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October 21, 2020

- I. Hospital Property Tax Subsidy Bills to be Considered by Senate Committee
- II. Governor Murphy Signs Legislation that Establishes Standards for Electric Vehicle Charging Station
- III. *NJ Municipalities Magazine* Seeking Your Stories

Municipal Clerks: Please forward to your Mayor, Governing Body and Department Heads.

To assist in providing guidance and information we have created a [COVID-19 resource page](#). We will continue to update the page as we get pertinent information and include announcements in our Daily Updates.

I. Hospital Property Tax Subsidy Bills to be Considered by Senate Committee

Late yesterday afternoon, the Senate Budget and Appropriations Committee added to its agenda for tomorrow three bills which the League opposes. [S-357/A-1135](#) and [S-624](#) seek to address the ongoing issue of property tax exemptions for nonprofit hospitals with on-site for profit medical providers.

A-1135 has already passed in the Assembly and if S-357 and S-624 is released from committee tomorrow, it is expected they will be before the full Senate for a vote on October 29.

Your State Senator needs to hear from you on this.

The issue stems from a tax court decision which brought to light how the business model for modern hospitals does not comport with the original public policy reasons for

exempting non-profit hospitals from property taxes. While the League is supportive of a legislative solution to this issue we do not believe these bills provide a proper solution.

As a threshold matter, these bills set up an unconstitutional tax exemption. Notwithstanding the constitutional issues, the proposed legislation poses other concerns as it attempts to create a Community Service Contribution (CSC) fee which would be paid by hospitals organized as non-profits in lieu of any property tax. The CSC fee is calculated based on the amount of licensed acute-care beds in a hospital which, based on industry trends, would mean the fee would be reduced each year as hospitals move away from these types of beds.

We encourage our members to review S-357/A-1135 and S-624, and if possible have your voice heard at tomorrow's Committee hearing by either signing up to testify in person or submitting written comments. We also urge our members, especially those hosting non-profit hospitals, to reach out to [your legislators](#) expressing how this legislation would impact you and your municipal property taxpayers.

Contact: Frank Marshall, Esq., Associate General Counsel, FMarshall@njlm.org or 609-695-3481 x 137.

II. Governor Murphy Signs Legislation that Establishes Standards for Electric Vehicle Charging Station

Monday, Governor Murphy signed [A-3367](#) into law, which establishes and encourages the installation of electric vehicle charging stations in common interest communities. P.L. 2020, c. 108 took effect immediately.

P.L. 2020, c. 108 allows for common communities to create reasonable regulations if they do not affect the price of the installation for the electric vehicle charging station. Any resident who wishes to have an electric vehicle charging station installed must comply with the common communities' architectural standards, hire a licensed contractor to install the electric charging station, including all necessary improvements and signage. They must hire a licensed electrician to install all necessary electric lines and electrical infrastructure in compliance with the association's architectural standards. They will be responsible for electricity usage associated with the electric vehicle charging station.

In addition, the homeowner must obtain, maintain, and provide evidence of insurance protecting the association and the other unit owners from damage because of the electric vehicle charging station.

The association may charge reasonable fees to recover the costs of the review and approval of an application for the installation or use of an electric vehicle charging station, including, engineering and legal fees. An association may require an applicant to place anticipated review charges in escrow before commencing review of an application.

Contact: Andrew LaFevre Legislative Analyst, Alafevre@njlm.org , 609-695-3481 x116.

III. NJ Municipalities Magazine Seeking Your Stories

Local officials are invited to share their stories with the readers of *New Jersey Municipalities* magazine. Do you have a successful initiative or an innovation that could help your fellow local governments in the Garden State? We are now accepting article queries from local government project and program leaders for potential publication in the League magazine's 2021 issues.

For the editorial calendar and editorial submission guide, please [visit the magazine's webpage](#) or contact Managing Editor Amy Spiezio at aspiezio@njlm.org.

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