



CAI LEGISLATIVE ACTION COMMITTEE – NEW JERSEY
New Jersey Legislative Update

September 9, 2021

SPECIAL GUEST PANELIST: ASSEMBLY MAJORITY LEADER LOUIS GREENWALD

New Laws to Be Discussed

1. Immunity from COVID-19 Claims

- *P.L. 2021, Chapter 142: Personal injury claims against common interest communities arising from exposure to the novel coronavirus are not covered by an association's general liability insurance, so CICs need limited liability protection from such claims. This bill provides that liability protection and was signed into law on July 1, 2021 (expires January 1, 2022).*

2. Uniform Common Interest Ownership Act

- *The revival of UCIOA by the NJ Law Review Commission – S2261/A4265*
- *This bill was nearly unanimously approved by the legislature, for the second time, and now sits on the Governor's desk awaiting his signature.*

3. Removing Discriminatory Covenants in CIC Governing Documents

- *Permitting Executive Boards to easily remove discriminatory restrictive covenants from Declarations, Master Deeds and Bylaws without the necessity of a vote of the full membership – S2861/A5390*
- *This bill was nearly overwhelmingly approved by the legislature and now sits on the Governor's desk awaiting his signature.*

Pending Bills to Be Discussed

1. Pending Legislative Correction of the "Palisades" Statute of Limitations Ruling

- *S396/A4903 (Senator Weinberg and Assemblymen Johnson and Mukherji) would correct this court ruling which provides that this time frame runs from the date a construction defect is discovered, even if the developer/builder is in control of the Board at the time.*
- *With the sponsorship of powerful legislators in both chambers we hope for passage of this important bill before the end of this term.*

2. Pending Legislation Mandating Board Member Training

- *A5492/S3790 (Assemblywoman Quijano and Senator Weinberg) would require certain organized training as a condition of service as an executive board member*
- *We are negotiating the proposed statutory language with the sponsors in an effort to maintain the benefits of this initiative for our members while at the same time minimizing the costs and drawbacks of the current language*

(over)



3. Pending Legislation Mandating Manager Licensing

- *A5493/S3789 (Assemblywoman Quijano and Senator Weinberg) would require an official licensing procedure for management companies and/or individual managers which would include education and training requirements for all community managers as well as licensing fees*
- *We are negotiating the proposed statutory language with the sponsors in an effort to maintain the benefits of this initiative for our members while at the same time minimizing the costs and drawbacks of the current language*

OTHER ISSUES BEING INVESTIGATED AND PURSUED

1. Legislative and Regulatory Approaches to Ensure Building Integrity and Resident Safety

- *In Response to Tragic Collapse of Condominium Building in Florida*
- *Creation of CAI LAC-NJ Building Structural Integrity Task Force*
- *Will Provide Support to Legislators in Crafting of Legislation*

2. Adoption of an Amendment to the Municipal Land Use Law with regard to Bonding of Association Improvements

- *Currently not required of developer/builder if improvements are to be dedicated to the association.*

3. Purse the appeal of the DCA's Radburn regulations

- *Regarding election and meeting procedures. Our court filing was temporarily dismissed with instructions from the Court to first pursue our requested changes directly with the DCA, which we are currently doing.*