

52:4A-1

March 26, 1971

LEGISLATIVE HISTORY OF R.S.52:4A-1

copy 2

(Prohibits claim against state-contract or tort)

Willis v. Department of Conservation - N.J. - was decided by New Jersey Supreme Court April 20, 1970.

..1970 - Chap.98 - S850.

May 7 - Introduced by Sears, Crabel.

No statement.

Not amended during passage.

Clippings (copies attached) from V.F.--N.J.--Court of Claims (proposed)

"State suits are valid says court"  
Trenton Evening Times, March 3, 1970.

"Holds state can be sued,"  
Newark Evening News, March 2, 1970.

"Jerseyans win right to challenge state contracts,"  
Newark Star Ledger, March 3, 1970.

Rules for suits against state,"  
Newark Evening News, March 3, 1970.

"For claims against state; new court study to be made,"  
Newark Evening News, April 28, 1970.

Davies, John O., "State loses suit immunity, but wants to OK settlement," C  
Courier-Post, March 3, 1970.

"State still sovereign; modified claims court,"  
Newark Evening News, March 24, 1970.

"Many would be ready to sue,"  
[editorial] Courier-Post, March 23, 1970.

"King still can do no wrong,"  
Trenton Evening Times, March 24, 1970.

"Lawmakers Once Again"  
[editorial] Courier Post, March 30, 1970.

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"Justice rescued from the cellar."  
[editorial] Bergen Record, April 29, 1970.

"Claims against state studied by legislature."  
Bergen Record, May 13, 1970.

Court case: Willis v. Department of Conservation and Economic Development. Copy of decision attached.

SCR30 of 1970 (Filed April 30, 1970)  
Created a bipartisan Commission to study need for  
and feasibility of establishing a Court of Claims.

For background see:

Lambert predicts end of governmental tort immunity  
in New Jersey.  
86 N.J.L.J. 297, May 23, 1963.

Is the doctrine of governmental immunity valid in our  
modern society? [Editorial]  
86 N.J.L.J. 432, August 8, 1963.

Sovereign responsibility [Editorial]  
89 N.J.L.J. 484, July 28, 1966.

Napolitano, Sonia  
The status of sovereign immunity in New Jersey:  
a proposed legislative reform.  
91 N.J.L.J. 429, 445, 471, 486 (1968)

Municipal tort liability: an emerging standard in New Jersey.  
1 Rutgers-Camden Law Journal 69 (1969)

RSL/EH  
Enclosure

**SENATE, No. 850**

**STATE OF NEW JERSEY**

INTRODUCED MAY 7, 1970

By Senators SEARS and CRABIEL

(Without Reference)

AN ACT concerning claims against the State.

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

1 1. Except for actions founded upon the Constitution of this State  
2 or the United States or an express provision of the statutory laws  
3 of this State, no action shall be instituted or continued against the  
4 State or any department or other agency thereof for the recovery  
5 of money damages, whether based on contract or tort, where the  
6 cause of action accrues prior to July 1, 1971.

1 2. This act shall take effect immediately.