Sponsored by:
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District 20 (Union)
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SYNOPSIS
Requires legal action against certain licensed persons to be brought within two years.

CURRENT VERSION OF TEXT
As introduced.

(Sponsorship Updated As Of: 9/16/2008)
AN ACT concerning limitations of civil actions and amending
N.J.S.2A:14-1

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

1. N.J.S.2A:14-1 is amended to read as follows:
   2A:14-1. a. Every action at law for trespass to real property, for
   any tortious injury to real or personal property, for taking,
   detaining, or converting personal property, for replevin of goods or
   chattels, for any tortious injury to the rights of another not stated in
   [sections] N.J.S.2A:14-2 and N.J.S.2A:14-3 [of this Title], or for
   recovery upon a contractual claim or liability, express or implied,
   not under seal, or upon an account other than one which concerns
   the trade or merchandise between merchant and merchant, their
   factors, agents and servants, shall be commenced within 6 years
   next after the cause of any such action shall have accrued.

   This section shall not apply to any action for breach of any
   contract for sale governed by [section] N.J.S.12A:2-725 [of the
   New Jersey Statutes] or to any action subject to the requirements of

   b. Notwithstanding the provisions of subsection a. of this
      section, every action at law against licensed persons as defined by
      section 1 of P.L.1995, c.139 (C.2A:53A-26) and which is subject to
      the requirements of section 2 of P.L.1995, c.139 (C.2A:53A-27)
      shall be commenced within two years next after the cause of the
      action shall have occurred. Attorneys fees shall not be awarded in
      any action subject to the limitations period in this subsection,
      except where authorized by statute or the New Jersey Rules of
      Court.
      (cf: P.L.1961, c.121, s.1)

2. This act shall take effect immediately.

STATEMENT

This bill reduces the statute of limitations period for certain
actions against professionals who are licensed persons as defined in

Specifically, the bill amends current law to reduce the six year
limitations period to two years for actions against certain licensed
professionals.

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.
By establishing a two year statute of limitations for certain claims, licensed professionals will be treated in the same manner as health care providers subject to the two year statute limitations period set forth in N.J.S.2A:14-2. A two year statute of limitations period, moreover, will provide businesses offering professional services to predict with greater certainty, potential liabilities and to plan for such liabilities accordingly.

The bill also prohibits the award of attorney fees in an action brought against a licensed professional pursuant to the bill, unless they are authorized by statute or the Rules of Court.