

59:13-8

LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

LAWS OF: 2001 **CHAPTER:** 202
NJSA: 59:13-8 (Allows prejudgment interest on certain claims)
BILL NO: S2050 (Substituted for A3489)

SPONSOR(S): Ciesla and Codey

DATE INTRODUCED: January 22, 2001

COMMITTEE: **ASSEMBLY:** Judiciary
SENATE: State Government

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 21, 2001
SENATE: June 28, 2001

DATE OF APPROVAL: August 8, 2001

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL 1st reprint enacted

(Amendments during passage denoted by superscript numbers)

S2050

SPONSORS STATEMENT: (Begins on page 2 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

A3489

SPONSORS STATEMENT: (Begins on page 2 of original bill) Yes

Bill and Sponsors Statement identical to S2050

COMMITTEE STATEMENT:

ASSEMBLY: Yes

Identical to Senate Statement to S2050

SENATE: No

FLOOR AMENDMENT STATEMENTS:

No

LEGISLATIVE FISCAL ESTIMATE:

No

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government

Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

SENATE, No. 2050

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED JANUARY 22, 2001

Sponsored by:

Senator ANDREW R. CIESLA
District 10 (Monmouth and Ocean)
Senator RICHARD J. CODEY
District 27 (Essex)

SYNOPSIS

Allows prejudgment interest on certain claims under New Jersey Contractual Liability Act.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/9/2001)

S2050 CIESLA, CODEY

2

1 AN ACT concerning prejudgment interest on claims arising from
2 certain State contracts and amending N.J.S.59:13-8.

3

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

6

7 1. N.J.S.59:13-8 is amended to read as follows:

8 59:13-8. Interest on judgments. No interest shall accrue prior to
9 the entry of judgment in a court of competent jurisdiction, except
10 interest shall accrue prior to, and be payable on, a judgment arising out
11 of or relating to claims for the construction or installation of
12 improvements to real property.

13 (cf: N.J.S.59:13-8)

14

15 2. This act shall take effect immediately.

16

17

18 STATEMENT

19

20 This bill provides an exception to the current prohibition on the
21 recovery of prejudgment interest under the "New Jersey Contractual
22 Liability Act," N.J.S.A.59:13-1 et seq. The bill allows interest to
23 accrue prior to the entry of judgment arising out of or relating to
24 claims for the construction or installation of improvements to real
25 property.

26 Adjudication of construction-related claims can often take years.
27 The bill will allow contractors to recover interest on court awards and
28 provide full and fair compensation for valid claims.

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.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 2050

STATE OF NEW JERSEY

DATED: MARCH 15, 2001

The Senate State Government Committee reports favorably Senate Bill No. 2050.

This bill provides an exception to the current prohibition on the recovery of prejudgment interest under the "New Jersey Contractual Liability Act." Since the adjudication of construction-related claims can often take years, this bill allows interest to accrue prior to, and be payable on, a judgment arising out of or relating to claims for the construction or installation of improvements to real property.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 2050

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 7, 2001

The Assembly Judiciary Committee reports favorably and with committee amendments Senate Bill No. 2050.

This bill provides an exception to the current prohibition on the recovery of prejudgment interest under the "New Jersey Contractual Liability Act," N.J.S.A.59:13-1 et seq. The bill as introduced amended N.J.S.59:13-8 to allow interest to accrue prior to the entry of judgment arising out of or relating to claims for the construction or installation of improvements to real property. The committee amended the bill to provide that the court, in its discretion, may award prejudgment interest on the whole or part of a judgment arising out of or relating to claims for the construction or installation of improvements to real property in accordance with principles of equity.

The effective date was amended to apply to any claim that accrues after the date of enactment. The committee notes that this bill applies to State entities as "State" is defined in N.J.S.A.59:13-2.

As amended, this bill is identical to Assembly Bill No. 3489 (1R).

[First Reprint]

SENATE, No. 2050

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED JANUARY 22, 2001

Sponsored by:

Senator ANDREW R. CIESLA

District 10 (Monmouth and Ocean)

Senator RICHARD J. CODEY

District 27 (Essex)

Co-Sponsored by:

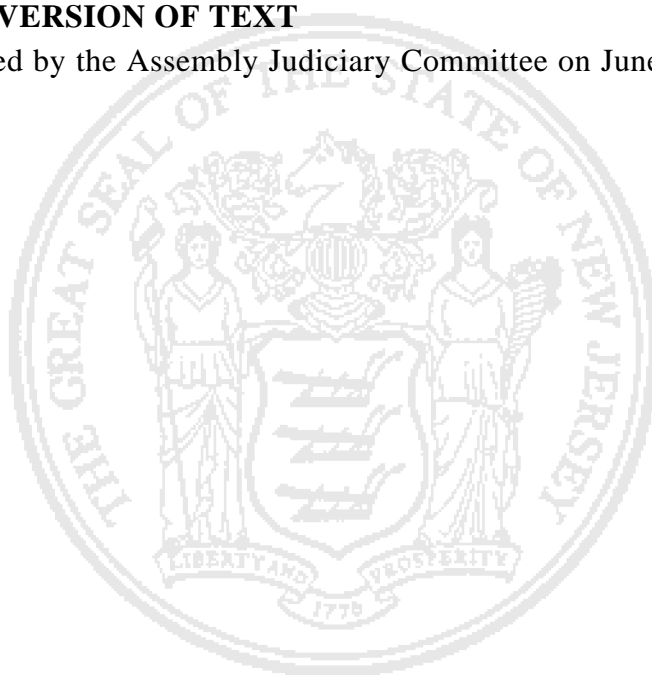
Assemblymen DeCroce and Corodemus

SYNOPSIS

Allows prejudgment interest on certain claims under New Jersey Contractual Liability Act.

CURRENT VERSION OF TEXT

As reported by the Assembly Judiciary Committee on June 7, 2001, with amendments.



(Sponsorship Updated As Of: 6/22/2001)

S2050 [1R] CIESLA, CODEY

2

1 AN ACT concerning prejudgment interest on claims arising from
2 certain State contracts and amending N.J.S.59:13-8.

3

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

6

7 1. N.J.S.59:13-8 is amended to read as follows:

8 59:13-8. Interest on judgments. No interest shall accrue prior to
9 the entry of judgment in a court of competent jurisdiction, except
10 ¹[interest shall accrue prior to, and be payable on, a judgment arising
11 out of or relating to claims for the construction or installation of
12 improvements to real property] that the court, in its discretion, may
13 award prejudgment interest on the whole or part of a judgment arising
14 out of or relating to claims for the construction or installation of
15 improvements to real property in accordance with principles of
16 equity¹.

17 (cf: N.J.S.59:13-8)

18

19 2. This act shall take effect immediately ¹and shall apply to any
20 claim that accrues after the date of enactment¹.

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:

¹ Assembly AJU committee amendments adopted June 7, 2001.

ASSEMBLY, No. 3489

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED MAY 7, 2001

Sponsored by:

Assemblyman ALEX DECROCE

District 26 (Essex, Morris and Passaic)

SYNOPSIS

Allows prejudgment interest on certain claims under New Jersey Contractual Liability Act.

CURRENT VERSION OF TEXT

As introduced.



A3489 DECROCE

2

1 AN ACT concerning prejudgment interest on claims arising from
2 certain State contracts and amending N.J.S.59:13-8.

3

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

6

7 1. N.J.S.59:13-8 is amended to read as follows:

8 59:13-8. Interest on judgments. No interest shall accrue prior to
9 the entry of judgment in a court of competent jurisdiction, except
10 interest shall accrue prior to, and be payable on, a judgment arising out
11 of or relating to claims for the construction or installation of
12 improvements to real property.

13 (cf: N.J.S.59:13-8)

14

15 2. This act shall take effect immediately.

16

17

18

STATEMENT

19

20 This bill provides an exception to the current prohibition on the
21 recovery of prejudgment interest under the "New Jersey Contractual
22 Liability Act," N.J.S.A.59:13-1 et seq. The bill allows interest to
23 accrue prior to the entry of judgment arising out of or relating to
24 claims for the construction or installation of improvements to real
25 property.

26 Adjudication of construction-related claims can often take years.
27 The bill will allow contractors to recover interest on court awards and
28 provide full and fair compensation for valid claims.

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.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3489

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 7, 2001

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 3489.

This bill provides an exception to the current prohibition on the recovery of prejudgment interest under the "New Jersey Contractual Liability Act," N.J.S.A.59:13-1 et seq. The bill as introduced amended N.J.S. 59:13-8 to allow interest to accrue prior to the entry of judgment arising out of or relating to claims for the construction or installation of improvements to real property. The committee amended the bill to provide that the court, in its discretion, may award prejudgment interest on the whole or part of a judgment arising out of or relating to claims for the construction or installation of improvements to real property in accordance with principles of equity.

The effective date was amended to apply to any claim that accrues after the date of enactment. The committee notes that this bill applies to State entities as "State" is defined in N.J.S.A. 59:13-2.

As amended, this bill is identical to Senate, No. 2050 (1R).

[First Reprint]

ASSEMBLY, No. 3489

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED MAY 7, 2001

Sponsored by:

Assemblyman ALEX DECROCE

District 26 (Essex, Morris and Passaic)

Co-Sponsored by:

Assemblyman Corodemus

SYNOPSIS

Allows prejudgment interest on certain claims under New Jersey Contractual Liability Act.

CURRENT VERSION OF TEXT

As reported by the Assembly Judiciary Committee on June 7, 2001, with amendments.



(Sponsorship Updated As Of: 6/22/2001)

1 AN ACT concerning prejudgment interest on claims arising from
2 certain State contracts and amending N.J.S.59:13-8.

3

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

6

7 1. N.J.S.59:13-8 is amended to read as follows:

8 59:13-8. Interest on judgments. No interest shall accrue prior to
9 the entry of judgment in a court of competent jurisdiction, except
10 ¹[interest shall accrue prior to, and be payable on, a judgment arising
11 out of or relating to claims for the construction or installation of
12 improvements to real property] that the court, in its discretion, may
13 award prejudgment interest on the whole or part of a judgment arising
14 out of or relating to claims for the construction or installation of
15 improvements to real property in accordance with principles of
16 equity¹.

17 (cf: N.J.S.59:13-8)

18

19 2. This act shall take effect immediately ¹and shall apply to any
20 claim that accrues after the date of enactment¹.

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:

¹ Assembly AJU committee amendments adopted June 7, 2001.

P.L. 2001, CHAPTER 202, *approved August 8, 2001*
Senate, No. 2050 (*First Reprint*)

1 AN ACT concerning prejudgment interest on claims arising from
2 certain State contracts and amending N.J.S.59:13-8.

3

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

6

7 1. N.J.S.59:13-8 is amended to read as follows:

8 59:13-8. Interest on judgments. No interest shall accrue prior to
9 the entry of judgment in a court of competent jurisdiction, except
10 ¹[interest shall accrue prior to, and be payable on, a judgment arising
11 out of or relating to claims for the construction or installation of
12 improvements to real property] that the court, in its discretion, may
13 award prejudgment interest on the whole or part of a judgment arising
14 out of or relating to claims for the construction or installation of
15 improvements to real property in accordance with principles of
16 equity¹.

17 (cf: N.J.S.59:13-8)

18

19 2. This act shall take effect immediately ¹and shall apply to any
20 claim that accrues after the date of enactment¹.

21

22

23

24

25 Allows prejudgment interest on certain claims under New Jersey
26 Contractual Liability Act.

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:

¹ Assembly AJU committee amendments adopted June 7, 2001.

CHAPTER 202

AN ACT concerning prejudgment interest on claims arising from certain State contracts and amending N.J.S.59:13-8.

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

1. N.J.S.59:13-8 is amended to read as follows:

Interest on judgments.

59:13-8. Interest on judgments. No interest shall accrue prior to the entry of judgment in a court of competent jurisdiction, except that the court, in its discretion, may award prejudgment interest on the whole or part of a judgment arising out of or relating to claims for the construction or installation of improvements to real property in accordance with principles of equity.

2. This act shall take effect immediately and shall apply to any claim that accrues after the date of enactment

Approved August 8, 2001.

Office of the Governor

PO BOX 004
TRENTON, NJ 08625

NEWS RELEASE

CONTACT: Rae Hutton
609-777-2600

RELEASE: Aug 8, 2001

Acting Governor Donald T. DiFrancesco signed the following legislation today:

SCS-1833, 839, sponsored by Senators Peter Inverso (R-Mercer/Middlesex), Anthony Bucco (R-Morris) and Diane Allen (R-Burlington/Camden) and Assembly members Rose Heck (R-Bergen) and Kevin O'Toole (R-Essex/Union), allows police and firefighters who transferred to the Police and Firemen's Retirement System (PFRS) under a 1993 law to receive full benefits under PFRS for public safety service rendered prior to the transfer without having to pay the increased cost to the system of providing those benefits.

A-2118, sponsored by Senator Leonard Connors (R-Atlantic/Burlington/Ocean) and Assemblymen John Kelly (R-Bergen/Essex/Passaic) and Kevin O'Toole (R-Essex/Union), increases the number of members of the fire safety commission from 21 to 23. The role of the commission is to assist and advise the Commissioner of Community Affairs in the enforcement of the state's fire safety laws.

A-3050, sponsored by Assemblymen Neil Cohen (D-Union) and Nia Gill (D-Essex), termed "Leonard Cohen's Law," prohibits a licensed hospital from transferring a patient to another health care facility unless the patient is accompanied by a complete discharge summary from the transferring hospital at the time of the transfer.

S-2050, sponsored by Senators Andrew Ciesla (R-Monmouth/Ocean) and Richard Codey (D-Essex) and Assemblyman Alex DeCroce (R-Essex/Morris/Passaic), provides that a court, in its discretion, may award prejudgment interest on the whole or part of a judgment arising out of or relating to claims for the construction or installation of improvements to real property in accordance with principles of equity.

S-1330, sponsored by Senators Robert Littell (R-Sussex/Hunterdon/Morris) and Jack Sinagra (R-Middlesex) and Assembly members Nicholas Felice (R-Bergen/Passaic) and Charlotte Vandervalk (R-Bergen), requires health insurers that provide prescription drug coverage to issue standardized pharmacy identification cards to decrease administrative burdens and to streamline the dispensing of prescription drugs and devices.

A-2913, sponsored by Senator Joseph Palaia (R-Monmouth) and Assembly members Michael Amone (R-Monmouth) and Anthony Impreveduto (D-Bergen/Hudson), prohibits "no damage for delay" clauses in certain contracts made with local units under the "Local Public Contracts Law" and the "Public Schools Contracts Law."

A-1203, sponsored by Assemblyman Steve Corodemus (R-Monmouth), establishes the World Language Instruction Committee in the Department of Education and provides credit toward

high school graduation requirements for world language courses offered by religious and non-public school organizations.

A-2204, sponsored by Senators Diane Allen (R-Burlington/Camden) and Richard Codey (D-Essex) and Assemblymen Frank Blee (R-Atlantic) and Joseph Charles (D-Hudson), renames the Office of Minority Health in the Department of Health and Senior Services (DHSS) as Office on Minority and Multicultural Health and provides additional responsibilities for the office and appropriates \$1.5 million to the new office to implement the bill.

AJR-35, sponsored by Assemblymen Joseph Azzolina (R-Middlesex/Monmouth) and Samuel Thompson (R-Middlesex/Monmouth), designates the third Monday in April of each year as "Patriots Day" in New Jersey.