

**SENATE, No. 1250**

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**STATE OF NEW JERSEY**

**218th LEGISLATURE**

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INTRODUCED JANUARY 25, 2018

**Sponsored by:**

**Senator JAMES W. HOLZAPFEL**

**District 10 (Ocean)**

**SYNOPSIS**

Provides certain immunities from spectator-based lawsuits arising from youth sports events.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT providing certain immunities from spectator-based lawsuits  
2 arising from youth sports events and supplementing Title 2A of  
3 the New Jersey Statutes.

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

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8 1. a. As used in this section:

9 “Spectator” means a person who is present at a youth sports  
10 event for the purpose of observing that event, whether or not an  
11 admission fee is paid.

12 “Youth sports event” means a competition, practice, or  
13 instructional event involving one or more interscholastic sports  
14 teams or youth sports teams organized pursuant to a nonprofit or  
15 similar charter or which are member teams in a youth league  
16 organized by or affiliated with a county or municipal recreation  
17 department, but shall not include a collegiate, semi-professional, or  
18 professional sporting event.

19 b. (1) Notwithstanding any other provision of law, a spectator of  
20 a youth sports event is presumed to have knowledge of and to have  
21 assumed the inherent risks of observing that particular event. This  
22 assumption of risk shall act as a complete bar to suit by the  
23 spectator or party related to the spectator for damages arising out of  
24 and in the course of the competition, practice, or instructional  
25 activity associated with the youth sports event. It shall also act as a  
26 complete defense for a party to a suit brought by the spectator or  
27 any party related to the spectator for damages arising out of and in  
28 the course of the competition, practice, or instructional activity  
29 associated with the youth sports event.

30 (2) This section shall not be deemed to grant any form of  
31 immunity to any person causing damage to a spectator by a willful,  
32 wanton, or grossly negligent act of commission or omission.

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34 2. This act shall take effect immediately and apply to any youth  
35 sports event occurring on or after that effective date.

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#### 38 STATEMENT

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40 This bill would provide parties immunity from lawsuits by a  
41 spectator or party related to the spectator for damages arising out of  
42 and in the course of the competition, practice, or instructional  
43 activity associated with a youth sports event, based upon the  
44 spectator’s presumed knowledge and assumption of any inherent  
45 risks of observing that event. The bill describes a “youth sports  
46 event” as “a competition, practice, or instructional event involving  
47 one or more interscholastic sports teams or youth sports teams  
48 organized pursuant to a nonprofit or similar charter or which are

1 member teams in a youth league organized by or affiliated with a  
2 county or municipal recreation department.” However, the bill’s  
3 description expressly excludes a collegiate, semi-professional, or  
4 professional sporting event.

5 Although the bill establishes general immunity for spectator-  
6 based lawsuits arising from youth sports events, it would not extend  
7 such immunity to a player or other event participant who caused  
8 damage to a spectator by a willful, wanton, or grossly negligent act  
9 of commission or omission.