SENATE, No. 1620

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:
Senator JAMES W. HOLZAPFEL
District 10 (Ocean)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.

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

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

1. a. As used in this section:

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

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

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

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

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

STATEMENT

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

member teams in a youth league organized by or affiliated with a county or municipal recreation department." However, the bill's description expressly excludes a collegiate, semi-professional, or professional sporting event.

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