

NEW JERSEY ASSOCIATION OF COUNTIES

County Government with a Unified Voice

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MEMORANDUM

TO: Senate Judiciary Committee

DATE: June 20, 2012

RE: SENATE, NO. 1651/ASSEMBLY, NO. 2578 (*Vitale/Scutari*)(*Quijano/Barnes*)

The New Jersey Association of Counties (NJAC) respectfully requests that the Senate Judiciary Committee consider the proposed amendments below to S-1651/A-2578, which removes the statute of limitations in civil actions for sexual abuse and expands the liability of public entities under certain circumstances.

NJAC certainly commends the sponsors for their efforts to provide unfortunate victims of sexual abuse with as many remedies as possible against the individuals and entities responsible for committing these heinous crimes. However, section 4. of the bill appears to subject local governing bodies and taxpayers to defend potential claims that may be decades old; and, seems to predetermine a local governing body's liability as a matter of course. With this in mind, NJAC respectfully requests that the Committee consider the following changes:

4. Notwithstanding any other provision of law to the contrary, including but not limited to the "New Jersey Tort Claims Act," N.J.S. 59:1-1 et seq., a public entity ^{NJAC}[is] may be^{NJAC} liable in an action for damages brought under the provisions...."

The proposed language would serve to preserve the legislation's original intent and make its implementation more practical for local governing bodies and taxpayers struggling to make ends meet. Please note that NJAC would also support an amendment to this legislation that would extend the statute of limitations period for filing such actions against public entities. Thank you in advance for your time and consideration, and please do not hesitate to contact us at (609) 394-3467 with any questions or concerns. NJAC is committed to advocating for legislation, regulations, and policy directives that empower county governments to operate more effectively and efficiently.

