

CHAPTER 249

AN ACT concerning the annual budget requests of certain county entities, amending N.J.S.2A:158-7 and P.L.2007, c.62, and supplementing various parts of the statutory law.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. N.J.S.2A:158-7 is amended to read as follows:

Expenses of prosecutor in enforcement of laws.

2A:158-7. All necessary expenses incurred by the prosecutor for each county in the detection, arrest, indictment and conviction of offenders against the laws shall, upon being certified to by the prosecutor and approved, under his hand, by a judge of the Superior Court, be paid by the county treasurer whenever the same shall be approved by the board of chosen freeholders of such county. The amount or amounts to be expended shall not exceed the amount fixed by the board of chosen freeholders in its regular or emergency appropriation, unless such expenditure is specifically authorized by order of the assignment judge of the Superior Court for such county; however, the assignment judge shall consider the financial impact of such an order on the governing body of the county, its residents, the limitations imposed upon the local unit's property tax levy pursuant to subsection b. of section 10 of P.L.2007, c.62 (C.40A:4-45.45), and county taxpayers.

2. Section 9 of P.L.2007, c.62 (C.40A:4-45.44) is amended to read as follows:

C.40A:4-45.44 Definitions relative to property tax levy cap concerning local units.

9. For the purposes of sections 9 through 13 of P.L.2007, c.62 (C.40A:4-45.44 through C.40A:4-45.47 and C.40A:4-45.3e):

"Adjusted tax levy" means an amount not greater than the amount to be raised by taxation of the previous fiscal year, less any waivers from a prior fiscal year required to be deducted by the Local Finance Board pursuant to section 11 of P.L.2007, c.62 (C.40A:4-45.46), that result multiplied by 1.02, to which the sum of exclusions defined in subsection b. of section 10 of P.L.2007, c.62 (C.40A:4-45.45) shall be added.

"Amount to be raised by taxation" means the property tax levy set in the annual budget of a local unit.

"Local unit" means a municipality, county, fire district, or solid waste collection district, but shall not include a municipality that had a municipal purposes tax rate of \$0.10 or less per \$100 for the previous tax year.

"New ratables" means the product of the taxable value of any new construction or improvements times the tax rate of a local unit for its previous tax year.

"County entity budget authority" means the county tax administrator, county superintendent of election, county board of election, county register of deeds and mortgages, county clerk, county surrogate, county prosecutor, and county sheriff, in their role as the appointing authority of their respective offices.

"County entity" means a county board of taxation, office of the county superintendent of election, office of the county board of election, office of the county register of deeds and mortgages, office of the county clerk, office of the county surrogate, office of the county prosecutor, and county sheriff's department.

C.40A:4-45.45b Parts of budget request; exemptions.

3. a. A budget request submitted to the county governing body by a county entity budget authority on behalf of a county entity shall be comprised of two parts: the amount to be raised by property taxation, and the amount to be funded wholly through federal or State funds, fees raised by the county entity, or other sources.

b. In the preparation of the portion of its budget request to be raised by property taxation, a county entity budget authority shall limit any increase in that portion of its budget request to 2.0% of the previous year's budget request, subject to the exclusions set forth in subsection b. of section 10 of P.L.2007, c.62 (C.40A:4-45.45), except that election expenses shall be exempt from the requirements of this subsection. For purposes of this subsection, "election expenses" shall mean and include all necessary expenses incurred by the superintendent of elections, county clerk, and board of elections for each county related to election costs and the administration, preparation, and implementation of all elections, including all vendor related contract services; voting machine maintenance, repairs, parts and equipment, certification, and technical coding; transportation of voting machines and election supplies; overtime for all staff related to election duty; food services during election; poll workers, machine technicians, and other temporary workers; supplies; office equipment; printing; postage; advertisement costs, upon being certified to by the superintendent of elections, county clerk, and board of elections for each county; but shall not mean or include staff salaries for the office of the superintendent of elections, staff salaries for the county clerk, or staff salaries for the county board of elections.

c. Nothing in P.L.2015, c.249 (C.40A:4-45.45b et al.) shall diminish the obligations of a county under a collective bargaining agreement with its employees in force on the effective date of P.L.2015, c.249 (C.40A:4-45.45b et al.).

C.54:3-32 Preparation of annual budget request by county tax administrator.

4. A county tax administrator shall prepare the annual budget request for the county board of taxation pursuant to the requirements of section 3 of P.L.2015, c.249 (C.40A:4-45.45b).

C.19:32-26.9 Preparation of annual budget request by county superintendent of elections.

5. A county superintendent of elections shall prepare the annual budget request for the office of the county superintendent of elections pursuant to the requirements of section 3 of P.L.2015, c.249 (C.40A:4-45.45b).

C.40A:9-89.1 Preparation of annual budget request by county register of deeds and mortgages.

6. A county register of deeds and mortgages shall prepare the annual budget request for the office of the county register of deeds and mortgages pursuant to the requirements of section 3 of P.L.2015, c.249 (C.40A:4-45.45b).

C.40A:9-77.2 Preparation of annual budget request by county clerk.

7. A county clerk shall prepare the annual budget request for the office of the county clerk pursuant to the requirements of section 3 of P.L.2015, c.249 (C.40A:4-45.45b).

C.2B:14-14 Preparation of annual budget request by county surrogate.

8. A county surrogate shall prepare the annual budget request for the office of the county surrogate pursuant to the requirements of section 3 of P.L.2015, c.249 (C.40A:4-45.45b).

C.22A:4-8.2 Preparation of annual budget request by county sheriff.

9. A county sheriff shall prepare the annual budget request for the county sheriff's department pursuant to the requirements of section 3 of P.L.2015, c.249 (C.40A:4-45.45b).

C.2A:158-1a Preparation of annual budget request by county prosecutor.

10. A county prosecutor shall prepare the annual budget request for the county prosecutor's office pursuant to the requirements of section 3 of P.L.2015, c.249 (C.40A:4-45.45b).

C.19:6-21.1 Preparation of annual budget request by county board of elections.

11. A county board of elections shall prepare the annual budget request for the office of county board of elections pursuant to the requirements of section 3 of P.L.2015, c.249 (C.40A:4-45.45b).

C.40A:4-45.45c Rules, regulations.

12. The Director of the Division of Local Government Services in the Department of Community Affairs, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall promulgate rules and regulations as may be necessary to effectuate the provisions of this act.

13. This act shall take effect immediately and shall first apply to the county budget year commencing on January 1, 2017.

Approved January 19, 2016.