

ASSEMBLY, No. 474

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman JOHN CATALANO

District 10 (Ocean)

Assemblyman GREGORY P. MCGUCKIN

District 10 (Ocean)

SYNOPSIS

Provides certain immunities from spectator-based lawsuits arising from youth sports events.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** providing certain immunities from spectator-based lawsuits
2 arising from youth sports events and supplementing Title 2A of
3 the New Jersey Statutes.

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

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8 1. a. As used in this section:

9 “Spectator” means a person who is present at a youth sports
10 event for the purpose of observing that event, whether or not an
11 admission fee is paid.

12 “Youth sports event” means a competition, practice, or
13 instructional event involving one or more interscholastic sports
14 teams or youth sports teams organized pursuant to a nonprofit or
15 similar charter or which are member teams in a youth league
16 organized by or affiliated with a county or municipal recreation
17 department, but shall not include a collegiate, semi-professional, or
18 professional sporting event.

19 b. (1) Notwithstanding any other provision of law, a spectator
20 of a youth sports event is presumed to have knowledge of and to
21 have assumed the inherent risks of observing that particular event.
22 This assumption of risk shall act as a complete bar to suit by the
23 spectator or party related to the spectator for damages arising out of
24 and in the course of the competition, practice, or instructional
25 activity associated with the youth sports event. It shall also act as a
26 complete defense for a party to a suit brought by the spectator or
27 any party related to the spectator for damages arising out of and in
28 the course of the competition, practice, or instructional activity
29 associated with the youth sports event.

30 (2) This section shall not be deemed to grant any form of
31 immunity to any person causing damage to a spectator by a willful,
32 wanton, or grossly negligent act of commission or omission.

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34 2. This act shall take effect immediately and apply to any youth
35 sports event occurring on or after that effective date.

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38 **STATEMENT**

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40 This bill would provide parties immunity from lawsuits by a
41 spectator or party related to the spectator for damages arising out of
42 and in the course of the competition, practice, or instructional
43 activity associated with a youth sports event, based upon the
44 spectator’s presumed knowledge and assumption of any inherent
45 risks of observing that event. The bill describes a “youth sports
46 event” as “a competition, practice, or instructional event involving
47 one or more interscholastic sports teams or youth sports teams
48 organized pursuant to a nonprofit or similar charter or which are

1 member teams in a youth league organized by or affiliated with a
2 county or municipal recreation department.” However, the bill’s
3 description expressly excludes a collegiate, semi-professional, or
4 professional sporting event.

5 Although the bill establishes general immunity for spectator-
6 based lawsuits arising from youth sports events, it would not extend
7 such immunity to a player or other event participant who caused
8 damage to a spectator by a willful, wanton, or grossly negligent act
9 of commission or omission.