

2A:62A-6

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2A:62A-6

("Little League  
Immunity"  
Statute--clarify  
training program  
requirements)

LAWS OF: 1988

CHAPTER: 87

Bill No: S1521

Sponsor(s): Dalton

Date Introduced: Pre-filed

Committee: Assembly: Insurance

Senate: Judiciary

Amended during passage: Yes Amendments during passage  
denoted by asterisks.

Date of Passage: Assembly: June 9, 1988

Senate: March 3, 1988

Date of Approval: August 3, 1988

Following statements are attached if available

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

See newspaper clipping--attached  
"Little League immunity broadened." 8-4-88 Star Ledger

DEPOSITORY COPY  
Do Not Remove From Library

P.L. 1988. CHAPTER 87, approved August 3, 1988

1988 Senate No. 1521 (Second Reprint)

CORRECTED COPY

1 AN ACT concerning <sup>2</sup>{civil}<sup>2</sup> immunity from <sup>2</sup>civil<sup>2</sup> liability  
 2 <sup>2</sup>{for certain volunteer athletic coaches <sup>1</sup>{and} <sup>1</sup> officials  
 3 <sup>1</sup>and sponsors<sup>1</sup>} in certain athletic activities, amending P.L.  
 4 1987, c. 87<sup>2</sup> and amending <sup>2</sup>and supplementing<sup>2</sup> P.L. 1986, c.  
 5 13 <sup>2</sup>{<sup>1</sup>and P.L. 1987, c. 87<sup>1</sup>}<sup>2</sup>.

7 BE IT ENACTED by the Senate and General Assembly of the  
 8 State of New Jersey:

9 1. Section 1 of P.L. 1986, c. 13 (C. 2A:62A-6) is amended to  
 10 read as follows:

11 1. a. Notwithstanding any provisions of law to the contrary,  
 12 no person who provides services or assistance free of charge,  
 13 except for reimbursement of expenses, as an athletic coach,  
 14 manager, or official <sup>2</sup>, other than a sports official accredited by  
 15 a voluntary association as provided by P.L. 1979, c. 172  
 16 (C. 18A:11-3) and exempted from liability pursuant to P.L. 1987,  
 17 c. 239 (C. 2A:62A-6.1),<sup>2</sup> for a sports team which is organized or  
 18 performing pursuant to a nonprofit or similar charter <sup>1</sup>or which  
 19 is <sup>2</sup>{sponsored or funded by} a member team in a league  
 20 organized by or affiliated with<sup>2</sup> a county or <sup>2</sup>{municipality<sup>1</sup>}  
 21 municipal recreation department,<sup>2</sup> shall be liable in any civil  
 22 action for damages to a player <sup>1</sup>{or} <sup>1</sup> participant <sup>1</sup>or  
 23 spectator<sup>1</sup> as a result of his acts of commission or omission  
 24 arising out of and in the course of his rendering that service or  
 25 assistance.

26 b. The provisions of subsection a. of this section shall apply  
 27 not only to organized sports competitions, but shall also apply to  
 28 practice and instruction in that sport.

29 c. (1) Nothing in this section shall be deemed to grant  
 30 immunity to any person causing damage by his willful, wanton,  
 31 or grossly negligent act of commission or omission, nor to any

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> Senate SJU committee amendments adopted February 18, 1988.

<sup>2</sup> Assembly AIN committee amendments adopted May 23, 1988.

1 coach, manager, or official who has not participated in a safety  
 2 orientation and training skills program <sup>1</sup>[established by the  
 3 league or team with which he is affiliated]<sup>1</sup> which program shall  
 4 include but not be limited to injury prevention and first aid  
 5 procedures and <sup>2</sup>[basic <sup>1</sup>sport<sup>1</sup>fundamentals]<sup>2</sup> <sup>1</sup>[of the sport]<sup>1</sup>  
 6 <sup>2</sup>general coaching concepts<sup>2</sup>.

7 (2) A coach, manager, or official shall be deemed to have  
 8 satisfied the requirements of this subsection if the <sup>1</sup>[person has  
 9 been certified by the Recreational Youth Sports Council of  
 10 Rutgers University's Department of Recreation and Leisure  
 11 Studies or if the program established by the league or team with  
 12 which the person is affiliated has been certified by the  
 13 Governor's Council on Physical Fitness and Sports] safety  
 14 orientation and skills training program attended by the person  
 15 has met the minimum standards established by the Governor's  
 16 Council on Physical Fitness and Sports in <sup>2</sup>[conjunction with the  
 17 Rutgers Youth Sports Research Council<sup>1</sup>] consultation with the  
 18 Bureau of Recreation within the Department of Community  
 19 Affairs,<sup>2</sup> in accordance with rules and regulations adopted  
 20 pursuant to the "Administrative Procedure Act," P.L. 1968,  
 21 c. 410 (C. 52:14B-1 et seq.).

22 d. Nothing in this section shall be deemed to grant immunity  
 23 to any person causing damage as the result of his negligent  
 24 operation of a motor vehicle.

25 e. Nothing in this section shall be deemed to grant immunity  
 26 to any person for any damage caused by that person permitting a  
 27 sport competition or practice to be conducted without  
 28 supervision.

29 f. Nothing in this act shall apply to an athletic coach,  
 30 manager, or official who provides services or assistance as part  
 31 of a public or private educational institution's athletic program.

32 <sup>2</sup>[g. Notwithstanding any provision of law to the contrary,  
 33 no person who contributes funds to a sports team described in  
 34 subsection a. of this act and who is not involved in the  
 35 administration of that team shall be liable to a player,  
 36 participant, coach, official or spectator for damages arising out  
 37 of the activities of that team.<sup>1</sup><sup>2</sup>

(cf: P.L. 1986, c. 13)

38 <sup>1</sup>2. Section 1 of P.L. 1987, c. 87 (C. 2A:53A-7.1) is amended  
 39 to read as follows:

1       1. a. Notwithstanding any other provision of law to the  
3       contrary, no person serving without compensation, other than  
5       reimbursement for actual expenses, as a trustee, director,  
7       officer or voluntary member of any board, council or governing  
9       body of any nonprofit corporation, society or association as  
11      provided in P.L. 1959, c. 90 (C. 2A:53A-7 to 2A:53A-11), or  
13      nonprofit federation council or affiliated group composed of  
15      these organizations or a voluntary association as provided by  
17      P.L. 1979, c. 172 (C. 18A:11-3) or to a conference under the  
19      jurisdiction of such a voluntary association, shall be liable for  
21      damages resulting from the exercise of judgment or discretion in  
23      connection with the duties of his office unless the actions  
25      evidence a reckless disregard for the duties imposed by the  
27      position.

15      b. Notwithstanding any provisions of law to the contrary, no  
17      person who provides volunteer service or assistance for any  
19      nonprofit corporation, society or association as provided in P.L.  
21      1959, c. 90 (C. 2A:53A-7 to 2A:53A-11), or nonprofit federation  
23      council or affiliated group composed of these organizations or a  
25      voluntary association as provided by P.L. 1979, c. 172  
27      (C. 18A:11-3) or to a conference under the jurisdiction of such a  
29      voluntary association shall be liable in any action for damages as  
31      a result of his acts of commission or omission arising out of and  
33      in the course of his rendering the volunteer service or assistance.

25      Nothing in this subsection shall be deemed to grant immunity  
27      to any person causing damage by his willful, wanton or grossly  
29      negligent act of commission or omission.

29      Nothing in this subsection shall be deemed to grant immunity  
31      to any person causing damage as the result of his negligent  
33      operation of a motor vehicle.

31      c. Nothing in this section shall be deemed to supercede or  
33      modify any provision of P.L. 1986, c. 13 (C. 2A:62A-6) dealing  
35      with the civil liability of persons involved with nonprofit sports  
37      teams.<sup>1</sup>

35      (cf. P.L. 1987, c. 87, s. 1)

37      23. (New section) Notwithstanding any provisions of law to  
39      the contrary, no person who provides goods, services, or other  
    assistance as the sponsor of a sports team which is organized or  
    performing pursuant to a non-profit or similar charter, or which

1 is a member team in a league organized by or affiliated with a  
2 county or municipal recreation department. shall be liable in any  
3 civil action for damages to a player or participant as a result of  
4 his acts of commission or omission arising out of and in the  
5 course of his rendering those goods or services or that assistance.

6 The provisions of this section shall apply not only to organized  
7 sports competitions, but shall also apply to practice and  
8 instruction in that sport.

9 Nothing in this section shall be deemed to grant immunity to  
10 any person causing damage by his willful, wanton, or grossly  
11 negligent act of commission or omission, nor to any person  
12 causing damage as the result of his negligent operation of a  
13 motor vehicle.<sup>2</sup>

14 <sup>1</sup>{2.} <sup>2</sup>{3.1} <sup>4.2</sup> This act shall take effect immediately.

15

16

## CIVIL JUSTICE

### Tort Liability

17

18 Clarifies the training program requirement of the "little league  
19 immunity" statute.  
20  
21

SENATE, No. 1521  
STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Senator DALTON

1 AN ACT concerning civil immunity from liability for certain  
volunteer athletic coaches and officials and amending P.L.  
3 1986, c. 13.

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

7 1. Section 1 of P.L. 1986, c. 13 (C. 2A:62A-6) is amended to  
read as follows:

9 1. a. Notwithstanding any provisions of law to the contrary,  
no person who provides services or assistance free of charge,  
11 except for reimbursement of expenses, as an athletic coach,  
manager, or official for a sports team which is organized or  
13 performing pursuant to a nonprofit or similar charter shall be  
liable in any civil action for damages to a player or participant  
15 as a result of his acts of commission or omission arising out of  
and in the course of his rendering that service or assistance.

17 b. The provisions of subsection a. of this section shall apply  
not only to organized sports competitions, but shall also apply to  
19 practice and instruction in that sport.

21 c. (1) Nothing in this section shall be deemed to grant  
immunity to any person causing damage by his willful, wanton,  
23 or grossly negligent act of commission or omission, nor to any  
coach, manager, or official who has not participated in a safety  
orientation and training skills program established by the league  
25 or team with which he is affiliated which program shall include  
but not be limited to injury prevention and first aid procedures  
27 and basic fundamentals of the sport.

(2) A coach, manager, or official shall be deemed to have  
29 satisfied the requirements of this subsection if the person has  
been certified by the Recreational Youth Sports Council of  
31 Rutgers University's Department of Recreation and Leisure

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.

Sponsor Statement  
S1521

L 1988 C 87

1 Studies or if the program established by the league or team with  
2 which the person is affiliated has been certified by the  
3 Governor's Council on Physical Fitness and Sports in accordance  
4 with rules and regulations adopted pursuant to the  
5 "Administrative Procedure Act," P.L. 1968, c. 410 (C. 52:14B-4  
6 et seq.).

7 d. Nothing in this section shall be deemed to grant immunity  
8 to any person causing damage as the result of his negligent  
9 operation of a motor vehicle.

10 e. Nothing in this section shall be deemed to grant immunity  
11 to any person for any damage caused by that person permitting a  
12 sport competition or practice to be conducted without  
13 supervision.

14 f. Nothing in this act shall apply to an athletic coach,  
15 manager, or official who provides services or assistance as part  
16 of a public or private educational institution's athletic program.

17 2. This act shall take effect immediately.

19

STATEMENT

21

22 This bill clarifies that a coach, manager, or official shall be  
23 deemed to have satisfied the training program requirement of  
24 the "little league liability law," P.L. 1986, c. 13 (C. 2A:62A-6)  
25 if the person has either been certified by the Rutgers University  
26 Recreational Youth Sports Research Council or if the program  
27 of the league or team with which the person is affiliated has  
28 been certified by the Governor's Council on Physical Fitness  
29 and Sports. The bill also clarifies that a training program must  
30 include injury prevention and first aid procedures and basic  
31 fundamental's of the sport.

33

CIVIL JUSTICE

35

Tort Liability

37 Clarifies the training program requirement of the "little league  
immunity" statute.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

**SENATE, No. 1521**

with Senate committee amendments

**STATE OF NEW JERSEY**

DATED: FEBRUARY 18, 1988

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 1521.

The bill is intended to clarify and expand the provisions of the "little league immunity law" (P.L. 1986, c. 13). As amended by the committee, the bill would:

1. Clarify that the provisions of chapter 13 cover little league teams sponsored by a county or municipality in addition to those sponsored by private nonprofit organizations.
2. Expand the immunity provided by chapter 13 to cover injuries suffered by spectators.
3. Provide that a person who donates funds for a team but is not involved in the administration of the team would not be liable for injuries resulting from team activities.
4. Provide that a coach or manager would be deemed to satisfy the training course requirement of the bill if the program attended meets the minimum standards set by the Governor's Council on Physical Fitness in conjunction with the Rutgers Youth Research Council.
5. Clarifies that the recently enacted P.L. 1987, c. 87 dealing with immunity for those serving on the board of charitable, religious and education associations does not supercede or modify the "little league immunity" statute.
6. Clarifies that a training program for coaches and managers must include injury prevention and first aid procedures and basic sport fundamentals.

[FIRST REPRINT]  
SENATE, No. 1521

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Senator DALTON

1 AN ACT concerning civil immunity from liability for certain  
volunteer athletic coaches <sup>1</sup>[and] <sup>1</sup>officials <sup>1</sup>and sponsors<sup>1</sup>  
3 and amending P.L. 1986, c. 13 <sup>1</sup>and P.L.1987, c. 87<sup>1</sup>.

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

7 1. Section 1 of P.L. 1986, c. 13 (C. 2A:62A-6) is amended to  
read as follows:

9 1. a. Notwithstanding any provisions of law to the contrary,  
no person who provides services or assistance free of charge,  
11 except for reimbursement of expenses, as an athletic coach,  
manager, or official for a sports team which is organized or  
13 performing pursuant to a nonprofit or similar charter <sup>1</sup>or which  
is sponsored or funded by a county or municipality<sup>1</sup> shall be  
15 liable in any civil action for damages to a player <sup>1</sup>[or] <sup>1</sup>,  
participant <sup>1</sup>or spectator<sup>1</sup> as a result of his acts of commission  
17 or omission arising out of and in the course of his rendering that  
service or assistance.

19 b. The provisions of subsection a. of this section shall apply  
not only to organized sports competitions, but shall also apply to  
21 practice and instruction in that sport.

c. (1) Nothing in this section shall be deemed to grant  
23 immunity to any person causing damage by his willful, wanton,  
or grossly negligent act of commission or omission, nor to any  
25 coach, manager, or official who has not participated in a safety  
orientation and training skills program <sup>1</sup>[established by the  
27 league or team with which he is affiliated]<sup>1</sup> which program shall  
include but not be limited to injury prevention and first aid  
29 procedures and basic <sup>1</sup>sport<sup>1</sup> fundamentals <sup>1</sup>[of the sport]<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> Senate SJU committee amendments adopted February 18, 1988.

1       **(2) A coach, manager, or official shall be deemed to have**  
 2       **satisfied the requirements of this subsection if the <sup>1</sup>person has**  
 3       **been certified by the Recreational Youth Sports Council of**  
 4       **Rutgers University's Department of Recreation and Leisure**  
 5       **Studies or if the program established by the league or team with**  
 6       **which the person is affiliated has been certified by the**  
 7       **Governor's Council on Physical Fitness and Sports] safety**  
 8       **orientation and skills training program attended by the person**  
 9       **has met the minimum standards established by the Governor's**  
 10       **Council on Physical Fitness and Sports in conjunction with the**  
 11       **Rutgers Youth Sports Research Council<sup>1</sup> in accordance with**  
 12       **rules and regulations adopted pursuant to the "Administrative**  
 13       **Procedure Act," P.L. 1968, c. 410 (C. 52:14B-1 et seq.).**

14       d. Nothing in this section shall be deemed to grant immunity  
 15       to any person causing damage as the result of his negligent  
 16       operation of a motor vehicle.

17       e. Nothing in this section shall be deemed to grant immunity  
 18       to any person for any damage caused by that person permitting a  
 19       sport competition or practice to be conducted without  
 20       supervision.

21       f. Nothing in this act shall apply to an athletic coach,  
 22       manager, or official who provides services or assistance as part  
 23       of a public or private educational institution's athletic program.

24       **1g. Notwithstanding any provision of law to the contrary, no**  
 25       **person who contributes funds to a sports team described in**  
 26       **subsection a. of this act and who is not involved in the**  
 27       **administration of that team shall be liable to a player,**  
 28       **participant, coach, official or spectator for damages arising out**  
 29       **of the activities of that team.<sup>1</sup>**

(cf: P.L. 1986, c. 13)

30       **12. Section 1 of P.L.1987, c. 87(C.2A:53A-7.1) is amended to**  
 31       **read as follows:**

32       1. a. Notwithstanding any other provision of law to the  
 33       contrary, no person serving without compensation, other than  
 34       reimbursement for actual expenses, as a trustee, director,  
 35       officer or voluntary member of any board, council or

1 governing body of any nonprofit corporation, society or  
 2 association as provided in P.L. 1959, c. 90 (C. 2A:53A-7 to  
 3 2A:53A-11), or nonprofit federation council or affiliated group  
 4 composed of these organizations or a voluntary association as  
 5 provided by P.L. 1979, c. 172 (C. 18A:11-3) or to a conference  
 6 under the jurisdiction of such a voluntary association, shall be  
 7 liable for damages resulting from the exercise of judgment or  
 8 discretion in connection with the duties of his office unless the  
 9 actions evidence a reckless disregard for the duties imposed by  
 10 the position.

11 b. Notwithstanding any provisions of law to the contrary, no  
 12 person who provides volunteer service or assistance for any  
 13 nonprofit corporation, society or association as provided in P.L.  
 14 1959, c. 90 (C. 2A:53A-7 to 2A:53A-11), or nonprofit federation  
 15 council or affiliated group composed of these organizations or a  
 16 voluntary association as provided by P.L. 1979, c. 172 (C.  
 17 18A:11-3) or to a conference under the jurisdiction of such a  
 18 voluntary association shall be liable in any action for damages as  
 19 a result of his acts of commission or omission arising out of and  
 20 in the course of his rendering the volunteer service or assistance.

21 Nothing in this subsection shall be deemed to grant immunity  
 22 to any person causing damage by his willful, wanton or grossly  
 23 negligent act of commission or omission.

24 Nothing in this subsection shall be deemed to grant immunity  
 25 to any person causing damage as the result of his negligent  
 26 operation of a motor vehicle.

27 c. Nothing in this section shall be deemed to supercede or  
 28 modify any provision of P.L.1986, c.13 (C.2A:62A-6) dealing  
 29 with the civil liability of persons involved with nonprofit sports  
 30 teams.<sup>1</sup>

31 (cf: P.L.1987, c.87, s.1)

[2.] 3. This act shall take effect immediately.

33

35

## CIVIL JUSTICE

### Tort Liability

37

38 Clarifies the training program requirement of the "little league  
 39 immunity" statute.

ASSEMBLY INSURANCE COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE, No. 1521

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MAY 23, 1988

This bill amends P.L. 1986, c. 13 (C. 2A:62A-6 et seq.) to extend immunity to coaches, managers, or officials of sports teams which are organized under the auspices of or sponsored or funded by counties or municipalities. The 1986 law was originally directed toward Little League coaches. This bill has been amended by the Assembly Insurance Committee to conform to Assembly Bill 2566.

As drafted, the bill would have required the safety orientation and training program to include injury prevention and first aid procedures and basic sport fundamentals. The bill has been amended to provide for training in general coaching concepts. The bill further provided that coaches, managers, and officials would be deemed to have satisfied the requirements of the act if the program has met the minimum standards established by the Governor's Council on Physical Fitness and Sports in conjunction with the Rutgers Youth Sports Research Council. The Assembly Insurance Committee has amended this to provide for the establishment of the standards by the Governor's Council on Physical Fitness in consultation with the Bureau of Recreation within the Department of Community Affairs.

The bill also has been amended to amplify the language giving immunity to sponsors of sports teams.

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Senator DALTON

2 AN ACT concerning <sup>2</sup>[civil]<sup>2</sup> immunity from <sup>2</sup>civil<sup>2</sup> liability  
2 <sup>2</sup>[for certain volunteer athletic coaches <sup>1</sup>[and] <sup>1</sup> officials  
1 and sponsors<sup>1</sup>] in certain athletic activities, amending P.L.  
4 1987, c. 87<sup>2</sup> and amending <sup>2</sup>and supplementing<sup>2</sup> P.L. 1986, c.  
13 13 <sup>2</sup>[and P.L. 1987, c. 87<sup>1</sup>]<sup>2</sup>.

6  
8 BE IT ENACTED by the Senate and General Assembly of the  
8 State of New Jersey:

10 1. Section 1 of P.L. 1986, c. 13 (C. 2A:62A-6) is amended to  
10 read as follows:

12 1. a. Notwithstanding any provisions of law to the contrary,  
12 no person who provides services or assistance free of charge,  
14 except for reimbursement of expenses, as an athletic coach,  
14 manager, or official <sup>2</sup>, other than a sports official accredited by  
16 a voluntary association as provided by P.L. 1979, c. 172  
16 (C. 18A:11-3) and exempted from liability pursuant to P.L. 1987,  
18 c. 239 (C. 2A:62A-6.1),<sup>2</sup> for a sports team which is organized or  
18 performing pursuant to a nonprofit or similar charter <sup>1</sup>or which  
20 is <sup>2</sup>[sponsored or funded by] a member team in a league  
20 organized by or affiliated with<sup>2</sup> a county or <sup>2</sup>[municipality<sup>1</sup>]  
22 municipal recreation department,<sup>2</sup> shall be liable in any civil  
22 action for damages to a player <sup>1</sup>[or] <sup>1</sup> participant <sup>1</sup>or  
24 spectator<sup>1</sup> as a result of his acts of commission or omission  
24 arising out of and in the course of his rendering that service or  
24 assistance.

26 b. The provisions of subsection a. of this section shall apply  
26 not only to organized sports competitions, but shall also apply to  
28 practice and instruction in that sport.

30 c. (1) Nothing in this section shall be deemed to grant  
30 immunity to any person causing damage by his willful, wanton,  
or grossly negligent act of commission or omission, nor to any

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> Senate SJU committee amendments adopted February 18, 1988.

<sup>2</sup> Assembly AIN committee amendments adopted May 23, 1988.

2 coach, manager, or official who has not participated in a safety  
 3 orientation and training skills program <sup>1</sup>{established by the  
 4 league or team with which he is affiliated}<sup>1</sup> which program shall  
 5 include but not be limited to injury prevention and first aid  
 6 procedures and <sup>2</sup>[basic <sup>1</sup>sport<sup>1</sup>fundamentals]<sup>2</sup> <sup>1</sup>{of the sport}<sup>1</sup>  
<sup>2</sup>general coaching concepts<sup>2</sup>.

7 (2) A coach, manager, or official shall be deemed to have  
 8 satisfied the requirements of this subsection if the <sup>1</sup>{person has  
 9 been certified by the Recreational Youth Sports Council of  
 10 Rutgers University's Department of Recreation and Leisure  
 11 Studies or if the program established by the league or team with  
 12 which the person is affiliated has been certified by the  
 13 Governor's Council on Physical Fitness and Sports} safety  
 14 orientation and skills training program attended by the person  
 15 has met the minimum standards established by the Governor's  
 16 Council on Physical Fitness and Sports in <sup>2</sup>[conjunction with the  
 17 Rutgers Youth Sports Research Council<sup>1</sup>] consultation with the  
 18 Bureau of Recreation within the Department of Community  
 19 Affairs,<sup>2</sup> in accordance with rules and regulations adopted  
 20 pursuant to the "Administrative Procedure Act," P.L. 1968,  
 21 c. 410 (C. 52:14B-1 et seq.).

22 d. Nothing in this section shall be deemed to grant immunity  
 23 to any person causing damage as the result of his negligent  
 24 operation of a motor vehicle.

25 e. Nothing in this section shall be deemed to grant immunity  
 26 to any person for any damage caused by that person permitting a  
 27 sport competition or practice to be conducted without  
 28 supervision.

29 f. Nothing in this act shall apply to an athletic coach,  
 30 manager, or official who provides services or assistance as part  
 31 of a public or private educational institution's athletic program.

32 <sup>2</sup>[1g. Notwithstanding any provision of law to the contrary,  
 33 no person who contributes funds to a sports team described in  
 34 subsection a. of this act and who is not involved in the  
 35 administration of that team shall be liable to a player,  
 36 participant, coach, official or spectator for damages arising out  
 37 of the activities of that team.]<sup>2</sup>

38 (cf: P.L. 1986, c. 13)

39 <sup>1</sup>2. Section 1 of P.L. 1987, c. 87 (C. 2A:53A-7.1) is amended  
 40 to read as follows:

1. a. Notwithstanding any other provision of law to the  
2 contrary, no person serving without compensation, other than  
reimbursement for actual expenses, as a trustee, director,  
4 officer or voluntary member of any board, council or governing  
body of any nonprofit corporation, society or association as  
6 provided in P.L. 1959, c. 90 (C. 2A:53A-7 to 2A:53A-11), or  
nonprofit federation council or affiliated group composed of  
8 these organizations or a voluntary association as provided by  
P.L. 1979, c. 172 (C. 18A:11-3) or to a conference under the  
10 jurisdiction of such a voluntary association, shall be liable for  
damages resulting from the exercise of judgment or discretion in  
12 connection with the duties of his office unless the actions  
evidence a reckless disregard for the duties imposed by the  
14 position.

b. Notwithstanding any provisions of law to the contrary, no  
16 person who provides volunteer service or assistance for any  
nonprofit corporation, society or association as provided in P.L.  
18 1959, c. 90 (C. 2A:53A-7 to 2A:53A-11), or nonprofit federation  
council or affiliated group composed of these organizations or a  
20 voluntary association as provided by P.L. 1979, c. 172  
(C. 18A:11-3) or to a conference under the jurisdiction of such a  
22 voluntary association shall be liable in any action for damages as  
a result of his acts of commission or omission arising out of and  
24 in the course of his rendering the volunteer service or assistance.

Nothing in this subsection shall be deemed to grant immunity  
26 to any person causing damage by his willful, wanton or grossly  
negligent act of commission or omission.

28 Nothing in this subsection shall be deemed to grant immunity  
to any person causing damage as the result of his negligent  
30 operation of a motor vehicle.

c. Nothing in this section shall be deemed to supercede or  
32 modify any provision of P.L. 1986, c. 13 (C. 2A:62A-6) dealing  
with the civil liability of persons involved with nonprofit sports  
34 teams.<sup>1</sup>

(cf: P.L. 1997, c. 87, s. 1)

36 23. (New section) Notwithstanding any provisions of law to  
the contrary, no person who provides goods, services, or other  
38 assistance as the sponsor of a sports team which is organized or  
performing pursuant to a non-profit or similar charter, or which

2 is a member team in a league organized by or affiliated with a  
3 county or municipal recreation department, shall be liable in  
4 any civil action for damages to a player or participant as a  
5 result of his acts of commission or omission arising out of and in  
6 the course of his rendering those goods or services or that  
7 assistance.

8 The provisions of this section shall apply not only to organized  
9 sports competitions, but shall also apply to practice and  
10 instruction in that sport.

11 Nothing in this section shall be deemed to grant immunity to  
12 any person causing damage by his willful, wanton, or grossly  
13 negligent act of commission or omission, nor to any person  
14 causing damage as the result of his negligent operation of a  
15 motor vehicle.<sup>2</sup>

16 <sup>1</sup>[2.]<sup>2</sup>[3.1] 4.<sup>2</sup> This act shall take effect immediately.

18 **CIVIL JUSTICE**

19 **Tort Liability**

20 **Clarifies the training program requirement of the "little league**  
21 **immunity" statute.**

[CORRECTED COPY]  
[SECOND REPRINT]

SENATE, No. 1521

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Senator DALTON

1 AN ACT concerning <sup>2</sup>[civil]<sup>2</sup> immunity from <sup>2</sup>civil<sup>2</sup> liability  
2 <sup>2</sup>[for certain volunteer athletic coaches <sup>1</sup>[and] <sup>1</sup> officials  
3 <sup>1</sup>and sponsors<sup>1</sup>] in certain athletic activities, amending P.L.  
4 1987, c. 87<sup>2</sup> and amending <sup>2</sup>and supplementing<sup>2</sup> P.L. 1986, c.  
5 13 <sup>2</sup>[<sup>1</sup>and P.L. 1987, c. 87<sup>1</sup>]<sup>2</sup>.

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

9 1. Section 1 of P.L. 1986, c. 13 (C. 2A:62A-6) is amended to  
10 read as follows:

11 1. a. Notwithstanding any provisions of law to the contrary,  
12 no person who provides services or assistance free of charge,  
13 except for reimbursement of expenses, as an athletic coach,  
14 manager, or official <sup>2</sup>, other than a sports official accredited by  
15 a voluntary association as provided by P.L. 1979, c. 172  
16 (C. 18A:11-3) and exempted from liability pursuant to P.L. 1987,  
17 c. 239 (C. 2A:62A-6.1),<sup>2</sup> for a sports team which is organized or  
18 performing pursuant to a nonprofit or similar charter <sup>1</sup>or which  
19 is <sup>2</sup>[sponsored or funded by] a member team in a league  
20 organized by or affiliated with<sup>2</sup> a county or <sup>2</sup>[municipality<sup>1</sup>]  
21 municipal recreation department,<sup>2</sup> shall be liable in any civil  
22 action for damages to a player <sup>1</sup>[or] <sup>1</sup> participant <sup>1</sup>or  
23 spectator<sup>1</sup> as a result of his acts of commission or omission  
24 arising out of and in the course of his rendering that service or  
25 assistance.

26 b. The provisions of subsection a. of this section shall apply  
27 not only to organized sports competitions, but shall also apply to  
28 practice and instruction in that sport.

29 c. (1) Nothing in this section shall be deemed to grant  
30 immunity to any person causing damage by his willful, wanton,  
31 or grossly negligent act of commission or omission, nor to any

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> Senate SJU committee amendments adopted February 18, 1988.

<sup>2</sup> Assembly AIN committee amendments adopted May 23, 1988.

1 coach, manager, or official who has not participated in a safety  
orientation and training skills program <sup>1</sup>[established by the  
3 league or team with which he is affiliated]<sup>1</sup> which program shall  
include but not be limited to injury prevention and first aid  
5 procedures and <sup>2</sup>[basic <sup>1</sup>sport<sup>1</sup>fundamentals]<sup>2</sup> <sup>1</sup>[of the sport]<sup>1</sup>  
<sup>2</sup>general coaching concepts<sup>2</sup>.

7 (2) A coach, manager, or official shall be deemed to have  
satisfied the requirements of this subsection if the <sup>1</sup>[person has  
9 been certified by the Recreational Youth Sports Council of  
Rutgers University's Department of Recreation and Leisure  
11 Studies or if the program established by the league or team with  
which the person is affiliated has been certified by the  
13 Governor's Council on Physical Fitness and Sports] safety  
orientation and skills training program attended by the person  
15 has met the minimum standards established by the Governor's  
Council on Physical Fitness and Sports in <sup>2</sup>[conjunction with the  
17 Rutgers Youth Sports Research Council<sup>1</sup>] consultation with the  
Bureau of Recreation within the Department of Community  
19 Affairs,<sup>2</sup> in accordance with rules and regulations adopted  
pursuant to the "Administrative Procedure Act," P.L. 1968,  
21 c. 410 (C. 52:14B-1 et seq.).

d. Nothing in this section shall be deemed to grant immunity  
23 to any person causing damage as the result of his negligent  
operation of a motor vehicle.

25 e. Nothing in this section shall be deemed to grant immunity  
to any person for any damage caused by that person permitting a  
27 sport competition or practice to be conducted without  
supervision.

29 f. Nothing in this act shall apply to an athletic coach,  
manager, or official who provides services or assistance as part  
31 of a public or private educational institution's athletic program.

<sup>2</sup>[1g. Notwithstanding any provision of law to the contrary,  
33 no person who contributes funds to a sports team described in  
subsection a. of this act and who is not involved in the  
35 administration of that team shall be liable to a player,  
participant, coach, official or spectator for damages arising out  
37 of the activities of that team.<sup>1</sup>]<sup>2</sup>

(cf: P.L. 1986, c. 13)

39 <sup>1</sup>2. Section 1 of P.L. 1987, c. 87 (C. 2A:53A-7.1) is amended  
to read as follows:

1       1. a. Notwithstanding any other provision of law to the  
2 contrary, no person serving without compensation, other than  
3 reimbursement for actual expenses, as a trustee, director,  
4 officer or voluntary member of any board, council or governing  
5 body of any nonprofit corporation, society or association as  
6 provided in P.L. 1959, c. 90 (C. 2A:53A-7 to 2A:53A-11), or  
7 nonprofit federation council or affiliated group composed of  
8 these organizations or a voluntary association as provided by  
9 P.L. 1979, c. 172 (C. 18A:11-3) or to a conference under the  
10 jurisdiction of such a voluntary association, shall be liable for  
11 damages resulting from the exercise of judgment or discretion in  
12 connection with the duties of his office unless the actions  
13 evidence a reckless disregard for the duties imposed by the  
14 position.

15       b. Notwithstanding any provisions of law to the contrary, no  
16 person who provides volunteer service or assistance for any  
17 nonprofit corporation, society or association as provided in P.L.  
18 1959, c. 90 (C. 2A:53A-7 to 2A:53A-11), or nonprofit federation  
19 council or affiliated group composed of these organizations or a  
20 voluntary association as provided by P.L. 1979, c. 172  
21 (C. 18A:11-3) or to a conference under the jurisdiction of such a  
22 voluntary association shall be liable in any action for damages as  
23 a result of his acts of commission or omission arising out of and  
24 in the course of his rendering the volunteer service or assistance.

25       Nothing in this subsection shall be deemed to grant immunity  
26 to any person causing damage by his willful, wanton or grossly  
27 negligent act of commission or omission.

28       Nothing in this subsection shall be deemed to grant immunity  
29 to any person causing damage as the result of his negligent  
30 operation of a motor vehicle.

31       c. Nothing in this section shall be deemed to supercede or  
32 modify any provision of P.L. 1986, c. 13 (C. 2A:62A-6) dealing  
33 with the civil liability of persons involved with nonprofit sports  
34 teams.<sup>1</sup>

35 (cf: P.L. 1987, c. 87, s. 1)

36       <sup>2</sup>3. (New section) Notwithstanding any provisions of law to  
37 the contrary, no person who provides goods, services, or other  
38 assistance as the sponsor of a sports team which is organized or  
39 performing pursuant to a non-profit or similar charter, or which

1 is a member team in a league organized by or affiliated with a  
2 county or municipal recreation department, shall be liable in any  
3 civil action for damages to a player or participant as a result of  
4 his acts of commission or omission arising out of and in the  
5 course of his rendering those goods or services or that assistance.

6 The provisions of this section shall apply not only to organized  
7 sports competitions, but shall also apply to practice and  
8 instruction in that sport.

9 Nothing in this section shall be deemed to grant immunity to  
10 any person causing damage by his willful, wanton, or grossly  
11 negligent act of commission or omission, nor to any person  
12 causing damage as the result of his negligent operation of a  
13 motor vehicle.<sup>2</sup>

14 <sup>1</sup>[2.] <sup>2</sup>[3.1] <sup>4.2</sup> This act shall take effect immediately.

15

16  
17 **CIVIL JUSTICE**  
18 **Tort Liability**

19

20 Clarifies the training program requirement of the "little league  
21 immunity" statute.