

[First Reprint]

SENATE, No. 3584

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 25, 2021

Sponsored by:

Senator **LINDA R. GREENSTEIN**

District 14 (Mercer and Middlesex)

Senator **SHIRLEY K. TURNER**

District 15 (Hunterdon and Mercer)

Senator **NICHOLAS J. SACCO**

District 32 (Bergen and Hudson)

Assemblyman **VINCENT MAZZEO**

District 2 (Atlantic)

Assemblyman **JOHN ARMATO**

District 2 (Atlantic)

Assemblyman **BRIAN BERGEN**

District 25 (Morris and Somerset)

Co-Sponsored by:

Senators Diegnan, Gopal, A.M.Bucco, O'Scanlon, Pennacchio, Schepisi, Holzapfel, Addiego, T.Kean, Bateman, Pou, Sarlo, Assemblywomen Jasey, Jimenez, Murphy, Assemblyman Mejia, Assemblywomen Chaparro, Vainieri Huttle, Assemblyman McKeon, assemblywoman N.Munoz, Assemblymen Catalano, McGuckin, Assemblywoman DiMaso, Assemblymen Moriarty, Johnson, Scharfenberger, Spearman, Stanley, Assemblywoman Timberlake, Assemblymen Karabinchak and Mukherji

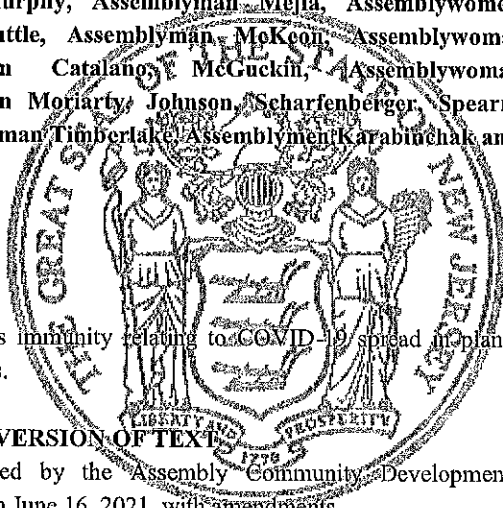
SYNOPSIS

Establishes immunity relating to COVID-19 spread in planned real estate developments.

CURRENT VERSION OF TEXT

As reported by the Assembly Community Development and Affairs Committee on June 16, 2021, with amendments.

(Sponsorship Updated As Of: 6/24/2021)



1 AN ACT establishing immunity relating to COVID-19 spread in
 2 planned real estate developments ¹[and supplementing Title 2A of
 3 the New Jersey Statutes]¹.
 4

5 BE IT ENACTED by the Senate and General Assembly of the State
 6 of New Jersey:
 7

8 1. a. ¹[Any illness, injury, death, or other] A planned real estate
 9 development shall be immune from civil liability for¹ damages arising
 10 from, or related to, an exposure to, or transmission of, COVID-19 on
 11 the premises of ¹[a] the¹ planned real estate development ¹[shall not
 12 give rise to any cause of action.] , so long as the planned real estate
 13 development has prominently displayed at the entrance of any
 14 communal space shared by the planned real estate development's
 15 residents and their guests, such as pools, gyms, and clubhouses, a sign
 16 stating the following warning:

17 "ANY PERSON ENTERING THE PREMISES WAIVES ALL CIVIL
 18 LIABILITY AGAINST THE PLANNED REAL ESTATE
 19 DEVELOPMENT FOR DAMAGES ARISING FROM, OR
 20 RELATED TO, AN EXPOSURE TO, OR TRANSMISSION OF,
 21 COVID-19 ON THE PREMISES, EXCEPT FOR ACTS OR
 22 OMISSIONS CONSTITUTING A CRIME, ACTUAL FRAUD,
 23 ACTUAL MALICE, GROSS NEGLIGENCE, RECKLESSNESS, OR
 24 WILLFUL MISCONDUCT."¹

25 b. The immunity provided pursuant to subsection a. of this section
 26 shall not apply to acts or omissions constituting a crime, actual fraud,
 27 actual malice, gross negligence, recklessness, or willful misconduct.

28 c. ¹Nothing in this section shall be construed to limit or modify
 29 any claim for relief under the workers' compensation law, R.S.34:15-1
 30 et seq.

31 d.¹ As used in this section:

32 "COVID-19" means the coronavirus disease 2019, as announced
 33 by the World Health Organization on February 11, 2020, and first
 34 identified in Wuhan, China.

35 "Planned real estate development" means the same as that term is
 36 defined in section 3 of P.L.1977, c.419 (C.45:22A-23).
 37

38 2. This act shall take effect immediately ¹and shall expire on the
 39 first day of calendar year 2022¹.

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 ACD committee amendments adopted June 16, 2021.