

[Second Reprint]

SENATE, No. 3594

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MARCH 25, 2021

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

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:

Senators Pou, Turner, Assemblywomen McKnight, Vainieri Huttie, 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 identity or expression, or affectional or sexual orientation.

CURRENT VERSION OF TEXT

As amended by the General Assembly on January 10, 2022.

(Sponsorship Updated As Of: 1/10/2022)

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~~any~~ civil action arising from personal injury or
8 wrongful death,²~~any civil rights violation, employment violation, or~~
9 ~~any other substantially similar harm,~~¹ ²any estimations, measures,
10 or calculations of ²~~past, present, or future~~² damages for lost
11 earnings or impaired earning capacity shall not be reduced because
12 of ¹~~race, ethnicity, or gender~~ ²~~any class, trait, or characteristic~~
13 ~~protected~~ race, ethnicity, gender, gender identity or expression, or
14 affectional or sexual orientation, as those terms are defined or
15 interpreted² under the “Law Against Discrimination,” P.L.1945,
16 c.169 (C.10:5-1 et seq.)¹.

17 b. In any such civil action, ²~~any reduction~~ ~~determination~~² of
18 damages ²~~shall not be~~² based upon statistical tables alone ²~~shall be~~
19 deemed to be against the public policy of this State² ¹~~unless~~
20 ~~agreed to by all parties in the civil action~~¹.

21

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

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:

¹Senate SJU committee amendments adopted December 2, 2021.

²Assembly floor amendments adopted January 10, 2022.