

CHAPTER 142

AN ACT establishing immunity relating to COVID-19 spread in planned real estate developments.

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

1. a. A planned real estate development shall be immune from civil liability for damages arising from, or related to, an exposure to, or transmission of, COVID-19 on the premises of the planned real estate development, so long as the planned real estate development has prominently displayed at the entrance of any communal space shared by the planned real estate development's residents and their guests, such as pools, gyms, and clubhouses, a sign stating the following warning:

“ANY PERSON ENTERING THE PREMISES WAIVES ALL CIVIL LIABILITY AGAINST THE PLANNED REAL ESTATE DEVELOPMENT FOR DAMAGES ARISING FROM, OR RELATED TO, AN EXPOSURE TO, OR TRANSMISSION OF, COVID-19 ON THE PREMISES, EXCEPT FOR ACTS OR OMISSIONS CONSTITUTING A CRIME, ACTUAL FRAUD, ACTUAL MALICE, GROSS NEGLIGENCE, RECKLESSNESS, OR WILLFUL MISCONDUCT.”

b. The immunity provided pursuant to subsection a. of this section shall not apply to acts or omissions constituting a crime, actual fraud, actual malice, gross negligence, recklessness, or willful misconduct.

c. Nothing in this section shall be construed to limit or modify any claim for relief under the workers' compensation law, R.S.34:15-1 et seq.

d. As used in this section:

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

“Planned real estate development” means the same as that term is defined in section 3 of P.L.1977, c.419 (C.45:22A-23).

2. This act shall take effect immediately and shall expire on the first day of calendar year 2022.

Approved July 1, 2021.