

59:10-10

LEGISLATIVE HISTORY CHECKLIST

**NJSA:** 59:10-10 (NJ Building Authority-- indemnity certain members)

**LAWS OF:** 1987 **CHAPTER:** 360

**Bill No:** A4408

**Sponsor(s):** Littell and Brown

**Date Introduced:** June 29, 1987

**Committee:** **Assembly:** Labor  
**Senate:** Revenue, Finance and Appropriations

**Amended during passage:** No

**Date of Passage:** **Assembly:** December 10, 1987  
**Senate:** December 21, 1987

**Date of Approval:** January 5, 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

**ASSEMBLY, No. 4408**  
**STATE OF NEW JERSEY**

INTRODUCED JUNE 29, 1987

By Assemblymen LITTELL and BROWN

AN ACT concerning the New Jersey Building Authority, the indemnification of its members and supplementing Title 59 of the New Jersey Statutes.

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

1 1. Citizen members of the New Jersey Building Authority to  
2 whom have been delegated the supervision of the construction, re-  
3 construction, rehabilitation or improvement of any project pursuant  
4 to a resolution of the authority shall be indemnified and their  
5 defense of any action provided for in the same manner and to the  
6 same extent as employees of the State under the "New Jersey  
7 Tort Claims Act," N. J. S. 59:1-1 et seq. on account of acts or  
8 omissions in the scope of their authority.

1 2. This act shall take effect immediately.

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**STATEMENT**

The purpose of this bill is to provide indemnification to members of the New Jersey Building Authority who have been delegated supervisory authority over Building Authority projects. This supervisory authority, only recently authorized by Assembly Bill No. 4301 of 1987, could create a potential liability to an uncompensated citizen member far beyond that reasonably contemplated under the Building Authority Act, creating the need for indemnification of the nature provided to State employees in the New Jersey Tort Claims Act.

TORT LIABILITY AND MALPRACTICE

Provides indemnification to members of the New Jersey Building Authority who have been delegated supervisory authority over Building Authority projects.

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ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4408

STATE OF NEW JERSEY

DATED: NOVEMBER 23, 1987

The Assembly Labor Committee reports favorably Assembly, No. 4408.

This bill extends the public employee indemnification provisions of the "New Jersey Tort Claims Act," N. J. S. 59:1-1 et seq., to citizen members of the New Jersey Building Authority who are responsible for the construction, reconstruction, rehabilitation, or improvement of a public project pursuant to a resolution of the authority. P. L. 1987, c. 203, approved July 22, 1987, authorizes the New Jersey Building Authority to delegate day-to-day supervision of authority projects to its chairman and to delegate responsibility for certain construction projects to the General Services Administration. By extending the indemnification provisions of the Tort Claims Act to civilian members of the authority, this bill addresses the need to limit the potential liability of the civilian members of the authority who assume supervisory responsibility over projects authorized pursuant to P. L. 1987, c. 203.

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SENATE REVENUE, FINANCE AND APPROPRIATIONS  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 4408**

**STATE OF NEW JERSEY**

DATED: DECEMBER 17, 1987

The Senate Revenue, Finance and Appropriations Committee reported Assembly Bill No. 4408 favorably.

Assembly Bill No. 4408 provides that citizen members of the New Jersey Building Authority who are responsible for the construction, reconstruction, rehabilitation, or improvement of a public project are indemnified under the public employee indemnification provisions of the "New Jersey Tort Claims Act," N. J. S. 59:1-1 et seq. In addition to other project responsibilities of the members of the authority, P. L. 1987, c. 203 authorizes the New Jersey Building Authority to delegate day-to-day supervision of authority projects to its chairman, currently a citizen member. By extending the indemnification provisions of the Tort Claims Act to citizen members of the authority, this bill addresses the need to limit the potential liability of the citizen members of the authority who assume supervisory responsibility over projects authorized pursuant to P. L. 1987, c. 203.

**FISCAL IMPACT:**

This bill has no fiscal impact on State revenues.