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Contact Information:

153 Halsey Street
7th Floor
Box 47016
Newark, NJ 07102

973-648-4575

973-648-3123

www.njlr.org

COMMISSION MEETING AGENDA

The New Jersey Law Revision Commission will meet on **Thursday, November 21, 2019, at 10:00 a.m.** in the Commission offices on the 7th Floor, 153 Halsey Street, Newark, New Jersey.

1. Mandatory Sentencing: Consideration of a Draft Final Report proposing modifications to statutes concerning mandatory sentencing in response to case law discussing factors that require a jury determination along with a Memorandum discussing comments received. [Report Memo](#)

2. Definition of "Marital Status": Consideration of a Draft Final Report proposing modifications to N.J.S. 1:12A-8 to reflect the treatment of the term "marital status" by the New Jersey Supreme Court in *Smith v. Millville Rescue Squad*, 225 N.J. 373 (2016) and in response to comments received, along with a Memorandum concerning the definition of "protected class" as used in Title 10. [Report Memo Chart](#)

3. Harassment: Consideration of a Revised Draft Tentative Report proposing the modification of N.J.S. 2C:33-4 to criminalize expressive activity narrowly in order to avoid any conflict with constitutionally protected free speech as discussed in *State v. Burkert*, 231 N.J. 257 (2017). [Report](#)

4. Statute of Limitations: Consideration of a Draft Tentative Report proposing the modification of N.J.S. 39:6A-9.1 to clarify the event that triggers the statute of limitations in matters involving Personal Injury Protection (PIP) claims as considered by the Court in *Abdulai v. Casabona et al.*, 2016 WL 1334539 (App. Div. 2016). [Report](#)

5. Property Tax Refund: Consideration of a Draft Tentative Report proposing modifications to N.J.S. 54:4-54, to clarify that a municipality must refund property taxes mistakenly paid, as discussed in *Hanover Floral Co. v. East Hanover Township*, 30 N.J. Tax 181 (N.J. Tax 2017). [Report](#)

6. Hearsay: Consideration of a Memorandum providing a status update to the Commission regarding the modification of a statute to clarify a hearsay evidence issue found in N.J.S. 9:6-8.46 pertaining to child abuse and neglect proceedings. [Memo](#)

7. Definition of "Traumatic Event": Consideration of a Memorandum proposing a project to define the meaning of the term "traumatic event" as it appears in N.J.S.A 43:16A-7a(1), and as discussed in *Mount v. Board of Trustees, Police and Firemen's Retirement System*, 233 N.J. 402 (2018). [Memo](#)

8. Clarification of "Interpretive Statement" question: Consideration of a Memorandum proposing a project to clarify N.J.S. 19:3-6, explaining which municipal actor has the authority to draft and submit an interpretive statement with a referendum ballot, as discussed in *Desantis v. Borough of Belmar*, 455 N.J. Super. 316 (App. Div. 2018). [Memo](#)

NOTE: All documents are available at: <http://www.njlr.org> * Next meeting scheduled for 12/19/19.