



**Commissioners:**

## NEW JERSEY LAW REVISION COMMISSION

Vito A. Gagliardi, Jr.  
Chairman

### MEETING AGENDA

Andrew O. Bunn  
Vice-Chairman

The New Jersey Law Revision Commission will meet on **Thursday, May 18, 2023, at 4:30 p.m.** in the Commission office on the 7th Floor, 153 Halsey Street, Newark, New Jersey.

John Kip Cornwell  
Rose Cuison-Villazor  
Virginia Long  
Raj Mukherji  
Kimberly Mutcherson  
Louis N. Rainone  
Brian P. Stack

**Any member of the public that wishes to submit comments on any agenda item, or would like to participate in the meeting virtually, should contact Laura C. Tharney in advance of the start time of the meeting, at: [lct@njlrc.org](mailto:lct@njlrc.org)**

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**Staff:**

Laura Tharney  
Executive Director

Samuel M. Silver  
Deputy Director

Whitney G. Schlimbach  
Counsel

Veronica V. Fernandes  
Executive Assistant

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- 1. Recreational or Social Activities Defense to Workers Compensation Claims -** Consideration of a Revised Draft Final Report incorporating additional public comment in the Final Report recommending modifications to N.J.S. 34:15-7 to clarify the scope of the “recreational or social activities” defense, as discussed in *Goulding v. N.J. Friendship House, Inc.*, 245 N.J. 157 (2021), and *Lozano v. Frank DeLuca Constr.*, 178 N.J. 513 (2004). [Report](#)
- 2. Unemployment Benefits for Individuals Who Were Wrongfully Incarcerated -** Consideration of a Draft Final Report recommending a statutory presumption that the dismissal of charges, or a grand jury decision not to indict, is presumptive evidence that an individual did not leave work voluntarily and that an examination of the totality of the circumstances may rebut this presumption in accordance with *Haley v. Board of Review, Department of Labor*, 245 N.J. 511 (2021). [Report](#)
- 3. Transfer of Jurisdiction in Tax Assessment Challenges -** Consideration of a Draft Final Report recommending modifications to N.J.S. 54:3-21 to clarify the procedural mechanism for transferring jurisdiction to the Tax Court as discussed by the Tax Court in *30 Journal Square Partners, LLC v. City of Jersey City*, 32 N.J. Tax 91 (N.J. Tax 2020). [Report](#)
- 4. Tort Claims Act: Time to File Notice of Claim For Damages Suffered as a Result of Injury to Minor Child –** Consideration of a Memorandum proposing a project to address the time to file a notice of claim for damages suffered by parent as a result of the death of her child pursuant to N.J.S. 59:8-8 in the Tort Claims Act, as discussed in *Estate of Dunmore v. Pleasantville Board of Education*, 470 N.J. Super. 382 (App. Div. 2022). [Memo](#)
- 5. Law Against Discrimination: Waiver of Rights in an Employment Contract -** Consideration of a Memorandum proposing a project to address the federal preemption of a statute that prevents arbitration called for in an agreement governed by the Federal Arbitration Act as discussed in *Antonucci v. Curvature Newco, Inc.*, 470 N.J. Super. 553 (App. Div. 2022). [Memo](#)
- 6. Electric Vehicle Supply Equipment or Make-Ready Parking Spaces –** Consideration of a Memorandum proposing a project to address issues raised by N.J.S. 40:55D-66.19 and N.J.S. 40:55D-66.20. [Memo](#)