

ASSEMBLY, No. 4497

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED AUGUST 10, 2020

Sponsored by:

Assemblyman CHRISTOPHER P. DEPHILLIPS

District 40 (Bergen, Essex, Morris and Passaic)

Assemblywoman AURA K. DUNN

District 25 (Morris and Somerset)

SYNOPSIS

Provides immunity for landlords and landowners for injury or death related to coronavirus disease alleged to have been sustained by tenant, lessee, invitee, or trespasser as result of act or omission by landlord or landowner during public health emergency or state of emergency declared by Governor.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 8/13/2020)

1 AN ACT providing certain immunity from liability for landlords and
2 landowners during public health emergency and state of
3 emergency.

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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. Notwithstanding the provisions of any law, rule, or
9 regulation to the contrary, a landlord or owner of premises, whether
10 or not improved or maintained in a natural condition, or used as part
11 of a commercial enterprise, shall not be liable for civil damages for
12 injury or death related to coronavirus disease alleged to have been
13 sustained by a tenant, lessee, licensee, invitee, or trespasser as a
14 result of an act or omission by the landlord or owner during the
15 public health emergency or state of emergency declared by the
16 Governor in Executive Order 103 of 2020. The immunity granted
17 pursuant to this section shall not apply to acts or omissions
18 constituting a crime, actual fraud, actual malice, gross negligence,
19 recklessness, or willful misconduct.

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21 2. This act shall take effect immediately and shall be
22 retroactive to March 9, 2020.

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25 STATEMENT

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27 This bill provides certain immunities for landlords and
28 landowners. Under the bill, these persons and entities would not be
29 liable for civil damages for injury or death alleged to have been
30 sustained by a tenant, lessee, licensee, invitee, or trespasser as a
31 result of an act or omission by the landlord or landowner during the
32 public health emergency or state of emergency declared by the
33 Governor in Executive Order 103 of 2020.

34 The immunity granted under the bill would not apply to acts or
35 omissions constituting a crime, actual fraud, actual malice, gross
36 negligence, recklessness, or willful misconduct.

37 The bill would take effect immediately and would be retroactive
38 to March 9, 2020, the date the Governor issued Executive Order
39 103 of 2020.