

SENATE, No. 535

STATE OF NEW JERSEY

220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

SYNOPSIS

Authorizes local tax on storage of empty shipping containers.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

An Act authorizing municipalities to impose taxes on the storage of empty shipping containers, and supplementing P.L.1970, c.326 (C.40:48C-1 et seq.).

Be It Enacted by the Senate and General Assembly of the State of New Jersey:

1. a. The governing body of a municipality may provide, by ordinance, for the imposition and collection of a tax on empty ISO shipping containers stored within the municipality, at the rates and in the manner provided by ordinance.

b. As used in this section:

"ISO shipping container" or "ISO container" means any standardized shipping container constructed in accordance with the standard sizes promulgated by the International Standards Organization for use in intermodal transportation of goods by ship, rail or truck, which shall include but shall not be limited to containers that are 20 feet in length and 8 feet in width, 40 feet in length and 8 feet in width, 45 feet in length and 8 feet in width, 48 feet in length and 8 feet in width, and 53 feet in length and 8 feet in width;

c. All taxes collected by a municipality pursuant to this section shall be remitted to the chief financial officer of the municipality, who shall:

(1) deposit 75% of the amounts collected in a trust account established by the municipality and dedicated exclusively for the purpose of funding infrastructure projects within the municipality, and

(2) remit 25% of the amounts collected to the chief financial officer of the county within which the municipality is located. The chief financial officer of the county shall deposit those amounts in a trust account established by the county and dedicated for the purpose of funding either infrastructure projects within the municipality which collected the tax, or for the acquisition or maintenance of open space within the municipality which collected the tax.

d. The Director of the Division of Local Government Services in the Department of Community Affairs, in consultation with the Director of the Division of Taxation in the Department of the Treasury, shall, within 60 days of the date of enactment of this act, adopt a model ordinance to aid municipal governing bodies considering the imposition and collection of a tax on empty ISO shipping containers pursuant to this section.

2. This act shall take effect immediately.

STATEMENT

This bill would authorize municipalities to impose taxes on empty ISO shipping containers which are stored within their boundaries. A municipality would retain 75% of the amounts collected and remit 25% of the amounts collected to the county. Amounts retained by a municipality would be held in trust and used to fund infrastructure projects within the municipality. Amounts remitted to the county would be held in trust and used to fund infrastructure projects or for the acquisition or maintenance of open space within the municipality which collected the tax.

Under the bill, the Directors of the Division of Local Government Services and the Division of Taxation would adopt a model ordinance to aid municipal governing bodies considering imposing a tax on empty ISO shipping containers.