

CHAPTER 311

AN ACT concerning palimony and amending R.S.25:1-5.

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

1. R.S.25:1-5 is amended to read as follows:

Promises or agreements not binding unless in writing.

25:1-5. Promises or agreements not binding unless in writing. No action shall be brought upon any of the following agreements or promises, unless the agreement or promise, upon which such action shall be brought or some memorandum or note thereof, shall be in writing, and signed by the party to be charged therewith, or by some other person thereunto by him lawfully authorized:

- a. (Deleted by amendment, P.L.1995, c.360.)
- b. (Deleted by amendment, P.L.1995, c.360.)
- c. An agreement made upon consideration of marriage entered into prior to the effective date of the "Uniform Premarital Agreement Act," N.J.S.37:2-31 et seq.;
- d. (Deleted by amendment, P.L.1995, c.360.)
- e. (Deleted by amendment, P.L.1995, c.360.)
- f. A contract, promise, undertaking or commitment to loan money or to grant, extend or renew credit, in an amount greater than \$100,000, not primarily for personal, family or household purposes, made by a person engaged in the business of lending or arranging for the lending of money or extending credit. For the purposes of this subsection, a contract, promise, undertaking or commitment to loan money shall include agreements to lease personal property if the lease is primarily a method of financing the obtaining of the property;
- g. An agreement by a creditor to forbear from exercising remedies pursuant to a contract, promise, undertaking or commitment which is subject to the provisions of subsection f. of this section; or
- h. A promise by one party to a non-marital personal relationship to provide support or other consideration for the other party, either during the course of such relationship or after its termination. For the purposes of this subsection, no such written promise is binding unless it was made with the independent advice of counsel for both parties.

2. This act shall take effect immediately.

Approved January 18, 2010.