

CHAPTER 9**UNIFORM TRANSITIONAL UTILITY ASSESSMENT****Authority**

N.J.S.A. 54:30A-122 and 54:50-1.

Source and Effective Date

R.2006 d.319, effective August 8, 2006.
See: 38 N.J.R. 2083(a), 38 N.J.R. 3658(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 9, Uniform Transitional Utility Assessment, expires on August 8, 2013. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 9, Business Personal Property Tax Act, was adopted and became effective prior to September 1, 1969.

Pursuant to Executive Order 66(1978), Chapter 9, Business Personal Property Tax Act, was readopted as R.1983 d.354, effective August 12, 1983. See: 15 N.J.R. 1081(a), 15 N.J.R. 1487(a).

Pursuant to Executive Order 66(1978), Chapter 9, Business Personal Property Tax Act, was readopted as R.1988 d.297, effective June 7, 1988. See: 20 N.J.R. 511(a), 20 N.J.R. 1570(c).

Pursuant to Executive Order No. 66(1978), Chapter 9, Business Personal Property Tax Act, was readopted as R.1993 d.312, effective June 4, 1993. See: 25 N.J.R. 1485(b), 25 N.J.R. 2899(b). Pursuant to Executive Order No. 66(1978), Chapter 9 expired on June 4, 1998.

Chapter 9, Uniform Transitional Utility Assessment, was adopted as new rules by R.2001 d.160, effective May 21, 2001. See: 32 N.J.R. 3971(a), 33 N.J.R. 1606(a).

Chapter 9, Uniform Transitional Utility Assessment, was readopted as R.2006 d.319, effective August 8, 2006. See: Source and Effective Date.

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18:9-1.1 Subjectivity to Uniform Transitional Utility Assessment

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(a) Telephone companies that were subject to the provisions of P.L. 1940, c.4 (N.J.S.A. 54:30A-16 et seq.) as of April 1, 1997, and gas and electric light, heat and power corporations that were subject to the provisions of P.L. 1940, c.5 (N.J.S.A. 54:30A-49 et seq.), municipal or otherwise, prior to January 1, 1998 shall be subject to the Uniform Transitional Utility Assessment (UTUA) Act, N.J.S.A. 54:30A-114 et seq.

(b) Corporate or non-corporate legal successors or assigns to the entities in (a) above, whether through any reorganization, sale, bankruptcy, consolidation, merger or other transaction or occurrence of any kind without limitation, shall also be subject to the UTUA. These successors and assigns shall be liable for the UTUA whether or not a transfer of corporate stock or a sale of corporate assets is involved.

(c) In a situation involving the sale of corporate assets, the successor corporation shall be liable for the UTUA only on the Corporation Business Tax and Sales and Use Tax related to such assets.