SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 1481

STATE OF NEW JERSEY

DATED: JUNE 12, 2025

The Senate Commerce Committee reports favorably Senate Bill No. 1481.

This bill prohibits health club services contracts from limiting the liability of the health club to a buyer for injuries caused by or resulting from the negligence of the owner or operator, or an agent or employee of the owner or operator, of the health club.

This bill is intended to codify Justice Albin's dissent in the case of Pulice v. Green Brook Sports & Fitness, 236 N.J. 1 (2018); see also Stelluti v. Casapenn, 203 N.J. 286 (2010) (Albin, J., dissenting) (arguing that a contract limiting a health club's liability from its own negligence is void as against public policy).

A violation of this bill would be an unlawful practice pursuant to the consumer fraud act, P.L.1960, c.39 (C.56:8-1 et seq.), and is punishable by a monetary penalty of not more than $10,000 for a first offense and not more than $20,000 for any subsequent offense. In addition, violations can result in cease and desist orders issued by the Attorney General, the assessment of punitive damages, and the awarding of treble damages and costs to the injured party.

This bill was pre-filed for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.