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**REPORTS:**

No

**HEARINGS:**

No

**NEWSPAPER ARTICLES:**

Yes

“Law blocks soliciting in accidents.” 1-7-00, Atlantic City Press, p. D9.

P.L. 1999, CHAPTER 325, *approved January 6, 2000*  
Senate, No. 2013 (*Second Reprint*)

1 AN ACT concerning the conduct of certain professionals and  
2 supplementing chapter 40A of Title 2C of the New Jersey Statutes  
3 and chapter 29B of Title 17 of the Revised Statutes.  
4

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

7  
8 1. a. No person shall solicit professional employment <sup>1</sup>**[for**  
9 himself, from a person or that persons's] from an accident or disaster  
10 victim or an accident or disaster victim's<sup>1</sup> relative concerning an action  
11 for personal injury or wrongful death involving that <sup>1</sup>**[person]**  
12 accident or disaster victim<sup>1</sup> for a period of 30 days after the date on  
13 which the accident or disaster occurred.

14 b. Subsection a. of this section shall not apply if the accident or  
15 disaster victim, or his relative, as the case may be, had a previous  
16 <sup>1</sup>professional<sup>1</sup> business relationship with the professional.

17 c. Subsection a. of this section shall not apply to recommendations  
18 or referrals by past or present clients or patients, friends, relatives or  
19 other individuals relying on the reputation of the professional,  
20 provided the recommendation or referral is not made for value.

21 d. Subsection a. of this section shall not apply to any solicitation  
22 through advertising which is not directed to the victim or victims of a  
23 specific accident or disaster.

24 e. Subsection a. of this section shall not apply to emergency  
25 medical care.

26 f. For the purposes of this section:

27 "Professional employment" means services rendered by a physician,  
28 chiropractor or other health care professional<sup>2</sup>**[, or an attorney]**<sup>2</sup>  
29 <sup>1</sup>**[and which are within the scope of practice of the professional]**<sup>1</sup>.

30 "Solicit" means to contact a person with a request or plea, which is  
31 made in person, by telephone or other electronic medium.

32 g. A person who violates the provisions of this section, and who  
33 acts with intent to accept money or something of value for his  
34 services, shall be guilty of a crime of the third degree.  
35

36 <sup>2</sup>2. In addition to any other sanction that may be imposed by the  
37 Supreme Court, an attorney who violates the Rules of Professional

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and 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 November 8, 1999.

<sup>2</sup> Assembly floor amendments adopted December 9, 1999.

1 Conduct promulgated by the Supreme Court of New Jersey by  
2 contacting an accident or disaster victim or an accident or disaster  
3 victim's relative, using means other than written communication, to  
4 solicit professional employment on the attorney's own behalf, and who  
5 acts with intent to accept money or something of value for his  
6 services, shall be guilty of a crime of the third degree.<sup>2</sup>

7  
8 <sup>2</sup>[2.] <sup>3.</sup><sup>2</sup> a. No insurance release or waiver of rights by a claimant  
9 to compensation for personal injury or wrongful death arising from an  
10 accident or disaster executed within 30 days after the date on which  
11 the accident or disaster occurred shall be enforceable unless the  
12 claimant, prior to execution of the release or waiver, receives a written  
13 disclosure informing the claimant <sup>1</sup>that he may seek legal  
14 representation, and further informing the claimant<sup>1</sup> of his rights  
15 pursuant to this act<sup>1</sup>], including the right to representation by an  
16 attorney]<sup>1</sup>.

17 The written disclosure shall be clearly readable, in 12-point  
18 bold type and shall include the following:

19 "New Jersey law guarantees to accident and disaster  
20 victims the right to review and cancel an insurance  
21 release or waiver of rights to compensation for  
22 personal injury or wrongful death arising from an  
23 accident or disaster if the insurance release or waiver  
24 is signed by the claimant within the 30 day period  
25 immediately following the accident or disaster. Under  
26 State law you have 10 days from the day you sign the  
27 insurance release or waiver of rights to file a notice of  
28 cancellation with the insurer or agent of the insurer  
29 that accepted your release or waiver of rights to  
30 compensation. You also <sup>1</sup>have the right to]may  
31 seek the advice of<sup>1</sup> an attorney to review the waiver  
32 or release and to represent you if you so choose.  
33 Notice of cancellation shall be sent by certified mail  
34 to the insurer's or agent's last known address and shall  
35 be effective if received by the 10th day following the  
36 signing of the release or waiver."

37 b. An insurance release or waiver of rights by a claimant to  
38 compensation for personal injury or wrongful death arising from an  
39 accident or disaster, and executed within the 30 day period following  
40 the accident or disaster, may be reviewed by the claimant or the  
41 claimant's attorney and may be rescinded within the 10 day period  
42 following the execution of the waiver or release by the claimant. Any  
43 consideration or thing of value which has passed between the parties  
44 prior to rescission of a release or waiver shall be returned. An insurer  
45 may withhold payment of the proceeds from settlements made within  
46 the 30 day period until the 10 day waiting period has expired.

1 <sup>1</sup>【Settlement proceeds withheld pursuant to this section shall be held  
2 in a non-interest bearing trust account.】<sup>1</sup>

3 c. The rights and remedies accorded by the provisions of this  
4 section shall be in addition to and cumulative of any other rights and  
5 remedies under law and nothing herein shall be construed to deny,  
6 abrogate or impair any such right or remedy.

7

8 <sup>2</sup>【~~3.~~ 4.】<sup>2</sup> This act shall take effect on the 90th day after enactment.

9

10

11

12

13 Prohibits certain persons from contracting accident or disaster victims  
14 for 30 days after the accident or disaster.

**SENATE, No. 2013**

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**STATE OF NEW JERSEY**  
**208th LEGISLATURE**

---

INTRODUCED JUNE 21, 1999

**Sponsored by:**

**Senator NORMAN M. ROBERTSON**

**District 34 (Essex and Passaic)**

**Senator WILLIAM L. GORMLEY**

**District 2 (Atlantic)**

**SYNOPSIS**

Prohibits certain persons from contracting accident or disaster victims for 30 days after the accident or disaster.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the conduct of certain professionals and  
2 supplementing chapter 40A of Title 2C of the New Jersey Statutes  
3 and chapter 29B of Title 17 of the Revised Statutes.

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

7  
8 1. a. No person shall solicit professional employment for himself,  
9 from a person or that persons's relative concerning an action for  
10 personal injury or wrongful death involving that person for a period of  
11 30 days after the date on which the accident or disaster occurred.

12 b. Subsection a. of this section shall not apply if the accident or  
13 disaster victim, or his relative, as the case may be, had a previous  
14 business relationship with the professional.

15 c. Subsection a. of this section shall not apply to recommendations  
16 or referrals by past or present clients or patients, friends, relatives or  
17 other individuals relying on the reputation of the professional,  
18 provided the recommendation or referral is not made for value.

19 d. Subsection a. of this section shall not apply to any solicitation  
20 through advertising which is not directed to the victim or victims of a  
21 specific accident or disaster.

22 e. Subsection a. of this section shall not apply to emergency  
23 medical care.

24 f. For the purposes of this section:

25 "Professional employment" means services rendered by a physician,  
26 chiropractor or other health care professional, or an attorney and  
27 which are within the scope of practice of the professional.

28 "Solicit" means to contact a person with a request or plea, which  
29 is made in person, by telephone or other electronic medium.

30 g. A person who violates the provisions of this section, and who  
31 acts with intent to accept money or something of value for his  
32 services, shall be guilty of a crime of the third degree.

33

34 2. a. No insurance release or waiver of rights by a claimant to  
35 compensation for personal injury or wrongful death arising from an  
36 accident or disaster executed within 30 days after the date on which  
37 the accident or disaster occurred shall be enforceable unless the  
38 claimant, prior to execution of the release or waiver, receives a written  
39 disclosure informing the claimant of his rights pursuant to this act,  
40 including the right to representation by an attorney.

41 The written disclosure shall be clearly readable, in 12-point  
42 bold type and shall include the following:

43 "New Jersey law guarantees to accident and disaster  
44 victims the right to review and cancel an insurance  
45 release or waiver of rights to compensation for  
46 personal injury or wrongful death arising from an

1 accident or disaster if the insurance release or waiver  
2 is signed by the claimant within the 30 day period  
3 immediately following the accident or disaster. Under  
4 State law you have 10 days from the day you sign the  
5 insurance release or waiver of rights to file a notice of  
6 cancellation with the insurer or agent of the insurer  
7 that accepted your release or waiver of rights to  
8 compensation. You also have the right to an attorney  
9 to review the waiver or release and to represent you  
10 if you so choose. Notice of cancellation shall be sent  
11 by certified mail to the insurer's or agent's last known  
12 address and shall be effective if received by the 10th  
13 day following the signing of the release or waiver."

14 b. An insurance release or waiver of rights by a claimant to  
15 compensation for personal injury or wrongful death arising from an  
16 accident or disaster, and executed within the 30 day period following  
17 the accident or disaster, may be reviewed by the claimant or the  
18 claimant's attorney and may be rescinded within the 10 day period  
19 following the execution of the waiver or release by the claimant. Any  
20 consideration or thing of value which has passed between the parties  
21 prior to rescission of a release or waiver shall be returned. An insurer  
22 may withhold payment of the proceeds from settlements made within  
23 the 30 day period until the 10 day waiting period has expired.  
24 Settlement proceeds withheld pursuant to this section shall be held in  
25 a non-interest bearing trust account.

26 c. The rights and remedies accorded by the provisions of this  
27 section shall be in addition to and cumulative of any other rights and  
28 remedies under law and nothing herein shall be construed to deny,  
29 abrogate or impair any such right or remedy.

30  
31 3. This act shall take effect on the 90th day after enactment.

32

33

34

#### STATEMENT

35

36 This bill prohibits certain persons from soliciting professional  
37 employment for themselves from victims of accidents or disasters or  
38 their relatives concerning a personal injury or wrongful death action  
39 involving that person for a period of 30 days after the accident or  
40 disaster occurred. "Professional employment" is defined as the  
41 services rendered by a physician, chiropractor or other health care  
42 professional, or any attorney and which services are within the scope  
43 of practice of the professional. "Solicit" is defined as contacting a  
44 person with a request or plea, which is made in person, by telephone  
45 or other electronic medium. Any person who solicits professional  
46 employment from an accident or disaster victim, or a relative, within



1 the 30-day period shall be guilty of a third degree crime, provided they  
2 acted with intent to accept money or something of value for their  
3 services. The Rules of Professional Conduct established by the New  
4 Jersey Supreme Court currently prohibit attorneys from contacting  
5 accident or disaster victims within a 30 day period following the  
6 accident or disaster.

7 The bill's provisions would not apply: if the person had a prior  
8 business relationship with the professional; to recommendations or  
9 referrals by past or present clients or patients, friends, relatives or  
10 other individuals relying on the reputation of the professional, if the  
11 recommendation is not made for value; to solicitations through  
12 traditional advertising which are not directed to the victim or victims  
13 of a specific accident or disaster; and to emergency medical care.

14 The bill also provides that no insurance release or waiver of rights  
15 by a claimant to compensation for personal injury or wrongful death  
16 arising from an accident or disaster shall be enforceable unless the  
17 claimant, prior to execution of the release or waiver, receives a written  
18 disclosure informing the claimant of the rights provided by this bill,  
19 including the right to representation by an attorney. The written  
20 disclosure shall be clearly readable, in 12-point bold type and shall  
21 include specific language as set forth in subsection a. of section 2 of  
22 the bill.

23 Finally, the bill provides that an insurance release or waiver of  
24 rights by a claimant to compensation for personal injury or wrongful  
25 death arising from an accident or disaster may be reviewed by the  
26 claimant or the claimant's attorney and may be voided within the 10  
27 day period following the execution of the waiver or release by the  
28 claimant.

# SENATE JUDICIARY COMMITTEE

## STATEMENT TO

### **SENATE, No. 2013**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: NOVEMBER 8, 1999

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 2013.

This bill prohibits certain persons from soliciting professional employment from victims of accidents or disasters or their relatives concerning a personal injury or involving that person for a period of 30 days after the accident or disaster occurred. "Professional employment" is defined as the services rendered by a physician, chiropractor or other health care professional, or an attorney. "Solicit" is defined as contacting a person with a request or plea which is made in person, by telephone or other electronic medium. Any person who solicits professional employment from an accident or disaster victim, or a relative, within the 30-day period would be guilty of a third degree crime provided they acted with intent to accept money or something of value for their services. The Rules of Professional Conduct established by the New Jersey Supreme Court currently prohibit attorneys from contacting accident or disaster victims within a 30 day period following the accident or disaster.

The bill's provisions would not apply: if the person had a prior professional business relationship with the professional; to recommendations or referrals by past or present clients or patients, friends, relatives or other individuals relying on the reputation of the professional, if the recommendation is not made for value; to solicitations through traditional advertising which are not directed to the victim or victims of a specific accident or disaster; and to emergency medical care.

The bill also provides that no insurance release or waiver of rights by a claimant to compensation for personal injury or wrongful death arising from an accident or disaster shall be enforceable unless the claimant, prior to execution of the release or waiver, receives a written disclosure informing the claimant of the rights provided by this bill. Those rights as clarified by committee amendment include the right to seek the advice of an attorney. The written disclosure shall be clearly readable, in 12-point bold type and shall include specific language set forth in subsection a. of section 2 of the bill.

In addition, the bill also provides that an insurance release or waiver of rights by a claimant to compensation for personal injury or wrongful death arising from an accident or disaster may be reviewed by the claimant or the claimant's attorney and may be voided within the 10 day period following the execution of the waiver or release by the claimant.

By committee amendments, language requiring settlement proceeds to be held in a trust account was deleted. The committee amendments also made several minor changes to clarify certain language.

STATEMENT TO  
[First Reprint]  
**SENATE, No. 2013**

with Assembly Floor Amendments  
(Proposed By Assemblymen DORIA and IMPREVEDUTO)

ADOPTED: DECEMBER 9, 1999

This bill provides that no person shall solicit professional employment from an accident or disaster victim or an accident or disaster victim's relative concerning an action for personal injury or wrongful death involving that accident or disaster victim for a period of 30 days after the date on which the accident or disaster occurred. This floor amendment provides a new section 2 of the bill to address attorneys in a distinct manner from the other professionals addressed by the bill.

"Professional employment" is defined in the bill as services rendered by a physician, chiropractor or other health care professional and, prior to this floor amendment, included attorneys in that definition. The floor amendment omits the reference to "attorney" in the definition in section 1. The section added by these floor amendments provides that in addition to any other sanction that may be imposed by the Supreme Court, an attorney who violates the Rules of Professional Conduct promulgated by the Supreme Court of New Jersey by contacting an accident or disaster victim or an accident or disaster victim's relative using means other than written communication, to solicit employment on his own behalf, and who acts with intent to accept money or something of value for his services, shall be guilty of a crime of the third degree. The bill currently provides in subsection g. of section 1 that a person who violates that section, and who acts with intent to accept money or something of value for his services, is guilty of a crime of the third degree.

# ASSEMBLY, No. 1820

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## STATE OF NEW JERSEY

### 208th LEGISLATURE

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INTRODUCED MARCH 16, 1998

**Sponsored by:**

**Assemblyman JOSEPH V. DORIA, JR.**

**District 31 (Hudson)**

**Assemblyman ANTHONY IMPREVEDUTO**

**District 32 (Bergen and Hudson)**

**SYNOPSIS**

Prohibits certain persons from contacting accident and disaster victims to solicit business for 31 days after incident.

**CURRENT VERSION OF TEXT**

As introduced.



A1820 DORIA, IMPREVEDUTO

2

1 AN ACT concerning the conduct of certain professionals and the use  
2 of motor vehicle accident reports, supplementing chapter 40A of  
3 Title 2C of the New Jersey Statutes and amending R.S.39:4-131.

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

7  
8 1. (New section) An attorney, physician, chiropractor or other  
9 health care professional licensed or certified to practice in this State,  
10 with the intent of obtaining professional employment for himself or  
11 another, shall not contact a person or that person's relative concerning  
12 an action for personal injury or wrongful death or an action that  
13 otherwise relates to an accident or disaster involving that person for  
14 a period of 31 days after the date on which the accident or disaster  
15 occurred. This prohibition shall not apply if the person or his relative,  
16 as the case may be, had a previous business relationship with the  
17 professional. This prohibition shall not apply to recommendations or  
18 referrals by past or present clients or patients, friends, relatives or  
19 other individuals relying on the reputation of the professional,  
20 provided that the recommendation or referral is not made for monetary  
21 remuneration. This prohibition shall not apply to referrals secured  
22 through traditional advertising such as radio, television, newspapers  
23 or magazines. In the case of a motor vehicle accident, this prohibition  
24 shall apply only if the person involved has declined such contacts  
25 pursuant to R.S.39:4-131.

26 A person who violates the provisions of this section shall be guilty  
27 of a crime of the fourth degree.

28  
29 2. R.S.39:4-131 is amended to read as follows:

30 39:4-131. The division shall prepare and supply to police  
31 departments and other suitable agencies, forms for accident reports  
32 calling for sufficiently detailed information with reference to a motor  
33 vehicle accident, including the cause, the conditions then existing, the  
34 persons and vehicles involved, the compliance with P.L.1984, c.179  
35 (C.39:3-76.2e et seq.) by the operators and passengers of the vehicles  
36 involved in the accident, and such information as the director may  
37 require. The forms shall contain a means of indicating if a person  
38 involved in an accident does not desire to be contacted by persons  
39 seeking to obtain professional employment pursuant to section 1 of  
40 P.L. .c. (C. ) (now pending before the Legislature as this  
41 bill).

42 Every law enforcement officer who investigates a vehicle accident  
43 of which a report must be made as required in this Title, or who

**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.**

1 otherwise prepares a written report as a result of an accident or  
2 thereafter by interviewing the participants or witnesses, shall forward  
3 a written report of such accident to the division, on forms furnished by  
4 it, within five days after his investigation of the accident.

5 Such written reports required to be forwarded by law enforcement  
6 officers and the information contained therein shall not be privileged  
7 or held confidential. Every citizen of this State shall have the right,  
8 during regular business hours and under supervision, to inspect and  
9 copy such reports and shall also have the right in person to purchase  
10 copies of the reports at the same fee established by section 2 of  
11 P.L.1963, c.73 (C.47:1A-2). If copies of reports are requested other  
12 than in person, an additional fee of up to \$5.00 for the first three pages  
13 and \$1.00 per page thereafter may be added to cover the  
14 administrative costs of the report.

15 The provisions of any other law or regulation to the contrary  
16 notwithstanding, reports obtained pursuant to this act shall not be  
17 subject to confidentiality requirements except as provided by section  
18 28 of P.L.1960, c.52 (C.2A:84A-28).

19 (cf: P.L.1987, c.26, s.1)

20  
21 3. (New section) An attorney, physician, chiropractor or other  
22 health care professional licensed or certified to practice in this State,  
23 with the intent of obtaining professional employment for himself or  
24 another, who employs or otherwise engages a third party for the  
25 purpose of contacting a person or that person's relative concerning a  
26 specific action for personal injury or wrongful death or an action that  
27 otherwise relates to a specific accident or disaster involving that  
28 person is guilty of a crime of the fourth degree.

29  
30 4. (New section) Any person who accepts employment or is  
31 otherwise engaged by an attorney, physician, chiropractor or other  
32 health care professional licensed or certified to practice in this State,  
33 with the intent of obtaining employment for the professional or another  
34 by contacting a person or that person's relative concerning a specific  
35 action for personal injury or wrongful death or an action that  
36 otherwise relates to a specific accident or disaster involving that  
37 person is guilty of a crime of the fourth degree.

38  
39 5. (New section) Any insurance release executed or signed by a  
40 person or that person's relative concerning an action for personal  
41 injury or wrongful death or that otherwise relates to an accident or  
42 disaster involving that person for a period of 31 days after the date on  
43 which the accident or disaster occurred shall be null and void in the  
44 event that the release is subsequently challenged.

45  
46 6. (New section) The solicitation of such professional services in

1 this State shall establish sufficient minimum contacts for the service of  
2 process and personal jurisdiction in this State.

3  
4 7. (New section) Nothing in this act shall be construed to deny or  
5 limit any rights or freedoms guaranteed by the federal or State  
6 Constitutions.

7  
8 8. Any statements or documentary evidence obtained by an  
9 insurance company concerning an action for personal injury or  
10 wrongful death or that otherwise relates to an accident or disaster  
11 involving that person for a period of 31 days after the date on which  
12 the accident or disaster shall be inadmissible in any civil proceeding.

13  
14 9. This act shall take effect on the first day of the third month after  
15 enactment.

16  
17  
18 STATEMENT

19  
20 This bill would prohibit attorneys, physicians, chiropractors and  
21 other health care professionals from contacting victims of accidents or  
22 disasters or their relatives concerning personal injury or wrongful  
23 death actions for a period of 31 days after the incident occurred. In  
24 the case of a motor vehicle accident, an attorney or health care  
25 professional may contact an accident victim within that time period  
26 unless the victim indicates on the accident report that the victim  
27 declines such contact. A professional who violates the provisions of  
28 this bill would be guilty of a crime of the fourth degree. A crime of  
29 the fourth degree is punishable by a term of imprisonment not to  
30 exceed 18 months, a fine of up to \$7,500 or both.

31 The bill also prohibits the use of a "runner" or other person to  
32 solicit professional services on behalf of the professional at any time  
33 after an accident or disaster. Hiring another person to be a "runner"  
34 or accepting employment as a "runner" would also constitute crimes  
35 of the fourth degree.

36 The bill would nullify an insurance release executed or signed  
37 within the 31 day period if the validity of the release were challenged  
38 later.

39 The bill's provisions would not apply if the person had a prior  
40 business relationship with the professional, the referral was made  
41 without monetary remuneration or it was secured through traditional  
42 advertising.

43 The bill also requires the Director of Motor Vehicles to amend the  
44 accident report form prescribed in R.S.39:4-131 to permit an accident  
45 victim to decline to be contacted by such professionals.



# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

### ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, No. 1820

# STATE OF NEW JERSEY

DATED: JUNE 14, 1999

The Assembly Judiciary Committee reports favorably Assembly Committee Substitute for Assembly Bill No. 1820.

This substitute prohibits certain persons from soliciting professional employment for themselves from victims of accidents or disasters or their relatives concerning a personal injury or wrongful death action involving that person for a period of 30 days after the accident or disaster occurred. "Professional employment" is defined as the services rendered by a physician, chiropractor or other health care professional, or any attorney and which services are within the scope of practice of the professional. "Solicit" is defined as contacting a person with a request or plea, which is made in person, by telephone or other electronic medium. Any person who solicits professional employment from an accident or disaster victim, or a relative, within the 30 day period shall be guilty of a third degree crime, provided they acted with intent to accept money or something of value for their services. The Rules of Professional Conduct established by the New Jersey Supreme Court currently prohibit attorneys from contacting accident or disaster victims within a 30 day period following the accident or disaster.

The substitute's provisions would not apply: if the person had a prior business relationship with the professional; to recommendations or referrals by past or present clients or patients, friends, relatives or other individuals relying on the reputation of the professional, if the recommendation is not made for value; to solicitations through traditional advertising which are not directed to the victim or victims of a specific accident or disaster; and to emergency medical care.

The substitute also provides that no insurance release or waiver of rights by a claimant to compensation for personal injury or wrongful death arising from an accident or disaster shall be enforceable unless the claimant, prior to execution of the release or waiver, receives a written disclosure informing the claimant of the rights provided by this substitute, including the right to representation by an attorney. The written disclosure shall be clearly readable, in 12-point bold type and shall include specific language as set forth in subsection a. of section 2 of the substitute.

Finally, the substitute provides that an insurance release or waiver of rights by a claimant to compensation for personal injury or wrongful death arising from an accident or disaster may be reviewed by the claimant or the claimant's attorney and may be voided within the 10 day period following the execution of the waiver or release by the claimant.

STATEMENT TO  
ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, No. 1820**

with Assembly Floor Amendments  
(Proposed By Assemblyman DORIA)

ADOPTED: NOVEMBER 15, 1999

This bill prohibits certain persons from soliciting professional employment from victims of accidents or disasters or their relatives concerning a personal injury or wrongful death action for a period of 30 days after the accident or disaster occurred.

These floor amendments delete language requiring settlement proceeds to be held in a trust account. The floor amendments also clarify that the written disclosure that must be provided to claimants under the bill must include a provision stating that the claimant has the right to seek the advice of an attorney. In addition, the floor amendments make several minor changes to clarify certain language in the bill.

*Office of the Governor*  
**NEWS RELEASE**

PO BOX 004  
TRENTON, NJ 08625

CONTACT: Gene Herman  
609-777-2600

RELEASE: January 6, 2000

Gov. Christie Whitman today signed the following pieces of legislation:

**S-1551**, sponsored by Senators Nicholas J. Sacco (D-Bergen/Hudson) and Henry P. McNamara (R-Bergen/Passaic) and Assembly Members John E. Rooney (R-Bergen) and David C. Russo (R-Bergen/Passaic), authorizes the board of education of a school district to apply to the economic Development Administration (EDA) for an interest-free loan for the costs of cleaning up a leaking tank, or upgrading or closing a regulated tank.

**S-2013**, sponsored by Senators Norman M. Robertson (R-Essex/Passaic) and William L. Gormley (R-Atlantic) and Assembly Members Joseph V. Doria, Jr. (D-Hudson) and Anthony M. Impreveduto (D-Bergen/Hudson), prohibits physicians, chiropractors, and other health care professionals from soliciting professional employment from accident and disaster victims within the 30-day period after the accident or disaster. The bill also provides for a criminal penalty against attorneys who violate the rules of professional conduct by contacting victims.

**SCS for S-1613**, sponsored by Senators C. Louis Bassano (R-Essex/Union) and Henry P. McNamara (R-Bergen/Passaic) and Assembly Members John E. Rooney (R-Bergen) and David C. Russo (R-Bergen/Passaic), establishes a certification requirement for persons removing or installing an unregulated storage tank. Unregulated storage tanks are those used for residential purposes and non-residential tanks under 2000 gallons.

**S-1941**, sponsored by Senators Richard J. Codey (D-Essex) and Donald T. DiFrancesco (R-Middlesex/Morris/Somerset/Union) and Assembly Members Joseph V. Doria, Jr. (D-Hudson) and Jack Collins (R-Salem/Cumberland/Gloucester), establishes the Senator Wynona Lipman Chair in Political Leadership at the Center for the American Woman and Politics at the Eagleton Institute of Politics. The bill appropriates \$100,000 to finance the chair. The bill is a tribute to the late Senator Lipman.

**S-908**, sponsored by Senators Joseph A. Palaia (R-Monmouth) and John Matheussen (R-Camden/Gloucester) and Assembly Member Tom Smith (R-Monmouth) reduces the minimum eligibility age for membership in the Junior Firemen's Auxiliary from 16 to 14.

**S-1370**, sponsored by Senator James S. Cafiero (R-Atlantic/Cape May/Cumberland) and Assembly Members John C. Gibson (R-Atlantic/Cape May/Cumberland) and Nicholas Asselta (R-Atlantic/Cape May/Cumberland), extends to elementary students certain drug counseling-related confidentiality protections currently available to secondary students. The bill is intended to encourage students to seek out drug counseling and foster greater communication between students and counselors.

**S-1061**, sponsored by Senators Martha W. Bark (R-Atlantic/Burlington/Camden) and John A. Girgenti (D-Passaic) and Assembly Members Richard A. Merkt (R-Morris) and Michael Patrick Carroll (R-Morris), repeals, recodifies and supplements a number of statutes dealing with evidence and service of process. The bill embodies the recommendations of the New Jersey Law Revision Commission, which in 1996 undertook a review of these statutes.

**S-273**, sponsored by the late Senator Wynona Lipman (D-Essex/Union) and Assembly Member Craig A. Stanley (D-Essex), grants voting rights to student members of the Commission on Higher Education.

**S-1954**, sponsored by Senators C. Louis Bassano (R-Essex/Union) and Donald T. DiFrancesco (R-Middlesex/Morris/Somerset/Union) and Assembly Members Kevin J. O'Toole (R-Essex/ Union) and Joel M. Weingarten (R-Essex/Union), permits the Governor to appoint up to three out-of-state alumni to the boards of trustees of each of the nine state colleges and universities. Previously, all members of the boards of trustees were required to be citizens of New Jersey.

**A-2392**, sponsored by Assembly Members Paul DiGaetano (R- Bergen/Essex/Passaic) and Doria (D-Hudson) and Senator C. Louis Bassano (R- Essex/Union), permits a chiropractor licensed to practice in New Jersey (or a bordering state) to certify a person as handicapped for purposes of handicapped parking. Under previous law, only a licensed physician or podiatrist could grant this certification.

**A-2781**, sponsored by Assembly Members Connie Myers (R- Warren/Hunterdon/Mercer) and Guy R. Gregg (R-Sussex/Hunterdon/Morris) and Senator Martha W. Bark (R-Atlantic/ Burlington/Camden), allows the issuance of a permit to farmers to kill deer because of crop damage incurred anytime in the prior year. In order to receive the special permit, the bill allows the Division of Fish and Wildlife to require a farmer to demonstrate that he or she has sustained crop damage due to deer during the previous 12- month period.

**S-401**, sponsored by Senator Robert E. Littell (R-Sussex/Hunterdon/Morris) and Assembly Members Paul R. Kramer (R-Mercer/Middlesex) and Marion Crecco (R-Essex/Passaic), criminalizes "jumping" emergency calls. The bill's purpose is to enhance public safety by preventing persons from disrupting medical personnel and firefighters during emergencies. As a result of the bill, it is now a fourth-degree crime to use intercepted information to interfere with fire fighting operations or the provision of medical services by first aid, rescue or ambulance squad personnel.

**A-3250**, sponsored by Assembly Members Richard A. Merkt (R-Morris) and Guy R. Gregg (R-Sussex/ Hunterdon/Morris) and Senators Louis F. Kosco (R- Bergen) and Dr. Gerald Cardinale (R-Bergen), forbids tax stamping, and therefore, the sale of re-imported cigarettes originally produced for export. The bill attempts to ban gray market cigarettes by amending the Cigarette Tax Act to prohibit tobacco distributors from affixing cigarette tax stamps on cigarette packages that are repatriated. There are currently 24 states that have enacted similar legislation.