

34: 15 - 27

LEGISLATIVE HISTORY CHECKLIST

NJSA 34:15-27

Laws of 1975 Chapter 319

Bill No. S 339

Sponsor(s) Menza

Date Introduced Pre-filed

Committee: Assembly Labor

Senate Labor, Industry & Professions

Amended during passage Yes No

Date of passage: Assembly January 8, 1976

Senate March 25, 1975

Date of approval February 20, 1976

Following statements are attached if available:

Sponsor statement Yes

Committee Statement: Assembly No

Senate No

Fiscal Note No

Veto message No

Message on signing No

Following were printed:

Reports No

Hearings No

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CHAPTER 319 LAWS OF N. J. 1975
APPROVED 2-20-76

SENATE, No. 339

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1974 SESSION

By Senator MENZA

AN ACT concerning workmen's compensation, and amending
R. S. 34:15-27.

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

1 1. R. S. 34:15-27 is amended to read as follows:

2 34:15-27. An agreement for compensation may be modified at
3 any time by a subsequent agreement. A formal award, determina-
4 tion and rule for judgment or order approving settlement may be
5 reviewed within 2 years from the date when the injured person
6 last received a payment upon the application of either party on
7 the ground that the incapacity of the injured employee has subse-
8 quently increased. *If any party entitled to a review under this*
9 *section shall become insane within the aforesaid 2-year period, his*
10 *insanity shall constitute grounds for tolling the unexpired balance*
11 *of the 2-year period, which shall only begin to run again after his*
12 *coming to or being of sane mind.* An award, determination and
13 rule for judgment or order approving settlement may be reviewed
14 at any time on the ground that the disability has diminished. In
15 such case the provisions of section 34:15-19 of this Title with
16 reference to medical examination shall apply.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to provide for the tolling of the statute of limitations for review of a workmen's compensation case during the period of insanity; this would cure the problem pointed out by the Appellate Division of the Superior Court in *Polcaro v. City of East Orange*, 121 N. J. Super. 325 (App. Div. 1972).