



# NEW JERSEY LAW REVISION COMMISSION

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## MEETING AGENDA

The New Jersey Law Revision Commission will meet on **Thursday, December 15, 2022, at 4:30 p.m.** in the Commission office on the 7th Floor, 153 Halsey Street, Newark, New Jersey.

- 1. Autobus** - Consideration of a Draft Final Report recommending a modification to N.J.S. 54:39-112(a)(1) and N.J.S. 54:15B-2.1 to clarify the use of the term “autobus” in the Motor Fuel Tax Act and the Petroleum Products Gross Receipts Tax Act, as discussed in *Senior Citizens United Community Services, Inc. v. Director, Division of Taxation*, 32 N.J. Tax 381 (2021). [Report](#)
- 2. Wrongful or Mistaken Imprisonment and NERA** – Consideration of a Draft Final Report recommending the modification of N.J.S. 2C:43-7.2 to eliminate a constitutional infirmity by providing that the excess time that a defendant erroneously serves in prison will reduce the period of parole supervision under the No Early Release Act, as discussed in *State v. Njango*, 247 N.J. 533 (2021). [Report](#)
- 3. Rescue Doctrine and Property** – Consideration of a Draft Final Report bringing to the attention of the New Jersey Legislature the treatment of the rescue doctrine in all fifty states, and the New Jersey Supreme Court’s treatment of the doctrine as discussed in *Samolyk v. Berthe*, 251 N.J. 73 (2022), for such action as it deems appropriate. [Report](#)
- 4. Self-Representation in Involuntary Commitment and Termination of Parental Rights Matters** – Consideration of a Draft Final Report recommending the modification of N.J.S. 30:4-27.29 and N.J.S. 30:4C-15.4 to clarify a litigant’s ability to represent themselves in involuntary commitment proceedings and termination of parental rights proceedings, (N.J.S. 30:4-27.29 and N.J.S. 30:4C-15.4) and as discussed in *In the Matter of Civil Commitment of D. Y.*, 218 N.J. 359 (2014) and *N.J. Div. of Child Prot. & Perm. v. R.L.M.*, 236 N.J. 123 (2018). [Report](#)
- 5. Misrepresentation of Material Fact in Income Tax Context** – Consideration of a Revised Draft Tentative Report proposing the modification of New Jersey’s statute concerning limitations on tax assessment, N.J.S. 54A:9-4, to eliminate the 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](#)
- 6. Proposed Meeting Dates for 2023** – Consideration of proposed meeting dates for the upcoming year.