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NEW JERSEY LAW REVISION COMMISSION

MEETING AGENDA

The New Jersey Law Revision Commission is continuing to comply with changes to New Jersey's Senator Byron M. Baer Open Public Meetings Act, Executive Orders issued by the Governor of the State of New Jersey, and recommendations issued by the Center for Disease Control and Prevention (CDC) regarding "social distancing." As a result, the March meeting of the New Jersey Law Revision Commission will be conducted remotely on Thursday, March 18, 2021, at 4:30 p.m.

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

1. County Committee – Consideration of a Draft Final Report recommending the conclusion of Commission work in this area and bringing to the attention of the Legislature the issues concerning the election of an individual to a county committee as set forth in N.J.S. 19:5-3 and discussed in *Hartman v. Covert*, 303 N.J. Super. 326 (Law. Div. 1997) and *Central Jersey Progressive Democrats v. Flynn*, MER L 000732-19 (Law Div. 2020). [Report](#)

2. Posse Comitatus: Consideration of a Draft Final Report proposing modification of N.J.S. 53:2-1 to remove the word "posse" from the statute. [Report](#)

3. Definition of Traumatic Event – Consideration of an Update Memorandum discussing stakeholder responses to Staff outreach and including proposed draft language for Commission review and guidance. [Update Memo](#)

4. Disability Benefits After Leaving Public Employment — Consideration of a Draft Tentative Report proposing statutory modification to N.J.S. 43:15A-42 to clarify that a PERS member must be working in public employment at the time of a disability in order to qualify for ordinary disability retirement benefits as discussed in *Murphy v. Bd. of Tr., Pub. Emp.'s Ret. Sys.*, 2019 WL 1646371 (App. Div. 2019). [Report](#)

5. Intentional Wrong – Consideration of a Memorandum proposing a project to clarify the use of the term "intentional wrong" in New Jersey's Workers' Compensation statute N.J.S. 34:15-8 as discussed in *Bove v. AkPharma Inc.*, 460 N.J. Super. 123 (App. Div. 2019). [Memo](#)

6. Additional Rent – Consideration of a Memorandum proposing a project to clarify the permissible imposition of fees or costs considered "additional rent" when rent is limited by federal law or local ordinance, as discussed in *Opex Realty Mgmt., LLC v. Taylor*, 460 N.J. Super. 287 (Law. Div. 2019). [Memo](#)

7. Jessica Lunsford Act – Consideration of a Memorandum proposing a project to consider whether clarification of the Jessica Lunsford Act (N.J.S. 2C:14-2) could help address constitutional questions considered by the New Jersey Supreme Court in *State v. A.T.C.*, 239 N.J. 450 (2019). [Memo](#)

8. PERS Re-enrollment – Consideration of a Memorandum proposing a project to consider whether it would be useful to amend N.J.S. 43:15A-57.2(c) to clarify whether or not the critical need exception is limited to teaching roles discussed in *Yamba v. Bd. of Tr., Pub. Emp.'s Ret. Sys.*, 2019 WL 2289209 (App. Div. 2019). [Memo](#)

NOTE: All documents are available at: <http://www.njlrc.org> * Next meeting scheduled for 04/15/21.