Sponsored by:
Assemblywoman ANNETTE QUIJANO
District 20 (Union)
Assemblyman BENJIE E. WIMBERLY
District 35 (Bergen and Passaic)

SYNOPSIS
Requires certain civil actions against licensed persons to be brought within two years.

CURRENT VERSION OF TEXT
As introduced.
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 for professional malpractice against any of the persons listed in subsection b. of this section.

b. (1) An action for professional malpractice against any of the following persons shall be commenced within two years next after the cause of the action shall have accrued:

(a) an accountant licensed pursuant to P.L.1997, c.259 (C.45:2B-42 et seq.);
(b) an architect licensed pursuant to R.S.45:3-1 et seq.;
(c) an attorney admitted to practice law in New Jersey;
(d) an engineer licensed pursuant to P.L.1938, c.342 (C.45:8-27 et seq.); or
(e) a land surveyor pursuant to P.L.1938, c.342 (C.45:8-27 et seq.).

(2) Attorneys’ fees shall not be awarded in any action subject to the limitations period in this subsection except where authorized by statute or the Rules Governing the Courts of the State of New Jersey.

(cf: P.L.1961, c.121, s.1)

2. This act shall take effect immediately.

STATEMENT

This bill shortens the statute of limitations for malpractice actions against certain licensed persons.

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.
Currently, N.J.S.A.2A:14-1 provides that certain civil actions must be brought within six years after the cause of action accrues. Under the bill, actions for professional malpractice against any of the persons listed below would be required to be brought within two years after the cause of action accrues:

(a) an accountant licensed pursuant to P.L.1997, c.259 (C.45:2B-42 et seq.);
(b) an architect licensed pursuant to R.S.45:3-1 et seq.;
(c) an attorney admitted to practice law in New Jersey;
(d) an engineer licensed pursuant to P.L.1938, c.342 (C.45:8-27 et seq.); or
(e) a land surveyor pursuant to P.L.1938, c.342 (C.45:8-27 et seq.).

The bill provides that attorneys’ fees could not be awarded in any action against these professionals except where authorized by statute or the Rules Governing the Courts of the State of New Jersey.