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SYNOPSIS
Establishes new liability standards in sexual abuse lawsuits filed against public entities and public employees.

CURRENT VERSION OF TEXT
As reported by the Assembly Budget Committee on June 17, 2019, with amendments.

(Sponsorship Updated As Of: 6/21/2019)
AN ACT concerning civil actions against public entities and public employees arising from acts of sexual abuse and amending P.L.2019, c.120.

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

1. Section 7 of P.L.2019, c.120 (C.59:2-1.3) is amended to read as follows:

7. a. Notwithstanding any [other] law to the contrary, including but not limited to the “New Jersey Tort Claims Act,” N.J.S.59:1-1 et seq. [.] to the contrary ;

   (1) [any] immunity from civil liability granted [by that act] to a public entity [is liable in an action at law for an injury resulting from the commission of] or public employee shall not apply to an action at law [claiming that a willful, wanton or grossly negligent act of a public entity or public employee resulted in] for damages as a result of a sexual assault, any other crime of a sexual nature, a prohibited sexual act as defined in section 2 of P.L.1992, c.7 (C.2A:30B-2), or sexual abuse as defined in section 1 of P.L.1992, c.109 (C.2A:61B-1) being committed against a person [which was caused by a willful, wanton or grossly negligent act of the public entity or public employee]; and

   (2) [any] immunity from civil liability granted [by that act] to a public entity shall not apply to an action at law [claiming that the negligent hiring, supervision or retention of any public employee resulted in] for damages as a result of a sexual assault, any other crime of a sexual nature, a prohibited sexual act as defined in section 2 of P.L.1992, c.7 (C.2A:30B-2), or sexual abuse as defined in section 1 of P.L.1992, c.109 (C.2A:61B-1) being committed against a minor under the age of 18 [which was caused by the negligent hiring, supervision or retention of any public employee].

b. Every action at law involving a public entity or public employee as described in subsection a. of this section shall be subject to the statute of limitations set forth in section 2 of P.L.2019, c.120 (C.2A:14-2a), and may be brought during the two-year period set forth in subsection a. of section 9 of P.L.2019, c.120 (C.2A:14-2b), notwithstanding that the action would otherwise be barred through application of the statute of limitations.

(cf: P.L.2019, c.120, s.7)

2. This act shall take effect on December 1, 2019, the same day that P.L.2019, c.120 (C.2A:14-2a et al.) takes effect, and shall apply to any cause of action filed on or after that date, as well as any cause of action filed prior to that effective date that has not yet been finally adjudicated or dismissed by a court as of that effective date.

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:

Assembly ABU committee amendments adopted June 17, 2019.