

[First Reprint]

SENATE, No. 3594

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MARCH 25, 2021

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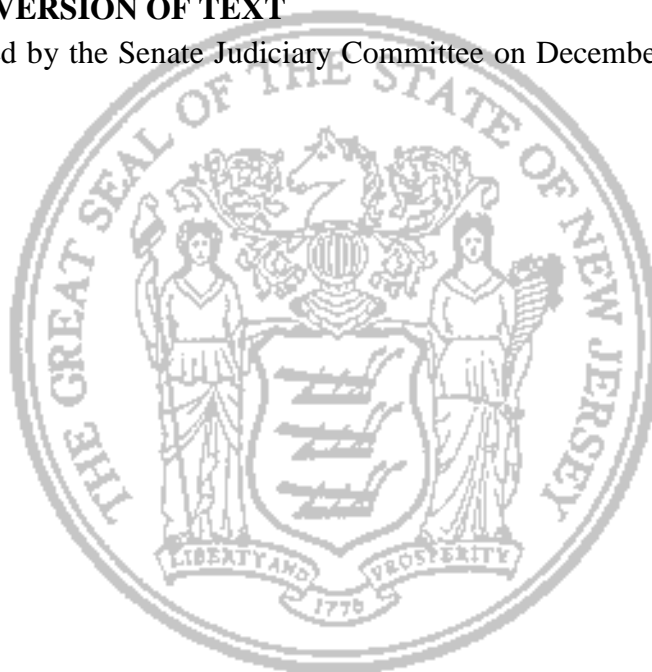
Senators Pou and Turner

SYNOPSIS

Provides that calculations for lost or impaired earnings capacity not be reduced based on class, trait, or characteristic protected under “Law Against Discrimination” in lawsuits arising from certain causes of action.

CURRENT VERSION OF TEXT

As reported by the Senate Judiciary Committee on December 2, 2021, with amendments.



(Sponsorship Updated As Of: 12/6/2021)

1 AN ACT concerning the calculations of certain damages in civil
2 actions and supplementing Title 2A of the New Jersey Statutes.

3

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

6

7 1. a. In ¹**[a]** any¹ civil action arising from personal injury or
8 wrongful death, ¹civil rights violation, employment violation, or
9 any other substantially similar harm,¹ any estimations, measures, or
10 calculations of past, present, or future damages for lost earnings or
11 impaired earning capacity shall not be reduced because of ¹**[race,**
12 **ethnicity, or gender]** any class, trait, or characteristic protected
13 under the “Law Against Discrimination,” P.L.1945, c.169 (C.10:5-
14 1 et seq.)¹.

15 b. In any such civil action, any reduction of damages based
16 upon statistical tables alone shall be deemed to be against the public
17 policy of this State ¹unless agreed to by all parties in the civil
18 action¹.

19

20 2. This act shall take effect immediately ¹and shall apply only
21 to civil actions commenced on or after the effective date of this
22 act¹.

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:

¹Senate SJU committee amendments adopted December 2, 2021.