SYNOPSIS
Extends and changes statute of limitations for actions by the State pursuant to various environmental cleanup laws.

CURRENT VERSION OF TEXT
As introduced.
AN ACT concerning the limitation of actions under certain environmental laws, and amending P.L.1991, c.387.

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

1. Section 2 of P.L.1991, c.387 (C.2A:14-1.2) is amended to read as follows:

2. a. (1) Except as provided in paragraph (2) of this subsection, or except where a limitations provision expressly and specifically applies to actions commenced by the State or where a longer limitations period would otherwise apply, and subject to any statutory provisions or common law rules extending limitations periods, any civil action commenced by the State shall be commenced within ten years next after the cause of action shall have accrued.

   (2) Except where a limitations provision expressly and specifically applies to actions commenced by the State or where a longer limitations period would otherwise apply, and subject to any statutory provisions or common law rules extending limitations periods, any civil action concerning the remediation of a contaminated site or the closure of a sanitary landfill facility commenced by the State pursuant to the State's environmental laws shall be commenced within three years next after the cause of action shall have accrued.

b. (1) For purposes of determining whether a civil action subject to the limitations period specified in paragraph (1) of subsection a. of this section has been commenced within time, no cause of action shall be deemed to have accrued prior to January 1, 1992.

   (2) For purposes of determining whether a civil action subject to the limitations period specified in paragraph (2) of subsection a. of this section has been commenced within time, no cause of action shall be deemed to have accrued prior to January 1, 2002, or until the contaminated site has been remediated or the sanitary landfill facility has been properly closed, whichever is later.


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.
"Sanitary Landfill Facility Closure and Contingency Fund Act."
P.L.1981, c.306 (C.13:1E-100 et seq.), the "Regional Low-Level
(C.13:1E-177 et seq.), or any other law or regulation by which the
State may compel a person to perform remediation activities on
contaminated property; and
"State" means the State, its political subdivisions, any office,
department, division, bureau, board, commission or agency of the
State or one of its political subdivisions, and any public authority or
public agency, including, but not limited to, the New Jersey Transit
Corporation and the University of Medicine and Dentistry of New
Jersey.
(cf:  P.L.1991, c.387, s.2)

2. This act shall take effect immediately.

STATEMENT

This bill would extend and change the statute of limitations for civil
actions brought by the State pursuant to laws concerning the
remediation of contaminated sites or the closure of sanitary landfill
facilities. The bill would provide that a cause of action concerning the
remediation of contaminated sites or the closure of sanitary landfill
facilities shall not be deemed to have accrued, for the purposes of the
statute of limitations, prior to January 1, 2002, or until the
contaminated site has been remediated or the landfill has been properly
closed, whichever is later, in which case any civil action by the State
must be commenced within three years next after the cause of action
shall have accrued.