the
43 petition or complaint to file a cross-petition of appeal with a county
44 board of taxation or a counterclaim with the Tax Court, as
45 appropriate.

46 Within 10 days of the completion of the bulk mailing of
47 notification of assessment, the assessor of the taxing district shall file
48 with the county board of taxation a certification setting forth the date

1 on which the bulk mailing was completed. If a county board of
2 taxation completes the bulk mailing of notification of assessment, the
3 tax administrator of the county board of taxation shall within 10 days
4 of the completion of the bulk mailing prepare and keep on file a
5 certification setting forth the date on which the bulk mailing was
6 completed. A taxpayer shall have 45 days to file an appeal upon the
7 issuance of a notification of a change in assessment. An appeal to
8 the Tax Court by one party in a case in which the Tax Court has
9 jurisdiction shall establish jurisdiction over the entire matter in the
10 Tax Court. All appeals to the Tax Court hereunder shall be in
11 accordance with the provisions of the State Uniform Tax Procedure
12 Law, R.S.54:48-1 et seq.

13 b. No taxpayer or taxing district shall be entitled to appeal either
14 an assessment or an exemption or both that is based on a financial
15 agreement subject to the provisions of the "Long Term
16 Tax Exemption Law" under the appeals process set forth in
17 subsection a. of this section.
18 (cf: P.L.2017, c.306, s.4)]¹

19

20 ¹6. R.S.54:3-21 is amended to read as follows:

21 54:3-21. a. (1) Except as provided in subsection b. of this section
22 a taxpayer feeling aggrieved by the assessed valuation or exempt
23 status of the taxpayer's property **],** or feeling discriminated against
24 by the assessed valuation of other property in the county, **]** or a taxing
25 district which may feel discriminated against by the assessed
26 valuation or exempt status of property in the taxing district, or by the
27 assessed valuation or exempt status of property in another taxing
28 district in the county, may on or before April 1, or 45 days from the
29 date the bulk mailing of notification of assessment is completed in
30 the taxing district, whichever is later, appeal to the county board of
31 taxation by filing with it a petition of appeal; provided, however, that
32 any such taxpayer or taxing district may on or before April 1, or 45
33 days from the date the bulk mailing of notification of assessment is
34 completed in the taxing district, whichever is later, file a complaint
35 directly with the Tax Court, if the assessed valuation of the property
36 subject to the appeal exceeds \$1,000,000. In a taxing district where
37 a municipal-wide revaluation or municipal-wide reassessment has
38 been implemented, a taxpayer or a taxing district may appeal before
39 or on May 1 to the county board of taxation by filing with it a petition
40 of appeal or, if the assessed valuation of the property subject to the
41 appeal exceeds \$1,000,000, by filing a complaint directly with the
42 State Tax Court. Within ten days of the completion of the bulk
43 mailing of notification of assessment, the assessor of the taxing
44 district shall file with the county board of taxation a certification
45 setting forth the date on which the bulk mailing was completed. If a
46 county board of taxation completes the bulk mailing of notification
47 of assessment, the tax administrator of the county board of taxation
48 shall within ten days of the completion of the bulk mailing prepare

1 and keep on file a certification setting forth the date on which the
2 bulk mailing was completed. A taxpayer shall have 45 days to file
3 an appeal upon the issuance of a notification of a change in
4 assessment. An appeal to the Tax Court by one party in a case in
5 which the Tax Court has jurisdiction shall establish jurisdiction over
6 the entire matter in the Tax Court. All appeals to the Tax Court
7 hereunder shall be in accordance with the provisions of the State
8 Uniform Tax Procedure Law, R.S.54:48-1 et seq.

9 If a petition of appeal or a complaint is filed on April 1 or during
10 the 19 days next preceding April 1, a taxpayer or a taxing district
11 shall have 20 days from the date of service of the petition or
12 complaint to file a cross-petition of appeal with a county board of
13 taxation or a counterclaim with the Tax Court, as appropriate.

14 (2) With respect to property located in a county participating in
15 the demonstration program established in section 4 of P.L.2013, c.15
16 (C.54:1-104), a property located in a county operating under the
17 "Property Tax Assessment Reform Act," P.L.2009, c.118 (C.54:1-86
18 et seq.), or a property located in a county that has adopted, by
19 resolution, the provisions of section 1 of P.L.2018, c.94 (C.54:1-
20 105), and except as provided in subsection b. of this section, a
21 taxpayer feeling aggrieved by the assessed valuation or exempt status
22 of the taxpayer's property **],** or feeling discriminated against by the
23 assessed valuation of other property in the county, **]** or a taxing
24 district which may feel discriminated against by the assessed
25 valuation or exempt status of property in the taxing district, or by the
26 assessed valuation or exempt status of property in another taxing
27 district in the county, may on or before January 15, or 45 days from
28 the date the bulk mailing of notification of assessment is completed
29 in the taxing district, whichever date is later, appeal to the county
30 board of taxation by filing with it a petition of appeal; provided,
31 however, that any such taxpayer, or taxing district, may on or before
32 April 1, or 45 days from the date the bulk mailing of notification of
33 assessment is completed in the taxing district, whichever date is later,
34 file a complaint directly with the Tax Court, if the assessed valuation
35 of the property subject to the appeal exceeds \$1,000,000.

36 If a petition of appeal is filed on January 15 or during the 19 days
37 next preceding January 15, or a complaint is filed with the Tax Court
38 on April 1 or during the 19 days next preceding April 1, a taxpayer
39 or a taxing district shall have 20 days from the date of service of the
40 petition or complaint to file a cross-petition of appeal with a county
41 board of taxation or a counterclaim with the Tax Court, as
42 appropriate.

43 Within 10 days of the completion of the bulk mailing of
44 notification of assessment, the assessor of the taxing district shall file
45 with the county board of taxation a certification setting forth the date
46 on which the bulk mailing was completed. If a county board of
47 taxation completes the bulk mailing of notification of assessment, the
48 tax administrator of the county board of taxation shall within 10 days

1 of the completion of the bulk mailing prepare and keep on file a
2 certification setting forth the date on which the bulk mailing was
3 completed. A taxpayer shall have 45 days to file an appeal upon the
4 issuance of a notification of a change in assessment. An appeal to
5 the Tax Court by one party in a case in which the Tax Court has
6 jurisdiction shall establish jurisdiction over the entire matter in the
7 Tax Court. All appeals to the Tax Court hereunder shall be in
8 accordance with the provisions of the State Uniform Tax Procedure
9 Law, R.S.54:48-1 et seq.

10 b. No taxpayer or taxing district shall be entitled to appeal either
11 an assessment or an exemption or both that is based on a financial
12 agreement subject to the provisions of the "Long Term Tax
13 Exemption Law" under the appeals process set forth in subsection a.
14 of this section.¹

15 (cf: P.L.2018.c. 94, s.5)

16

17 7. This act shall take effect immediately ¹【and shall be
18 retroactive to January 1, 2018】¹, except that section 4 of the bill shall
19 ¹be retroactive and¹ apply to tax years 2014, 2015, 2016, ¹【and】¹
20 2017 ¹, 2018, 2019, and 2020¹ only.

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25 Reinstates prior property tax exemption for nonprofit hospitals
26 with on-site for-profit medical providers; requires some of these
27 hospitals to pay community service contributions; establishes
28 Nonprofit Hospital Community Service Contribution Study
29 Commission; prohibits certain third-party property tax appeals.