

ASSEMBLY, No. 5711

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 17, 2021

Sponsored by:

Assemblyman GERARD SCHARFENBERGER

District 13 (Monmouth)

SYNOPSIS

Establishes immunity relating to COVID-19 spread on the premises of local community organizations under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT establishing immunity relating to COVID-19 spread on the
2 premises of local community organizations under certain
3 circumstances and supplementing Title 2A of the New Jersey
4 Statutes.

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

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9 1. a. Any illness, injury, death, or other damages arising from,
10 or related to, an exposure to, or transmission of, COVID-19 on the
11 premises of a local community organization while engaged in a
12 recreational or sporting aquatic event shall not give rise to any
13 cause of action.

14 b. The immunity provided pursuant to subsection a. of this
15 section shall apply only to local community organizations that
16 adhere to COVID-19 cleaning and sanitizing standards as set forth
17 by the Centers for Disease Control and Prevention. The immunity
18 provided pursuant to subsection a. shall not apply to acts or
19 omissions constituting a crime, actual fraud, actual malice, gross
20 negligence, recklessness, or willful misconduct.

21 c. As used in this section:

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

25 “Local community organization” means a locally-based
26 organization serving a community of people having shared interests
27 that is incorporated, organized, and operated in such a manner as to
28 qualify as a nonprofit corporation described in section 501(c)(3) of
29 the federal Internal Revenue Code, 26 U.S.C. s.501(c)(3).

30 “Recreational or sporting aquatic event” means any recreational
31 or sporting activity involving a swimming pool located on the
32 property of a local community organization.

33 “Swimming pool” means a swimming pool, hot tub, or spa
34 located on the property of a local community organization.

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36 2. This act shall take effect immediately.

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STATEMENT

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41 This bill prohibits any causes of action for damages arising from
42 a COVID-19 exposure or transmission on the premises of a local
43 community organization while engaged in a recreational or sporting
44 aquatic event. This immunity would apply only to local community
45 organizations that adhere to COVID-19 cleaning and sanitizing
46 standards as set forth by the Centers for Disease Control and
47 Prevention (CDC) and would not apply to acts or omissions

A5711 SCHARFENBERGER

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1 constituting a crime, actual fraud, actual malice, gross negligence,
2 recklessness, or willful misconduct.

3 The bill defines “recreational or sporting aquatic event” to mean
4 any recreational or sporting activity involving a swimming pool
5 located on the property of a local community organization.