

[First Reprint]

ASSEMBLY, No. 4979

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED NOVEMBER 12, 2020

Sponsored by:

Assemblyman VINCENT MAZZEO

District 2 (Atlantic)

Assemblyman JOHN ARMATO

District 2 (Atlantic)

Assemblyman BRIAN BERGEN

District 25 (Morris and Somerset)

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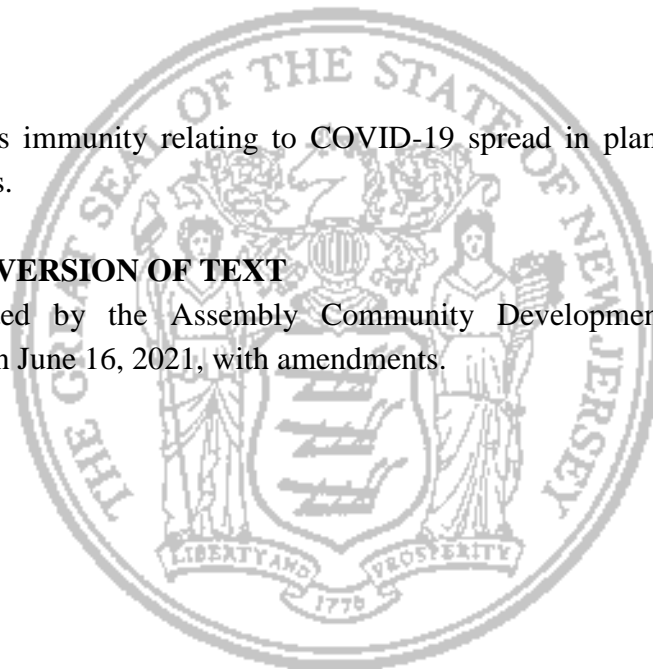
**Assemblywomen Jasey, Jimenez, Murphy, Assemblyman Mejia,
Assemblywomen Chaparro, Vainieri Huttle, Assemblyman McKeon,
Assemblywoman N.Munoz, Assemblymen Catalano, McGuckin,
Assemblywoman DiMaso, Assemblymen Moriarty, Johnson,
Scharfenberger, Spearman, Stanley, Assemblywoman Timberlake,
Assemblymen Karabinchak and Mukherji**

SYNOPSIS

Establishes immunity relating to COVID-19 spread in planned real estate developments.

CURRENT VERSION OF TEXT

As reported by the Assembly Community Development and Affairs Committee on June 16, 2021, with amendments.



(Sponsorship Updated As Of: 6/24/2021)

1 AN ACT establishing immunity relating to COVID-19 spread in
2 planned real estate developments ¹[and supplementing Title 2A
3 of the New Jersey Statutes]¹.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. a. ¹[Any illness, injury, death, or other] A planned real
9 estate development shall be immune from civil liability for¹
10 damages arising from, or related to, an exposure to, or transmission
11 of, COVID-19 on the premises of ¹[a] the¹ planned real estate
12 development ¹[shall not give rise to any cause of action.] , so long
13 as the planned real estate development has prominently displayed at
14 the entrance of any communal space shared by the planned real
15 estate development’s residents and their guests, such as pools,
16 gyms, and clubhouses, a sign stating the following warning:
17 “ANY PERSON ENTERING THE PREMISES WAIVES ALL
18 CIVIL LIABILITY AGAINST THE PLANNED REAL ESTATE
19 DEVELOPMENT FOR DAMAGES ARISING FROM, OR
20 RELATED TO, AN EXPOSURE TO, OR TRANSMISSION OF,
21 COVID-19 ON THE PREMISES, EXCEPT FOR ACTS OR
22 OMISSIONS CONSTITUTING A CRIME, ACTUAL FRAUD,
23 ACTUAL MALICE, GROSS NEGLIGENCE, RECKLESSNESS,
24 OR WILLFUL MISCONDUCT.”¹

25 b. The immunity provided pursuant to subsection a. of this
26 section shall not apply to acts or omissions constituting a crime,
27 actual fraud, actual malice, gross negligence, recklessness, or
28 willful misconduct.

29 c. ¹Nothing in this section shall be construed to limit or modify
30 any claim for relief under the workers’ compensation law,
31 R.S.34:15-1 et seq.

32 d.¹ As used in this section:

33 “COVID-19” means the coronavirus disease 2019, as announced
34 by the World Health Organization on February 11, 2020, and first
35 identified in Wuhan, China.

36 “Planned real estate development” means the same as that term is
37 defined in section 3 of P.L.1977, c.419 (C.45:22A-23).
38

39 2. This act shall take effect immediately ¹and shall expire on
40 the first day of calendar year 2022¹.

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:

¹Assembly ACD committee amendments adopted June 16, 2021.