

[First Reprint]

ASSEMBLY, No. 5509

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MARCH 17, 2021

Sponsored by:

Assemblyman ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

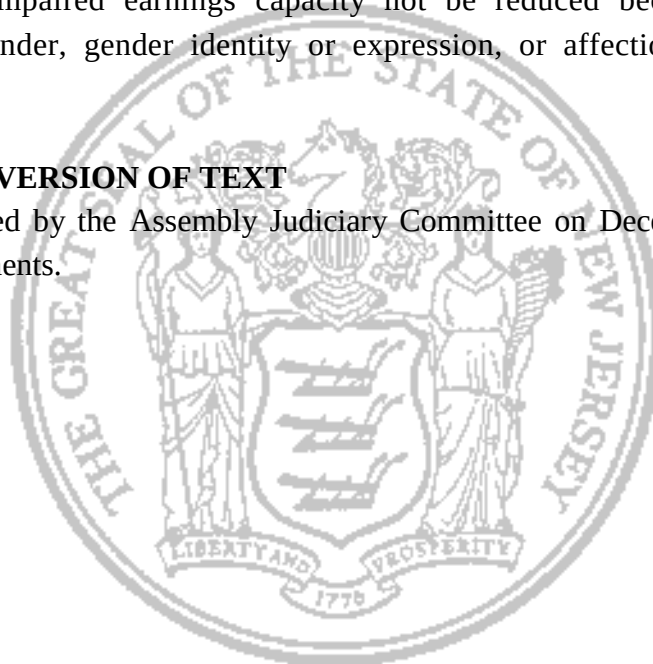
Assemblywomen McKnight, Vainieri Huttle, Jasey, Murphy,
Assemblymen Freiman, Wimberly and Assemblywoman Downey

SYNOPSIS

Provides that in personal injury or wrongful death lawsuits, calculations of lost or impaired earnings capacity not be reduced because of race, ethnicity, gender, gender identity or expression, or affectional or sexual orientation.

CURRENT VERSION OF TEXT

As reported by the Assembly Judiciary Committee on December 9, 2021, with amendments.



(Sponsorship Updated As Of: 12/2/2021)

1 AN ACT concerning the calculations of certain damages in civil
2 actions and supplementing Title 2A of the New Jersey Statutes.

3

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

6

7 1. a. In ¹**[a]** any¹ civil action arising from personal injury or
8 wrongful death, any estimations, measures, or calculations of
9 ¹**[past, present, or future]**¹ damages for lost earnings or impaired
10 earning capacity shall not be reduced because of race, ethnicity,
11 ¹**[or]**¹ gender ¹, gender identity or expression, or affectional or
12 sexual orientation, as those terms are defined or interpreted under
13 the “Law Against Discrimination,” P.L.1945, c.169 (C.10:5-
14 1 et seq.)¹.

15 b. In any such civil action, ¹**[any reduction]** determination¹ of
16 damages ¹shall not be¹ based upon statistical tables alone ¹**[shall be**
17 **deemed to be against the public policy of this State]** unless agreed
18 to by all parties in the civil action¹.

19

20 2. This act shall take effect immediately ¹and shall apply only
21 to civil actions commenced on or after the effective date of this
22 act¹.

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:

¹Assembly AJU committee amendments adopted December 9, 2021.