



# NEW JERSEY LAW REVISION COMMISSION

## MEETING AGENDA

### Commissioners:

Vito A. Gagliardi, Jr.  
Chairman

Kathleen M. Boozang  
Andrew O. Bunn  
Virginia Long  
David Lopez  
Raj Mukherji  
Kimberly Mutcherson  
Louis N. Rainone  
Nicholas P. Scutari

The New Jersey Law Revision Commission is complying with recent changes to New Jersey’s Senator Byron M. Baer Open Public Meetings Act, as well as Executive Orders issued by the Governor of the State of New Jersey, and the recommendations issued by the Center for Disease Control and Prevention (CDC) regarding “social distancing.”

As a result, the July meeting of the New Jersey Law Revision Commission will be conducted remotely on Thursday, July 30, 2020, 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 at: [lct@njlrc.org](mailto:lct@njlrc.org)

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### Staff:

Laura Tharney  
Executive Director

Samuel M. Silver  
Deputy Director

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Jennifer D. Weitz  
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Veronica V. Fernandes  
Executive Assistant

Mark D. Ygarza  
Legislative Fellow

John M. Cannel (Retired)  
Reviser of Statutes

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- Aggravated Assault** – Consideration of a Draft Final Report recommending modification of the aggravated assault statute to address the throwing of bodily fluids in violation of N.J.S. 2C:12-13, as discussed in *State v. Majewski*, 450 N.J. Super. 353 (App. Div. 2017) and in light of recent events. [Report](#)
  - Pending Tenure Charges & Back Pay** - Consideration of Draft Final Report recommending modification of N.J.S. 18A:6-14 to include circumstances addressed by the Appellate Division in *Pugliese v. State-Operated School District of City of Newark*, 454 N.J. Super. 495 (App. Div. 2018). [Report](#)
  - Magistrate** – Consideration of a Draft Final Report recommending the elimination of the term “magistrate” from the New Jersey statutes. [Report](#) [Appendix](#)
  - Local Lands and Building Laws – Bidding** - Consideration of a Revised Draft Tentative Report proposing modifications to N.J.S. 40A:12-5(a)(3), to clarify that the acquisition of real property, under certain circumstances, is subject to the Local Public Contracts Law (N.J.S. 40A:11-1 et seq.) and that the construction or repair of any capital improvement as a condition of acquisition of acquisition is subject to the Prevailing Wage Act (N.J.S. 34:11-56.25 et seq.) [Report](#)
  - Traumatic Event** – Consideration of a Draft Tentative Report proposing clarification of the term “traumatic event” in the Accidental Disability Retirement Benefits statute (N.J.S. 43:16A-7) as discussed in *Moran v. Bd. of Trs., Police & Firemen’s Ret. Sys.*, 438 N.J. Super. 346 (App. Div. 2014) and *Mount v. Bd. of Trs., Police & Firemen’s Ret. Sys.*, 233 N.J. 402 (2018). [Report](#)
  - Reasonable Cause** - Consideration of a Memorandum proposing to clarify the standard for obtaining a search warrant for weapons in a domestic violence matter pursuant to N.J.S. 2C:25-28(j) and as discussed in *State v. Hemenway*, 239 N.J. 111 (2019). [Memo](#)
  - Indemnity** - Consideration of a Memorandum proposing to clarify the statutes pertaining to the defense or indemnification of State and County employees in legal actions (N.J.S. 59:10A-1 and N.J.S. 40A:14-117) as discussed in *Kaminskas v. Office of the Attorney General*, 236 N.J. 415 (2019). [Memo](#)
  - Telephone Company Taxation** – Consideration of a Memorandum proposing to clarify the statutory language concerning the calculation of telephone company taxation (N.J.S. 54:4-1) as discussed in *Verizon N.J., Inc. v. Borough of Hopewell*, 31 N.J. Tax 49, 61 (N.J. T.C. 2019). [Memo](#)
- Update Memorandum**
- Mandatory Property Tax Refund** - Update regarding additional research performed on the issue considered in the Final Report regarding property tax refunds (N.J.S. 54:4-54). [Memo](#)

NOTE: All documents are available at: <http://www.njlrc.org> \* Next meeting scheduled for 09/17/20.