

[First Reprint]

**SENATE, No. 3584**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED MARCH 25, 2021

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**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 <sup>1</sup>and supplementing Title 2A of  
 3 the New Jersey Statutes<sup>1</sup>.  
 4

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

8 1. a. <sup>1</sup>~~Any illness, injury, death, or other~~ A planned real estate  
 9 development shall be immune from civil liability for<sup>1</sup> damages arising  
 10 from, or related to, an exposure to, or transmission of, COVID-19 on  
 11 the premises of <sup>1</sup>~~a~~ the<sup>1</sup> planned real estate development <sup>1</sup>~~shall not~~  
 12 ~~give rise to any cause of action.~~ , so long as the planned real estate  
 13 development has prominently displayed at the entrance of any  
 14 communal space shared by the planned real estate development's  
 15 residents and their guests, such as pools, gyms, and clubhouses, a sign  
 16 stating the following warning:

17 “ANY PERSON ENTERING THE PREMISES WAIVES ALL CIVIL  
 18 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, OR  
 24 WILLFUL MISCONDUCT.”<sup>1</sup>

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

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

31 d.<sup>1</sup> As used in this section:

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

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

38 2. This act shall take effect immediately <sup>1</sup>and shall expire on the  
 39 first day of calendar year 2022<sup>1</sup>.

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:

<sup>1</sup>Assembly ACD committee amendments adopted June 16, 2021.