

**18A:36-39**  
**LEGISLATIVE HISTORY CHECKLIST**  
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**LAWS OF:** 2013                      **CHAPTER:** 44  
**NJSA:** 18A:36-39 ("The Anti-Big Brother Act")  
**BILL NO:** S2057 (Substituted for A2932)

**SPONSOR(S)** Norcross and others

**DATE INTRODUCED:** June 4, 2012

**COMMITTEE:**                    **ASSEMBLY:** Education  
   **SENATE:** Commerce

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:**                **ASSEMBLY:** January 28, 2013  
   **SENATE:** February 7, 2013

**DATE OF APPROVAL:** April 15, 2013

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL** (First Reprint enacted)

**S2057**

**SPONSOR'S STATEMENT:** (Begins on page 2 of introduced bill) Yes

**COMMITTEE STATEMENT:**                      **ASSEMBLY:** Yes

**SENATE:** Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL NOTE:** No

**A2932**

**SPONSOR'S STATEMENT:** (Begins on page 2 of introduced bill) Yes

**COMMITTEE STATEMENT:**                      **ASSEMBLY:** Yes

**SENATE:** No

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

(continued)

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

LAW/RWH

P.L.2013, CHAPTER 44, *approved April 15, 2013*

Senate, No. 2057 (*First Reprint*)

1 AN ACT concerning notification to certain persons using certain  
2 electronic devices and supplementing Title 18A of the New  
3 Jersey Statutes.

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

7  
8 1. A school district <sup>1</sup>or charter school<sup>1</sup> that furnishes a student  
9 with a laptop computer, cellular telephone, or other electronic  
10 device shall provide the student with written <sup>1</sup>or electronic<sup>1</sup>  
11 notification that the electronic device may record or collect  
12 information on the student's activity or the student's use of the  
13 device if the electronic device is equipped with a camera, global  
14 positioning system, or other feature capable of recording or  
15 collecting information on the student's activity or use of the device.  
16 <sup>1</sup>The notification shall also include a statement that the school  
17 district or charter school shall not use any of the capabilities in a  
18 manner that would violate the privacy rights of the student or any  
19 individual residing with the student.<sup>1</sup> The <sup>1</sup>**【written notification**  
20 **shall be affixed with a form acknowledging receipt of the**  
21 **notification which shall be signed by the】**<sup>1</sup> parent or guardian of the  
22 student <sup>1</sup>**【and returned to the school district】** shall acknowledge  
23 receipt of the notification<sup>1</sup>. The school district <sup>1</sup>or charter school<sup>1</sup>  
24 shall retain the <sup>1</sup>**【form】** acknowledgement<sup>1</sup> as long as the student  
25 retains the use of the electronic device.

26 A school district <sup>1</sup>or charter school<sup>1</sup> failing to provide the  
27 <sup>1</sup>**【written】**<sup>1</sup> notification required by this section shall be subject to a  
28 fine of \$250 <sup>1</sup>per student, per incident. The fine shall be remitted to  
29 the Department of Education, and shall be deposited in a fund that  
30 shall be used to provide laptop or other portable computer  
31 equipment to at-risk pupils, as defined in section 3 of P.L.2007,  
32 c.260 (C.18A:7F-45)<sup>1</sup>.

33  
34 2. This act shall take effect on the <sup>1</sup>**【60th day】** first July 1<sup>1</sup>  
35 following <sup>1</sup>the date of<sup>1</sup> enactment.

36  
37  
38  
39 “The Anti-Big Brother Act.”

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AED committee amendments adopted December 13, 2012.

**SENATE, No. 2057**

**STATE OF NEW JERSEY**  
**215th LEGISLATURE**

INTRODUCED JUNE 4, 2012

**Sponsored by:**

**Senator DONALD NORCROSS**

**District 5 (Camden and Gloucester)**

**Senator NIA H. GILL**

**District 34 (Essex and Passaic)**

**SYNOPSIS**

“The Anti-Big Brother Act.”

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 10/26/2012)**

1 AN ACT concerning notification to certain persons using certain  
2 electronic devices and supplementing Title 18A of the New  
3 Jersey Statutes.

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

7  
8 1. A school district that furnishes a student with a laptop  
9 computer, cellular telephone, or other electronic device shall  
10 provide the student with written notification that the electronic  
11 device may record or collect information on the student's activity or  
12 the student's use of the device if the electronic device is equipped  
13 with a camera, global positioning system, or other feature capable  
14 of recording or collecting information on the student's activity or  
15 use of the device. The written notification shall be affixed with a  
16 form acknowledging receipt of the notification which shall be  
17 signed by the parent or guardian of the student and returned to the  
18 school district. The school district shall retain the form as long as  
19 the student retains the use of the electronic device.

20 A school district failing to provide the written notification  
21 required by this section shall be subject to a fine of \$250.

22  
23 2. This act shall take effect on the 60th day following enactment.

24  
25  
26 STATEMENT

27  
28 This bill, "The Anti-Big Brother Act," requires a school district  
29 that furnishes a student with a laptop computer, cellular telephone,  
30 or other electronic device to provide the student with written notice  
31 that the electronic device may record or collect information on the  
32 student's activity, or the student's use of the device if it is equipped  
33 with a camera, global positioning system, or other feature capable  
34 of recording or collecting information. The notice is required to  
35 have a form attached which provides for a parent or guardian  
36 signature acknowledging receipt of the form. The bill requires that  
37 the school district retain the signed form as long as the student uses  
38 the electronic device. A school district that fails to provide the  
39 written notification required by this bill would be subject to a fine  
40 of \$250.

41 This bill is in response to incidents in the Lower Merion School  
42 District in Pennsylvania in which cameras in laptops furnished by  
43 the school district recorded the activity of students without their  
44 knowledge. Images from the camera were transmitted to  
45 administrators of the school district.

SENATE COMMERCE COMMITTEE

STATEMENT TO

**SENATE, No. 2057**

**STATE OF NEW JERSEY**

DATED: OCTOBER 15, 2012

The Senate Commerce Committee reports favorably Senate Bill No. 2057.

This bill, "The Anti-Big Brother Act," requires a school district that furnishes a student with a laptop computer, cellular telephone, or other electronic device to provide the student with written notice that the electronic device may record or collect information on the student's activity, or the student's use of the device if it is equipped with a camera, global positioning system, or other feature capable of recording or collecting information. The notice is required to have a form attached which provides for a parent or guardian signature acknowledging receipt of the form. The bill requires that the school district retain the signed form as long as the student uses the electronic device. A school district that fails to provide the written notification required by this bill would be subject to a fine of \$250.

This bill is in response to incidents in the Lower Merion School District in Pennsylvania in which cameras in laptops furnished by the school district recorded the activity of students without their knowledge. Images from the camera were transmitted to administrators of the school district.

# ASSEMBLY EDUCATION COMMITTEE

## STATEMENT TO

### **SENATE, No. 2057**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: DECEMBER 13, 2012

The Assembly Education Committee reports favorably Senate Bill No. 2057 with committee amendments.

As amended, this bill, “The Anti-Big Brother Act,” requires a school district or charter school that furnishes a student with a laptop computer, cellular telephone, or other electronic device to provide the student with written or electronic notice that the electronic device may record or collect information on the student’s activity, or the student’s use of the device if it is equipped with a camera, global positioning system, or other feature capable of recording or collecting information. The notice must also state that the school district or charter school will not use any of the capabilities in a manner that would violate the privacy rights of the student or anyone who resides with the student. A parent or guardian must acknowledge receipt of the notification. The bill requires that the school district or charter school retain the acknowledgement as long as the student uses the electronic device. A school district or charter school that fails to provide the written notification required by this bill would be subject to a fine of \$250 per student, per incident. Any fines would be remitted to the Department of Education, and deposited into a fund that would be used to provide laptop computers or other portable computer equipment to at-risk pupils, defined as those who are eligible to participate in the National School Lunch Program.

The committed amended the bill to:

- clarify that charter schools are subject to the bill’s provisions;
- stipulate that the notification provided by the school district may be written or electronic;
- require that the notification states that the school district or charter school will not use the electronic equipment’s capabilities in a manner that would violate the privacy rights of the student or an individual residing with the student;
- clarify that the fine for not providing the notification is \$250 per student, per incident;
- require that any fines be remitted to the Department of Education, and deposited into a fund that will be used to

provide laptop computers or other portable computer equipment to at-risk pupils; and

- change the effective date to the first July 1 after the date of enactment.

As reported by committee, this bill is identical to Assembly Bill No. 2932, as amended, which was also reported by the committee on the same date.



# ASSEMBLY, No. 2932

## STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED MAY 14, 2012

**Sponsored by:**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**Assemblyman RUBEN J. RAMOS, JR.**

**District 33 (Hudson)**

**Assemblyman TROY SINGLETON**

**District 7 (Burlington)**

**Assemblywoman ANGELICA M. JIMENEZ**

**District 32 (Bergen and Hudson)**

**SYNOPSIS**

“The Anti-Big Brother Act.”

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 12/14/2012)

1 AN ACT concerning notification to certain persons using certain  
2 electronic devices and supplementing Title 18A of the New  
3 Jersey Statutes.

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

7  
8 1. A school district that furnishes a student with a laptop  
9 computer, cellular telephone, or other electronic device shall  
10 provide the student with written notification that the electronic  
11 device may record or collect information on the student's activity or  
12 the student's use of the device if the electronic device is equipped  
13 with a camera, global positioning system, or other feature capable  
14 of recording or collecting information on the student's activity or  
15 use of the device. The written notification shall be affixed with a  
16 form acknowledging receipt of the notification which shall be  
17 signed by the parent or guardian of the student and returned to the  
18 school district. The school district shall retain the form as long as  
19 the student retains the use of the electronic device.

20 A school district failing to provide the written notification  
21 required by this section shall be subject to a fine of \$250.

22  
23 2. This act shall take effect on the 60th day following enactment.  
24

25  
26 STATEMENT  
27

28 This bill, "The Anti-Big Brother Act," requires a school district  
29 that furnishes a student with a laptop computer, cellular telephone,  
30 or other electronic device to provide the student with written notice  
31 that the electronic device may record or collect information on the  
32 student's activity, or the student's use of the device if it is equipped  
33 with a camera, global positioning system, or other feature capable  
34 of recording or collecting information. The notice is required to  
35 have a form attached which provides for a parent or guardian  
36 signature acknowledging receipt of the form. The bill requires that  
37 the school district retain the signed form as long as the student uses  
38 the electronic device. A school district that fails to provide the  
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42 District in Pennsylvania in which cameras in laptops furnished by  
43 the school district recorded the activity of students without their  
44 knowledge. Images from the camera were transmitted to  
45 administrators of the school district.

# ASSEMBLY EDUCATION COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 2932**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: DECEMBER 13, 2012

The Assembly Education Committee reports favorably Assembly Bill No. 2932 with committee amendments.

As amended, this bill, “The Anti-Big Brother Act,” requires a school district or charter school that furnishes a student with a laptop computer, cellular telephone, or other electronic device to provide the student with written or electronic notice that the electronic device may record or collect information on the student’s activity, or the student’s use of the device if it is equipped with a camera, global positioning system, or other feature capable of recording or collecting information. The notice must also state that the school district or charter school will not use any of the capabilities in a manner that would violate the privacy rights of the student or anyone who resides with the student. A parent or guardian must acknowledge receipt of the notification. The bill requires that the school district or charter school retain the acknowledgement as long as the student uses the electronic device. A school district or charter school that fails to provide the written notification required by this bill would be subject to a fine of \$250 per student, per incident. Any fines would be remitted to the Department of Education, and deposited into a fund that would be used to provide laptop computers or other portable computer equipment to at-risk pupils, defined as those who are eligible to participate in the National School Lunch Program.

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- clarify that the fine for not providing the notification is \$250 per student, per incident;
- require that any fines be remitted to the Department of Education, and deposited into a fund that will be used to

provide laptop computers or other portable computer equipment to at-risk pupils; and

- change the effective date to the first July 1 after the date of enactment.

As reported by committee, this bill is identical to Senate Bill No. 2057, as amended, which was also reported by the committee on the same date.