

SENATE, No. 4689

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED OCTOBER 1, 2026

Sponsored by:
Senator PARKER SPACE
District 24 (Morris, Sussex and Warren)

SYNOPSIS

Extends statute of limitations for civil actions against third parties for wrongful death under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the statute of limitations for certain civil
2 actions, amending N.J.S.2A:31-3, and supplementing Title 59 of
3 the Revised Statutes.

4
5 BE IT ENACTED by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. N.J.S.2A:31-3 is amended to read as follows:

9 2A:31-3. **Every** a. Except as provided in subsection b. of this
10 section, every action brought under this chapter shall be
11 commenced within **[2]** two years after the death of the decedent,
12 and not thereafter**],** provided, however, that if**].**

13 b. If the death resulted from murder, aggravated manslaughter,
14 or manslaughter for which the defendant has been convicted, found
15 not guilty by reason of insanity, or adjudicated delinquent**], the****]:**

16 (1) an action against the defendant may be brought at any time;
17 and

18 (2) an action against a third party shall be commenced within six
19 years after the death of the decedent, and not thereafter. Nothing in
20 this paragraph is intended to preclude the court from finding that
21 the statute of limitations was tolled in an action because of the
22 plaintiff's mental state, physical or mental disability, duress caused
23 by the defendant, or any other equitable grounds.

24 (cf: P.L.2000, c.157)

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26 2. (New section) Notwithstanding any provision of the "New
27 Jersey Tort Claims Act," N.J.S.59:1-1 et seq., to the contrary,
28 immunity from civil liability granted by that act to a public entity or
29 public employee shall not apply to an action at law for damages as a
30 result of a murder, aggravated manslaughter, or manslaughter for
31 which an individual has been convicted, found not guilty by reason
32 of insanity, or adjudicated delinquent, which was caused by a
33 willful, wanton, or grossly negligent act of the public entity or
34 public employee.

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36 3. This act shall take effect immediately and shall apply to any
37 action filed on or after the effective date, including actions filed
38 where the murder, aggravated manslaughter, or manslaughter
39 occurred prior to the effective date of this act.

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42 STATEMENT

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44 This bill extends the statute of limitations for certain civil actions
45 for wrongful death.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 Under current law, a civil action for wrongful death must
2 generally be brought within two years of the death of the deceased.
3 If, however, the death of the deceased resulted from murder,
4 aggravated manslaughter, or manslaughter for which a defendant
5 has been convicted, found not guilty by reason of insanity, or
6 adjudicated delinquent, an action against the defendant may be
7 brought at any time.

8 This bill provides that in an action against a third party for
9 wrongful death where the death of the deceased resulted from
10 murder, aggravated manslaughter, or manslaughter for which an
11 individual has been convicted, found not guilty by reason of
12 insanity, or adjudicated delinquent, the action must be commenced
13 within six years after the death of the decedent. The bill provides
14 that it is not intended to preclude the court from finding that the
15 statute of limitations was tolled in an action because of the
16 plaintiff's mental state, physical or mental disability, duress caused
17 by the defendant, or any other equitable grounds.

18 Additionally, under the bill, immunity for public entities and
19 public employees under the New Jersey Tort Claims Act would not
20 apply if the murder, aggravated manslaughter, or manslaughter was
21 caused by a willful, wanton, or grossly negligent act of the public
22 entity or public employee.

23 The bill takes effect immediately and applies to any action filed
24 on or after the effective date, including actions filed where the
25 murder, aggravated manslaughter, or manslaughter occurred prior to
26 the effective date.