

2 A: 53A - 7.3

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2A:53A-7.3

(Library trustees and
commissioners--grants certain
immunities from liability)

LAWS OF: 1989

CHAPTER: 171

Bill No: S577

Sponsor(s): Brown

Date Introduced: Pre-filed

Committee: Assembly:

Senate: Judiciary

Amended during passage: No

Date of Passage: Assembly: July 10, 1989

Senate: February 9, 1989

Date of Approval: August 17, 1989

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: No

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

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SENATE, No. 577

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Senator BROWN

1 AN ACT exempting library trustees from liability for damages
under certain conditions and supplementing chapter 53A of
3 Title 2A of the New Jersey Statutes.

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

7 1. Notwithstanding any other provision of law to the
contrary, no person serving as a member of the board of trustees
9 of a free public library or regional library, or as a member of a
county library commission, shall be liable for damages resulting
11 from the exercise of judgment or discretion in connection with
the duties of his office unless the actions evidence a reckless
13 disregard for the duties imposed by the position

2. This act shall take effect immediately.

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STATEMENT

19 P.L. 1987, Chapter 87, approved on April 6, 1987, grants
certain immunities from liability to volunteers and trustees who
21 work without compensation for nonprofit associations organized
for religious, charitable, educational or hospital purposes (as
23 provided in N.J.S.A. 2A:53A-7 to 2A:53A-11). Free public
libraries, which are established by municipalities, and county
25 libraries, which are established by counties, are not considered
to be nonprofit associations under the auspices of N.J.S.A.
27 2A:53A-7 to 2A:53A-11. Thus, the statute does not protect the
library trustees and commissioners, who also serve without
29 compensation. This bill would extend the same immunities now
enjoyed by volunteers and trustees of nonprofit associations to
31 members of the board of trustees of free public libraries and
members of county library commissions, as well as members of
33 the board of trustees of regional libraries (libraries established
by two or more counties).

SENATE, No. 577

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Senator BROWN

2 **AN ACT** exempting library trustees from liability for damages
under certain conditions and supplementing chapter 53A of
Title 2A of the New Jersey Statutes.

4

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

8 1. Notwithstanding any other provision of law to the
contrary, no person serving as a member of the board of trustees
of a free public library or regional library, or as a member of a
10 county library commission, shall be liable for damages resulting
from the exercise of judgment or discretion in connection with
12 the duties of his office unless the actions evidence a reckless
disregard for the duties imposed by the position.

14 2. This act shall take effect immediately.

16

CIVIL JUSTICE

18

Tort Liability

20 Grants certain immunities from liability to library trustees and
commissioners.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 577

STATE OF NEW JERSEY

DATED: MARCH 21, 1988

The Senate Judiciary Committee reports favorably Senate Bill No. 577.

Recently enacted P.L. 1987, c. 87 grants certain immunities from civil liability to volunteers and trustees who serve without compensation with nonprofit associations organized for religious, educational or hospital purposes pursuant to the provisions of N.J.S.A. 2A:53-7 et seq. Libraries are not considered nonprofit associations under N.J.S.A. 2A:53A-7 et seq. This bill would extend the same immunities now granted to those serving without compensation as trustees for nonprofit religious, educational and hospital associations to any person serving without compensation as a trustee on the board of public library (established by a municipality) or a regional library (established by two or more counties) or as commissioner on the board of county library (established by a county).

This bill was pre-filed for introduction in the 1988 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.