

2A:62A-6.1

4/12/88

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2A:62A-6.1 (Sports officials-- certain-- immunity)

LAWS OF: 1987 CHAPTER: 239

Bill No: A3718

Sponsor(s): Loveys and others

Date Introduced: February 19, 1987

Committee: Assembly: Insurance

Senate: Judiciary

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

Date of Passage: Assembly: May 18, 1987

Senate: June 25, 1987

Date of Approval: August 17, 1987

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

See newspaper clippings-- attached:

"State shields school coaches, refs from liability," 8-19-87 Star Ledger.

"State shores up defense of sued umpires, refs," 8-30-87 Star Ledger.

(OVER)

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8-17-87

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ASSEMBLY, No. 3718

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 19, 1987

By Assemblymen LOVEYS, KELLY, Zecker, Colburn, Martin, Deverin,
Adubato, Riley, Gargiulo and Schuber

AN ACT exempting certain sports officials from liability for
damages under certain conditions.

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

1 1. Notwithstanding any provisions of law to the contrary, ***[no]***
2 **a** person who is accredited as a sports official by a voluntary asso-
3 ciation as provided by P. L. 1979, c. 172 (C. 18A:11-3) and who
4 serves that association, a conference under the jurisdiction of the
5 association, or a public entity as defined in Title 59 of the New
6 Jersey Statutes in the capacity of a sports official, whether or not
7 compensated for his services, shall **not** be liable in any action for
8 damages as a result of his acts of commission or omission arising
9 out of and in the course of his rendering the services. Nothing in
10 this act shall be deemed to grant immunity to any person causing
11 damage by his willful, wanton, or grossly negligent act of commis-
12 sion or omission, nor to any person causing damage as the result of
13 his negligent operation of a motor vehicle.

1 2. This act shall take effect immediately and shall apply to all
2 causes of action arising on or after the effective date.

TORT LIABILITY AND MALPRACTICE

Grants certain immunity to certain sports officials.

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly committee amendments adopted March 5, 1987.

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2 *of New Jersey:*

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2 person who is accredited as a sports official by a voluntary asso-
3 ciation as provided by P. L. 1979, c. 172 (C. 18A:11-3) and who
4 serves that association, a conference under the jurisdiction of the
5 association, or a public entity as defined in Title 59 of the New
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10 act shall be deemed to grant immunity to any person causing dam-
11 age by his willful, wanton, or grossly negligent act of commission
12 or omission, nor to any person causing damage as the result of
13 his negligent operation of a motor vehicle.

1 2. This act shall take effect immediately and shall apply to all
2 causes of action arising on or after the effective date.

STATEMENT

This bill would grant immunity to certain sports officials who
are accredited by the Interscholastic Athletic Association from
liability for damages resulting from their activities as sports
officials, or referees, while working for the association, its con-
ferences, or a public entity.

TORT LIABILITY AND MALPRACTICE

Grants certain immunity to certain sports officials.

ASSEMBLY INSURANCE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3718

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MARCH 5, 1987

This bill would exempt certain sports officials from liability in any action for damages as a result of the official's acts of commission or omission arising out of and in the course of his rendering the services. There would be no exemption from liability for any willful, wanton, or grossly negligent act of commission or omission, nor for any action for damages caused by the negligent operation of a motor vehicle. The sports officials who would be affected by the bill would be those who are accredited by a voluntary association as provided by section 1 of P. L. 1979, c. 172 (C. 18A:11-3) and who serve that association, a conference under the jurisdiction of the association, or a public entity as defined in Title 59 of the New Jersey Statutes.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3718

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STATE OF NEW JERSEY

DATED: JUNE 22, 1987

The Senate Judiciary Committee reports favorably Assembly Bill No. 3718 OCR.

This bill would exempt certain sports officials from liability in any civil action for damages as a result of the officials's acts of commission or omission arising out of and in the course of his rendering services as an official. The bill would cover officials accredited by the New Jersey State Interscholastic Athletic Association who officiate for the association, for a conference under the association's jurisdiction or for a public entity.

This exemption from liability would apply whether or not the official is paid but would not cover willful, wanton or grossly negligent acts or damages caused by the negligent operation of a motor vehicle.



OFFICE OF THE GOVERNOR

NEWS RELEASE

CN-001

Contact: CARL GOLDEN
609-292-8956 OR 292-6000 EXT. 207

TRENTON, N.J. 08625

Release: TUES., AUG. 18, 1987

Governor Thomas H. Kean today signed legislation to provide immunity from lawsuits for damages against accredited sports officials for actions taken during the course of their official duties.

The legislation, A-3718, was sponsored by Assemblyman Ralph Loveys, R-Morris.

By providing the immunity, the legislation will ease both the availability and affordability of liability insurance coverage for sports associations and conferences.

"The need for this legislation focuses our attention yet again on the rapidly growing problem of frivolous or less than meritorious lawsuits, being brought against individuals," Kean said. "It raises, further, the prospect that persons who volunteer their time or who receive relatively little pay for their time will simply refuse to continue to provide that service when threatened with damage suits and potentially lengthy and costly court actions."

The Governor pointed out that the immunity provided by the legislation does not cover willful or negligent actions on the part of the officials.

The legislation is effective immediately.

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