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P.L. 2021, CHAPTER 142, *approved July 1, 2021*  
Senate, No. 3584 (*First Reprint*)

1 AN ACT establishing immunity relating to COVID-19 spread in  
2 planned real estate developments <sup>1</sup>and supplementing Title 2A of  
3 the New Jersey Statutes<sup>1</sup>.

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

7  
8 1. a. <sup>1</sup>Any illness, injury, death, or other <sup>1</sup>A planned real estate  
9 development shall be immune from civil liability for<sup>1</sup> damages arising  
10 from, or related to, an exposure to, or transmission of, COVID-19 on  
11 the premises of <sup>1</sup>a] the<sup>1</sup> planned real estate development <sup>1</sup>shall not  
12 give rise to any cause of action.], so long as the planned real estate  
13 development has prominently displayed at the entrance of any  
14 communal space shared by the planned real estate development's  
15 residents and their guests, such as pools, gyms, and clubhouses, a sign  
16 stating the following warning:

17 “ANY PERSON ENTERING THE PREMISES WAIVES ALL CIVIL  
18 LIABILITY AGAINST THE PLANNED REAL ESTATE  
19 DEVELOPMENT FOR DAMAGES ARISING FROM, OR  
20 RELATED TO, AN EXPOSURE TO, OR TRANSMISSION OF,  
21 COVID-19 ON THE PREMISES, EXCEPT FOR ACTS OR  
22 OMISSIONS CONSTITUTING A CRIME, ACTUAL FRAUD,  
23 ACTUAL MALICE, GROSS NEGLIGENCE, RECKLESSNESS, OR  
24 WILLFUL MISCONDUCT.”<sup>1</sup>

25 b. The immunity provided pursuant to subsection a. of this section  
26 shall not apply to acts or omissions constituting a crime, actual fraud,  
27 actual malice, gross negligence, recklessness, or willful misconduct.

28 c. <sup>1</sup>Nothing in this section shall be construed to limit or modify  
29 any claim for relief under the workers' compensation law, R.S.34:15-1  
30 et seq.

31 d.<sup>1</sup> As used in this section:

32 “COVID-19” means the coronavirus disease 2019, as announced  
33 by the World Health Organization on February 11, 2020, and first  
34 identified in Wuhan, China.

35 “Planned real estate development” means the same as that term is  
36 defined in section 3 of P.L.1977, c.419 (C.45:22A-23).

37

38 2. This act shall take effect immediately <sup>1</sup>and shall expire on the  
39 first day of calendar year 2022<sup>1</sup>.

**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:

<sup>1</sup>Assembly ACD committee amendments adopted June 16, 2021.

**S3584 [1R]**

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Establishes immunity relating to COVID-19 spread in planned  
real estate developments.

# SENATE, No. 3584

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 25, 2021

**Sponsored by:**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Senator SHIRLEY K. TURNER**

**District 15 (Hunterdon and Mercer)**

**Senator NICHOLAS J. SACCO**

**District 32 (Bergen and Hudson)**

**Co-Sponsored by:**

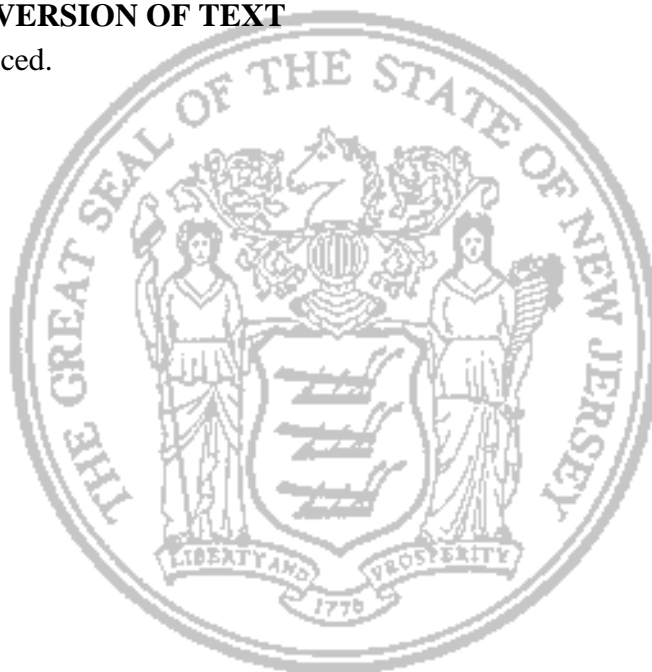
**Senators Diegnan, Gopal, A.M.Bucco, O'Scanlon, Pennacchio, Schepisi,  
Holzapfel, Addiego, T.Kean, Bateman, Pou and Sarlo**

**SYNOPSIS**

Establishes immunity relating to COVID-19 spread in planned real estate developments.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/3/2021)**

1 AN ACT establishing immunity relating to COVID-19 spread in  
2 planned real estate developments and supplementing Title 2A of  
3 the New Jersey Statutes.

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

7  
8 1. a. Any illness, injury, death, or other damages arising from,  
9 or related to, an exposure to, or transmission of, COVID-19 on the  
10 premises of a planned real estate development shall not give rise to  
11 any cause of action.

12 b. The immunity provided pursuant to subsection a. of this  
13 section shall not apply to acts or omissions constituting a crime,  
14 actual fraud, actual malice, gross negligence, recklessness, or  
15 willful misconduct.

16 c. As used in this section:

17 “COVID-19” means the coronavirus disease 2019, as announced  
18 by the World Health Organization on February 11, 2020, and first  
19 identified in Wuhan, China.

20 “Planned real estate development” means the same as that term is  
21 defined in section 3 of P.L.1977, c.419 (C.45:22A-23).

22  
23 2. This act shall take effect immediately.

24  
25  
26 STATEMENT

27  
28 This bill would prohibit any causes of action for damages arising  
29 from a COVID-19 exposure or transmission on the premises of a  
30 planned real estate development. This immunity would not apply to  
31 acts or omissions constituting a crime, actual fraud, actual malice,  
32 gross negligence, recklessness, or willful misconduct.

ASSEMBLY COMMUNITY DEVELOPMENT AND AFFAIRS  
COMMITTEE

STATEMENT TO  
**SENATE, No. 3584**

with committee amendments

**STATE OF NEW JERSEY**

DATED: JUNE 16, 2021

The Assembly Community Development and Affairs Committee reports favorably and with committee amendments Senate Bill No. 3584.

As amended by the committee, this bill would provide immunity from civil liability to a planned real estate development for damages arising from a COVID-19 exposure or transmission on the premises of a planned real estate development, so long as the planned real estate development has prominently displayed a warning, described in the bill, at the entrance of any communal space

This immunity would not apply to acts or omissions constituting a crime, actual fraud, actual malice, gross negligence, recklessness, or willful misconduct. Nothing in the bill would be construed to limit or modify any claim for relief under the State's workers' compensation law. The bill would take effect immediately, and would expire on the first day of calendar year 2022.

As amended by the committee, this bill is identical to Assembly Bill No. 4979, as that bill was amended and reported by the committee on this date.

COMMITTEE AMENDMENTS

The committee amendments specify that a real estate development is immune from civil liability for exposure or transmission of COVID-19 on its premises, so long as there is a specific warning sign in communal spaces; clarify that the bill should not be construed to limit or modify any claim for relief under the State's workers' compensation law; and require that the provisions of the bill would expire on the first day of calendar year 2022.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

**SENATE, No. 3584**

**STATE OF NEW JERSEY**

DATED: MAY 6, 2021

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 3584.

This bill would prohibit any causes of action for damages arising from a COVID-19 exposure or transmission on the premises of a planned real estate development. This immunity would not apply to acts or omissions constituting a crime, actual fraud, actual malice, gross negligence, recklessness, or willful misconduct.



# ASSEMBLY, No. 4979

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED NOVEMBER 12, 2020

**Sponsored by:**

**Assemblyman VINCENT MAZZEO**

**District 2 (Atlantic)**

**Assemblyman JOHN ARMATO**

**District 2 (Atlantic)**

**Assemblyman BRIAN BERGEN**

**District 25 (Morris and Somerset)**

**Co-Sponsored by:**

**Assemblywomen Jasey, Jimenez, Murphy, Assemblyman Mejia,**

**Assemblywomen Chaparro, Vainieri Huttle, Assemblyman McKeon,**

**Assemblywoman N.Munoz, Assemblymen Catalano, McGuckin,**

**Assemblywoman DiMaso, Assemblymen Moriarty and Johnson**

**SYNOPSIS**

Establishes immunity relating to COVID-19 spread in planned real estate developments.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/2/2021)**

1 AN ACT establishing immunity relating to COVID-19 spread in  
2 planned real estate developments and supplementing Title 2A of  
3 the New Jersey Statutes.

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

7  
8 1. a. Any illness, injury, death, or other damages arising from,  
9 or related to, an exposure to, or transmission of, COVID-19 on the  
10 premises of a planned real estate development shall not give rise to  
11 any cause of action.

12 b. The immunity provided pursuant to subsection a. of this  
13 section shall not apply to acts or omissions constituting a crime,  
14 actual fraud, actual malice, gross negligence, recklessness, or  
15 willful misconduct.

16 c. As used in this section:

17 “COVID-19” means the coronavirus disease 2019, as announced  
18 by the World Health Organization on February 11, 2020, and first  
19 identified in Wuhan, China.

20 “Planned real estate development” means the same as that term is  
21 defined in section 3 of P.L.1977, c.419 (C.45:22A-23).

22  
23 2. This act shall take effect immediately.

24  
25  
26 STATEMENT

27  
28 This bill would prohibit any causes of action for damages arising  
29 from a COVID-19 exposure or transmission on the premises of a  
30 planned real estate development. This immunity would not apply to  
31 acts or omissions constituting a crime, actual fraud, actual malice,  
32 gross negligence, recklessness, or willful misconduct.

ASSEMBLY COMMUNITY DEVELOPMENT AND AFFAIRS  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 4979**

with committee amendments

**STATE OF NEW JERSEY**

DATED: JUNE 16, 2021

The Assembly Community Development and Affairs Committee reports favorably and with committee amendments Assembly Bill No. 4979.

As amended by the committee, this bill would provide immunity from civil liability to a planned real estate development for damages arising from a COVID-19 exposure or transmission on the premises of a planned real estate development, so long as the planned real estate development has prominently displayed a warning, described in the bill, at the entrance of any communal space

This immunity would not apply to acts or omissions constituting a crime, actual fraud, actual malice, gross negligence, recklessness, or willful misconduct. Nothing in the bill would be construed to limit or modify any claim for relief under the State's workers' compensation law. The bill would take effect immediately, and would expire on the first day of calendar year 2022.

As amended by the committee, this bill is identical to Senate Bill No. 3584, as that bill was amended and reported by the committee on this date.

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# Governor Murphy Takes Action on Legislation

07/1/2021

**TRENTON** - Today, Governor Murphy signed the following bills into law:

**S-3584/A-4979 (Greenstein, Turner, Sacco/Mazzeo, Armato, Bergen)** – Establishes immunity relating to COVID-19 spread in planned real estate developments

**S-3714/A-5691 (Madden, Gopal/Greenwald, Murphy, Verrelli)** – Concerns liability of certain non-profit and governmental employers for unemployment benefits paid during coronavirus disease 2019 pandemic state of emergency

**A-5898/S-3963 (Mazzeo, Armato, Mukherji/Sarlo, Oroho)** – Temporarily expands summer working hours for certain minors

**A-5906/S-3965 (Chaparro/Addiego, Oroho)** – Rescinds prohibition on return of certain items purchased from retail food stores during COVID-19 state of emergency; provides that future limitations on returns occur during a declared public health emergency