SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1522

STATE OF NEW JERSEY

DATED: NOVEMBER 7, 1996

The Senate Law and Public Safety Committee reports favorably Assembly Bill No. 1522.

Assembly Bill No. 1522 provides immunity from civil liability to counties and municipalities for community service performed by certain juveniles. Current law (section 1 of P.L.1991, c.56; C.59:7A-1) currently extends this immunity to counties and municipalities for adult offenders who perform community service. This bill amends that section of law to include juveniles adjudged delinquent or diverted by juvenile conference committees. Thus, a county or municipality would not be liable in any civil action for damages to an offender, a juvenile adjudged delinquent or diverted by a conference committee, or any other person arising out of and in the course of the performance of community service.

The bill also supplements Title 2A of the New Jersey Statutes to provide immunity to certain nonprofit organizations for community service performed by adult offenders and certain juveniles. The bill provides this immunity to any board, council or governing body of any nonprofit corporation, society or association as provided in P.L.1959, c.90 (C.2A:53A-7 to 2A:53A-11), or a nonprofit federation council or affiliated group composed of these organizations or a voluntary association as provided by P.L.1979, c.172 (C.18A:11-3) or to a conference under the jurisdiction of such a voluntary association and the organizations themselves.

There is no immunity under the bill if the damages suffered by an adult offender or juvenile or any other person were caused by a willful, wanton, or grossly negligent act of commission or omission or if the damages resulted from the negligent operation of a motor vehicle.