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MEETING AGENDA

The New Jersey Law Revision Commission will meet on Thursday, March 16, 2023, at 4:30 p.m.

The March 16th meeting of the Commission will be held at the law offices of Porzio, Bromberg & Newman, P.C., at: 100 Southgate Parkway, Morristown, NJ 07962-1997.

Any member of the public that wishes to submit comments on any agenda item, or would like to participate in the meeting virtually, should contact Laura C. Tharney in advance of the start time of the meeting, at: lct@njlrc.org

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Staff:

Laura Tharney
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1. Recreational or Social Activities - Consideration of a Draft Final Report recommending modifications to N.J.S. 34:15-7 to clarify the scope of the “recreational or social activities” defense, as discussed in *Goulding v. N.J. Friendship House, Inc.*, 245 N.J. 157 (2021), and *Lozano v. Frank DeLuca Constr.*, 178 N.J. 513 (2004). [Report](#)

2. “Misrepresentation of a Material Fact” in the NJ Gross Income Tax Act - Consideration of a Draft Final Report proposing the modification of New Jersey’s statute concerning limitations on tax assessment, N.J.S. 54A:9-4, to eliminate the apparent conflict between the two fraud exceptions – subsections (c)(1) and (c)(4) – and the use of the word “misrepresentation,” as discussed in *Malhotra v. Director, Division of Taxation*, 32 N.J. Tax 443 (2021). [Report](#)

3. Uniform Commercial Code – 2022 Amendments – Consideration of a Draft Final Report recommending enactment of the 2022 Amendments to the Uniform Commercial Code. [Updated Report](#)

4. Merger of Criminal Convictions for Leaving-the-Scene and Endangering an Injured Victim – Consideration of a Memorandum proposing a project to address the merger of criminal convictions pursuant to N.J.S. 2C:1-8, N.J.S. 2C:11-5.1, and N.J.S. 2C:12-1.2, as discussed in *State v. Herrera*, 469 N.J. Super. 559 (App. Div. 2022). [Memo](#)

5. Joint Motions to Vacate Parole Ineligibility - Consideration of a Memorandum proposing a project to clarify the statute concerning joint motions to vacate parole ineligibility, N.J.S. 2C:35-12, as discussed in *State v. Arroyo-Nunez*, 470 N.J. Super. 351 (App. Div. 2022). [Memo](#)