

2A:58D-3 to 2A:58D-4
LEGISLATIVE HISTORY CHECKLIST
Compiled by the NJ State Law Library

LAWS OF: 2017 **CHAPTER:** 123

NJSA: 2A:58D-3 to 2A:58D-4 (Prohibits charging fee to stop publishing personal identifying information obtained through the criminal justice system.)

BILL NO: S1840 (Substituted for A2085)

SPONSOR(S) Ruiz and others

DATE INTRODUCED: 3/7/2016

COMMITTEE: **ASSEMBLY:** Consumer Affairs

SENATE: Law & Public Safety

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 5/22/2017

SENATE: 6/22/2017

DATE OF APPROVAL: 7/21/2017

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Third Reprint enacted) Yes

S1840

SPONSOR'S STATEMENT: (Begins on page 4 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)

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

A2085

SPONSOR'S STATEMENT: (Begins on page 4 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

(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)

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Christie signs measure targeting mugshot extortion sites," Associated Press State Wire: New Jersey, July 23, 2017

"Mugshot 'extortion' website ban signed by Christie, nj.com, July 23, 2017

RWH/JA

Title 2A.
Chapter 58D.
(Renamed)
Reproduction or
disclosure of
images or
personal
information.
§§1-2
C.2A:58D-3 to
2A:58D-4

P.L.2017, CHAPTER 123, *approved July 21, 2017*
Senate, No. 1840 (*Third Reprint*)

1 **AN ACT** concerning the disclosure of certain personal identifying
2 information and supplementing Title 2A ³**[²and Title 2C²]**³ of
3 the New Jersey Statutes.

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

7
8 1. The Legislature finds and declares:

9 a. There is a longstanding tradition in the United States and
10 New Jersey of providing the public with access to information
11 pertaining to the operations of the criminal justice system, including
12 information about those arrested, accused, charged, prosecuted, and
13 convicted of criminal offenses.

14 b. The public has a right to information concerning the
15 functioning of the criminal justice system and those who have
16 committed, or are accused of committing, criminal offenses.
17 Because there is an important public interest in promoting
18 transparency in our criminal justice system, an individual's right to
19 privacy may yield to this interest. ²**[We must, however, also be]**
20 However, it is necessary to be² sensitive to the interests in avoiding
21 undue humiliation of innocent defendants and in promoting
22 rehabilitation of convicted offenders. These latter considerations
23 are heightened in light of the potentially unlimited duration and
24 worldwide dissemination of such information once published on the
25 Internet.

26 c. Some unscrupulous profiteers have sought to take advantage
27 of the availability of criminal justice system information with the
28 potential to harm or embarrass those arrested for, accused of, or

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:

¹Senate SLP committee amendments adopted June 9, 2016.

²Assembly ACO committee amendments adopted October 6, 2016.

³Assembly floor amendments adopted October 20, 2016.

1 prosecuted for a criminal offense. These private entities engage in
2 an extortionate practice of publishing, or threatening to publish, on
3 an Internet ¹["web site"] website¹ information such as mug shots or
4 rap sheets, unless the subject agrees to pay a fee to remove or
5 prevent Internet publication of the potentially embarrassing picture
6 or information. While the law authorizes public access to this type
7 of information, such companies obtain these governmental records
8 with the true intent of coercing subjects to pay the ¹["web site"]
9 website¹ operator to remove the information in order to avoid
10 embarrassment, adverse employment or social consequences, and
11 other repercussions. These companies do not obtain this
12 information for any purpose related to the public's right to know or
13 maintaining the integrity of the criminal justice system.

14 d. This practice differs materially from the conduct of private
15 companies that obtain or review publicly-available criminal history
16 background information provided through governmental databases,
17 for purposes of conducting criminal background checks to
18 determine if an individual is suitable for employment, volunteer
19 work ^{1,1} or for similar purposes. Companies performing legitimate
20 criminal background checks do not attempt to extort payment from
21 the subjects of the search to refrain from disclosing to the inquiring
22 party true and accurate criminal history background information. It
23 is the element of extortionate profiteering that makes this noxious
24 practice objectionable and contrary to the public policy of this
25 State.

26 e. It is not the Legislature's intent to limit public access to this
27 type of information or its publication, or to impinge on the interests
28 of free speech or transparency. Public access and disclosure are not
29 the problem that demands redress, but rather the conduct of seeking
30 to profit by threatening exposure of such information.

31 f. Accordingly, it is altogether fitting and proper to protect the
32 citizens of New Jersey from this form of exploitation by
33 establishing a civil cause of action ²["and"] ³["2"] and³ civil penalty
34 ³["2, and criminal offense²"]³ to discourage the solicitation of
35 pecuniary benefit by threatening to disclose criminal justice system
36 information which identifies or presents such information in a
37 context that identifies the person as having been arrested, charged,
38 prosecuted, or convicted of a criminal offense.

39
40 2. a. (1) A person shall not solicit or accept any pecuniary
41 benefit in consideration for refraining from the disclosure of
42 personal identifying information of any person which identifies ^{2,2}
43 or is presented in a context which identifies ^{2,2} the person as having
44 been arrested, charged, prosecuted, or convicted of any criminal
45 offense including, but not limited to, criminal history record
46 background information and any photograph of the person taken at
47 the time of arrest.

1 (2) A person who commits a violation of paragraph (1) of this
2 subsection shall not disclose or cause to be disclosed personal
3 identifying information of any person which identifies ^{2,2} or is
4 presented in a context which identifies ^{2,2} the person as having been
5 arrested, charged, prosecuted, or convicted of any criminal
6 offense^{1,1} including ^{1,1} but not limited to ^{1,1} criminal history
7 record background information and any photograph of the person
8 taken at the time of arrest.

9 b. For purposes of this section:

10 “Disclosure” means publication, distribution, circulation,
11 dissemination, presentation, exhibition, advertisement, or
12 offering^{1,1} by any means including, but not limited to, the
13 Internet.

14 “Pecuniary benefit” means a benefit in the form of money,
15 property, commercial interests, or anything else the primary
16 significance of which is economic gain.

17 “Personal identifying information” means any name, address ^{1,1}
18 or other information that may be used, alone or in conjunction with
19 any other information, to identify a specific individual, and any
20 photographic image, reproduction ^{1,1} or other depiction of a person.

21 c. In addition to any other right of action or recovery otherwise
22 available under the laws of this State, a person who knowingly
23 violates the provisions of subsection a. of this section shall be liable
24 to the person whose personal identifying information was the
25 subject of the violation, who may bring a civil action in the
26 Superior Court.

27 The court may award:

28 (1) actual damages, but not less than liquidated damages
29 computed at the rate of \$1,000 for each violation of paragraph (1)
30 of subsection a. of this section and \$10,000 for each violation of
31 paragraph (2) of subsection a. of this section;

32 (2) punitive damages upon proof of willful or reckless disregard
33 of the law;

34 (3) reasonable attorney's fees and other litigation costs
35 reasonably incurred; and

36 (4) any other preliminary and equitable relief the court
37 determines to be appropriate.

38 d. In addition to the liability provided under subsection c. of
39 this section and any other right of action or recovery otherwise
40 available under the laws of this State, a person violating the
41 provisions of subsection a. of this section shall be liable for a civil
42 penalty of not less than \$500 for each act in violation of paragraph
43 (1) of subsection a. of this section and a civil penalty of not less
44 than \$1,000 for each act in violation of paragraph (2) of subsection
45 a. of this section. The penalty prescribed by this section shall be
46 collected and enforced by summary proceedings under the “Penalty
47 Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.).

1 ³[²3. a. For purposes of this section:

2 “Disclosure” means publication, distribution, circulation,
3 dissemination, presentation, exhibition, advertisement, or offering,
4 by any means including, but not limited to, the Internet.

5 “Pecuniary benefit” means a benefit in the form of money,
6 property, commercial interests, or anything else the primary
7 significance of which is economic gain.

8 “Personal identifying information” means any name, address, or
9 other information that may be used, alone or in conjunction with
10 any other information, to identify a specific individual, and any
11 photographic image, reproduction, or other depiction of a person.

12 b. A person is guilty of a disorderly persons offense if that
13 person purposefully discloses, threatens to disclose, or directs
14 another person to disclose, for pecuniary benefit, any personal
15 identifying information which identifies, or is presented in a context
16 which identifies, a person as having been arrested, charged,
17 prosecuted, or convicted of any criminal offense including, but not
18 limited to, criminal history record background information and any
19 photograph of the person taken at the time of arrest.²]³

20
21 ²[^{3.}]³[^{4.}²]³ This act shall take effect immediately.

22
23
24 _____
25
26 Prohibits charging fee to stop publishing personal identifying
27 information obtained through the criminal justice system.

SENATE, No. 1840

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED MARCH 7, 2016

Sponsored by:
Senator M. TERESA RUIZ
District 29 (Essex)

SYNOPSIS

Prohibits charging fee to stop publishing personal identifying information obtained through the criminal justice system.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the disclosure of certain personal identifying
2 information and supplementing Title 2A of the New Jersey
3 Statutes.

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

7
8 1. The Legislature finds and declares:

9 a. There is a longstanding tradition in the United States and
10 New Jersey of providing the public with access to information
11 pertaining to the operations of the criminal justice system, including
12 information about those arrested, accused, charged, prosecuted, and
13 convicted of criminal offenses.

14 b. The public has a right to information concerning the
15 functioning of the criminal justice system and those who have
16 committed, or are accused of committing, criminal offenses.
17 Because there is an important public interest in promoting
18 transparency in our criminal justice system, an individual's right to
19 privacy may yield to this interest. We must, however, also be
20 sensitive to the interests in avoiding undue humiliation of innocent
21 defendants and in promoting rehabilitation of convicted offenders.
22 These latter considerations are heightened in light of the potentially
23 unlimited duration and worldwide dissemination of such
24 information once published on the Internet.

25 c. Some unscrupulous profiteers have sought to take advantage
26 of the availability of criminal justice system information with the
27 potential to harm or embarrass those arrested for, accused of, or
28 prosecuted for a criminal offense. These private entities engage in
29 an extortionate practice of publishing, or threatening to publish, on
30 an Internet web site information such as mug shots or rap sheets,
31 unless the subject agrees to pay a fee to remove or prevent Internet
32 publication of the potentially embarrassing picture or information.
33 While the law authorizes public access to this type of information,
34 such companies obtain these governmental records with the true
35 intent of coercing subjects to pay the web site operator to remove
36 the information in order to avoid embarrassment, adverse
37 employment or social consequences, and other repercussions.
38 These companies do not obtain this information for any purpose
39 related to the public's right to know or maintaining the integrity of
40 the criminal justice system.

41 d. This practice differs materially from the conduct of private
42 companies that obtain or review publicly-available criminal history
43 background information provided through governmental databases,
44 for purposes of conducting criminal background checks to
45 determine if an individual is suitable for employment, volunteer
46 work or for similar purposes. Companies performing legitimate
47 criminal background checks do not attempt to extort payment from
48 the subjects of the search to refrain from disclosing to the inquiring

1 party true and accurate criminal history background information. It
2 is the element of extortionate profiteering that makes this noxious
3 practice objectionable and contrary to the public policy of this
4 State.

5 e. It is not the Legislature's intent to limit public access to this
6 type of information or its publication, or to impinge on the interests
7 of free speech or transparency. Public access and disclosure are not
8 the problem that demands redress, but rather the conduct of seeking
9 to profit by threatening exposure of such information.

10 f. Accordingly, it is altogether fitting and proper to protect the
11 citizens of New Jersey from this form of exploitation by
12 establishing a civil cause of action and civil penalty to discourage
13 the solicitation of pecuniary benefit by threatening to disclose
14 criminal justice system information which identifies or presents
15 such information in a context that identifies the person as having
16 been arrested, charged, prosecuted, or convicted of a criminal
17 offense.

18

19 2. a. (1) A person shall not solicit or accept any pecuniary
20 benefit in consideration for refraining from the disclosure of
21 personal identifying information of any person which identifies or
22 is presented in a context which identifies the person as having been
23 arrested, charged, prosecuted, or convicted of any criminal offense
24 including, but not limited to, criminal history record background
25 information and any photograph of the person taken at the time of
26 arrest.

27 (2) A person who commits a violation of paragraph (1) of this
28 subsection shall not disclose or cause to be disclosed personal
29 identifying information of any person which identifies or is
30 presented in a context which identifies the person as having been
31 arrested, charged, prosecuted, or convicted of any criminal offense,
32 including but not limited to criminal history record background
33 information and any photograph of the person taken at the time of
34 arrest.

35 b. For purposes of this section:

36 "Disclosure" means publication, distribution, circulation,
37 dissemination, presentation, exhibition, advertisement, or offering,
38 by any means including, but not limited to, the Internet.

39 "Pecuniary benefit" means a benefit in the form of money,
40 property, commercial interests, or anything else the primary
41 significance of which is economic gain.

42 "Personal identifying information" means any name, address or
43 other information that may be used, alone or in conjunction with
44 any other information, to identify a specific individual, and any
45 photographic image, reproduction or other depiction of a person.

46 c. In addition to any other right of action or recovery otherwise
47 available under the laws of this State, a person who knowingly
48 violates the provisions of subsection a. of this section shall be liable

1 to the person whose personal identifying information was the
2 subject of the violation, who may bring a civil action in the
3 Superior Court.

4 The court may award:

5 (1) actual damages, but not less than liquidated damages
6 computed at the rate of \$1,000 for each violation of paragraph (1)
7 of subsection a. of this section and \$10,000 for each violation of
8 paragraph (2) of subsection a. of this section;

9 (2) punitive damages upon proof of willful or reckless disregard
10 of the law;

11 (3) reasonable attorney's fees and other litigation costs
12 reasonably incurred; and

13 (4) any other preliminary and equitable relief the court
14 determines to be appropriate.

15 d. In addition to the liability provided under subsection c. of
16 this section and any other right of action or recovery otherwise
17 available under the laws of this State, a person violating the
18 provisions of subsection a. of this section shall be liable for a civil
19 penalty of not less than \$500 for each act in violation of paragraph
20 (1) of subsection a. of this section and a civil penalty of not less
21 than \$1,000 for each act in violation of paragraph (2) of subsection
22 a. of this section. The penalty prescribed by this section shall be
23 collected and enforced by summary proceedings under the "Penalty
24 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).
25

26 3. This act shall take effect immediately.
27
28

29 STATEMENT
30

31 This bill prohibits a person from soliciting or accepting any
32 pecuniary benefit in exchange for not disclosing certain personal
33 identifying information of another individual. The personal
34 identifying information protected under the bill is information that
35 identifies a person as having been arrested, charged, prosecuted, or
36 convicted of any criminal offense, including but not limited to
37 criminal history record background information and any photograph
38 of the person taken at the time of arrest. The bill also prohibits the
39 disclosure of the protected personal identifying information by the
40 person soliciting a pecuniary benefit.

41 Under the bill's provisions, "personal identifying information" is
42 defined as a name, address or other information that may be used,
43 alone or in conjunction with any other information, to identify a
44 specific individual, and any photographic image, reproduction or
45 other depiction of a person.

46 The bill further provides that a person who knowingly violates
47 the bill's provisions is liable to the person whose personal
48 identifying information was disclosed, who may bring a civil action

1 in the Superior Court. The court may award: (1) actual damages,
2 but not less than liquidated damages computed at the rate of \$1,000
3 for each solicitation to refrain from disclosing protected information
4 and \$10,000 for each actual disclosure of the information; (2)
5 punitive damages upon proof of willful or reckless disregard of the
6 law; (3) reasonable attorney's fees and other litigation costs
7 reasonably incurred; and (4) any other preliminary and equitable
8 relief the court determines to be appropriate.

9 In addition, a person shall be liable for a civil penalty of not less
10 than \$500 for each act of solicitation prohibited by the bill and a
11 civil penalty of not less than \$1,000 for each act of disclosure
12 prohibited under the bill. This penalty is to be collected and
13 enforced by summary proceedings under the "Penalty Enforcement
14 Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

15 It is the committee's understanding that some unscrupulous
16 persons operate websites that publish mug shots or rap sheets and
17 require the subject to pay a fee to prevent publication of or remove
18 the potentially embarrassing picture or information. These fees can
19 range from \$30 to several hundred dollars or higher.

ASSEMBLY CONSUMER AFFAIRS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1840

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 6, 2016

The Assembly Consumer Affairs Committee reports favorably and with committee amendments Senate Bill No. 1840 (1R).

As amended and reported by the committee, Senate Bill No. 1840 (1R) prohibits a person from soliciting or accepting any pecuniary benefit in exchange for not disclosing certain personal identifying information of another individual. The personal identifying information protected under the bill is information that identifies a person as having been arrested, charged, prosecuted, or convicted of any criminal offense. This protected information includes, but is not limited to, criminal history record background information and any photograph of the person taken at the time of arrest. The bill also prohibits the disclosure of protected personal identifying information by any person soliciting a pecuniary benefit.

Under the bill's provisions, "personal identifying information" is defined as a name, address or other information that may be used, alone or in conjunction with any other information, to identify a specific individual, and any photographic image, reproduction or other depiction of a person.

A person who knowingly violates the bill's provisions is liable to the person whose personal identifying information was disclosed, who may bring a civil action in the Superior Court. The court may award: (1) actual damages, but not less than liquidated damages computed at the rate of \$1,000 for each solicitation to refrain from disclosure of protected information and \$10,000 for each actual disclosure of the information; (2) punitive damages upon proof of willful or reckless disregard of the law; (3) reasonable attorney's fees and other litigation costs reasonably incurred; and (4) any other preliminary and equitable relief the court determines to be appropriate.

In addition, a person would be liable for a civil penalty of not less than \$500 for each act of solicitation prohibited under the bill and a civil penalty of not less than \$1,000 for each act of disclosure prohibited under the bill. This penalty is to be collected and

enforced by summary proceedings under the “Penalty Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.).

The amended bill further provides that a person is guilty of a disorderly persons offense if that person purposefully discloses, threatens to disclose, or directs another person to disclose, for pecuniary benefit, any personal identifying information which identifies, or is presented in a context which identifies, a person as having been arrested, charged, prosecuted, or convicted of any criminal offense. The penalty for a disorderly persons offense is imprisonment for up to six months, a fine of up to \$1,000, or both.

The purpose of this bill is to protect the public from unscrupulous persons who publish criminal justice system information in order to harm or embarrass those arrested or prosecuted for a criminal offense. Some of these persons operate websites where they publish mug shots or rap sheets and require the subject to pay a fee to prevent publication of or remove the potentially embarrassing picture or information. These fees can range from \$30 to several hundred dollars or higher. While the law authorizes public access to this type of information, citizens should be protected from companies who obtain the information with the intent to coerce persons to pay for its removal of the information in order to avoid embarrassment, adverse employment or social consequences, and other repercussions.

Senate Bill No. 1840 (2R) is identical to Assembly Bill No. 2085 (1R).

COMMITTEE AMENDMENTS:

The committee amendments establish a criminal penalty for disclosing, threatening to disclose, or directing another person to disclose, for pecuniary benefit, any personal identifying information protected under the bill, and make technical changes.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 1840

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 9, 2016

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 1840.

As amended and reported by the committee, this bill prohibits a person from soliciting or accepting any pecuniary benefit in exchange for not disclosing certain personal identifying information of another individual. The personal identifying information protected under the amended bill is information that identifies a person as having been arrested, charged, prosecuted, or convicted of any criminal offense including, but not limited to, criminal history record background information and any photograph of the person taken at the time of arrest. The amended bill also prohibits the disclosure of the protected personal identifying information by the person soliciting a pecuniary benefit.

Under the amended bill's provisions, "personal identifying information" is defined as a name, address, or other information that may be used, alone or in conjunction with any other information, to identify a specific individual, and any photographic image, reproduction, or other depiction of a person.

The amended bill further provides that a person who knowingly violates the bill's provisions is liable to the person whose personal identifying information was the subject of the violation, who may bring a civil action in the Superior Court. The court may award: (1) actual damages, but not less than liquidated damages computed at the rate of \$1,000 for each solicitation to refrain from disclosing protected information and \$10,000 for each actual disclosure of the information; (2) punitive damages upon proof of willful or reckless disregard of the law; (3) reasonable attorney's fees and other litigation costs reasonably incurred; and (4) any other preliminary and equitable relief the court determines to be appropriate.

In addition, a person shall be liable for a civil penalty of not less than \$500 for each act of solicitation prohibited by the amended bill and a civil penalty of not less than \$1,000 for each act of disclosure prohibited under the amended bill. This penalty is to be collected and

enforced by summary proceedings under the “Penalty Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.).

It is the committee’s understanding that some unscrupulous persons operate websites that publish mug shots or rap sheets and require the subject to pay a fee to prevent publication of or remove the potentially embarrassing picture or information. These fees can range from \$30 to several hundred dollars or higher.

COMMITTEE AMENDMENTS

The committee amended the bill to make technical changes.

STATEMENT TO
[Second Reprint]
SENATE No. 1840

with Assembly Amendments
(Proposed by Assemblyman MUKHERJI)

ADOPTED: OCTOBER 20, 2016

Senate Bill No. 1840 (2R) prohibits a person from soliciting or accepting any pecuniary benefit in exchange for not disclosing certain personal identifying information of another individual.

These Senate amendments remove the criminal penalty for disclosing, threatening to disclose, or directing another person to disclose, for pecuniary benefit, any personal identifying information protected under the bill.

ASSEMBLY, No. 2085

STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblywoman SHEILA Y. OLIVER

District 34 (Essex and Passaic)

SYNOPSIS

Prohibits a person from charging a fee to stop publishing personal identifying information obtained through the criminal justice system.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 10/7/2016)

1 AN ACT concerning the disclosure of certain personal identifying
2 information and supplementing Title 2A of the New Jersey
3 Statutes.

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

7
8 1. The Legislature finds and declares:

9 a. There is a longstanding tradition in the United States and
10 New Jersey of providing the public with access to information
11 pertaining to the operations of the criminal justice system, including
12 information about those arrested, accused, charged, prosecuted, and
13 convicted of criminal offenses.

14 b. The public has a right to information concerning the
15 functioning of the criminal justice system and those who have
16 committed, or are accused of committing, criminal offenses.
17 Because there is an important public interest in promoting
18 transparency in our criminal justice system, an individual's right to
19 privacy may yield to this interest. We must, however, also be
20 sensitive to the interests in avoiding undue humiliation of innocent
21 defendants and in promoting rehabilitation of convicted offenders.
22 These latter considerations are heightened in light of the potentially
23 unlimited duration and worldwide dissemination of such
24 information once published on the Internet.

25 c. Some unscrupulous profiteers have sought to take advantage
26 of the availability of criminal justice system information with the
27 potential to harm or embarrass those arrested for, accused of, or
28 prosecuted for a criminal offense. These private entities engage in
29 an extortionate practice of publishing, or threatening to publish, on
30 an Internet web site information such as mug shots or rap sheets,
31 unless the subject agrees to pay a fee to remove or prevent Internet
32 publication of the potentially embarrassing picture or information.
33 While the law authorizes public access to this type of information,
34 such companies obtain these governmental records with the true
35 intent of coercing subjects to pay the web site operator to remove
36 the information in order to avoid embarrassment, adverse
37 employment or social consequences, and other repercussions.
38 These companies do not obtain this information for any purpose
39 related to the public's right to know or maintaining the integrity of
40 the criminal justice system.

41 d. This practice differs materially from the conduct of private
42 companies that obtain or review publicly-available criminal history
43 background information provided through governmental databases,
44 for purposes of conducting criminal background checks to
45 determine if an individual is suitable for employment, volunteer
46 work or for similar purposes. Companies performing legitimate
47 criminal background checks do not attempt to extort payment from
48 the subjects of the search to refrain from disclosing to the inquiring

1 party true and accurate criminal history background information. It
2 is the element of extortionate profiteering that makes this noxious
3 practice objectionable and contrary to the public policy of this
4 State.

5 e. It is not the Legislature's intent to limit public access to this
6 type of information or its publication, or to impinge on the interests
7 of free speech or transparency. Public access and disclosure are not
8 the problem that demands redress, but rather the conduct of seeking
9 to profit by threatening exposure of such information.

10 f. Accordingly, it is altogether fitting and proper to protect the
11 citizens of New Jersey from this form of exploitation by
12 establishing a civil cause of action and civil penalty to discourage
13 the solicitation of pecuniary benefit by threatening to disclose
14 criminal justice system information which identifies or presents
15 such information in a context that identifies the person as having
16 been arrested, charged, prosecuted, or convicted of a criminal
17 offense.

18

19 2. a. (1) No person shall solicit or accept any pecuniary benefit
20 in consideration for refraining from the disclosure of personal
21 identifying information of any person which identifies or is
22 presented in a context which identifies the person as having been
23 arrested, charged, prosecuted, or convicted of any criminal offense
24 including, but not limited to, criminal history record background
25 information and any photograph of the person taken at the time of
26 arrest.

27 (2) No person who commits a violation of paragraph (1) of this
28 subsection shall disclose or cause to be disclosed personal
29 identifying information of any person which identifies or is
30 presented in a context which identifies the person as having been
31 arrested, charged, prosecuted, or convicted of any criminal offense,
32 including but not limited to criminal history record background
33 information and any photograph of the person taken at the time of
34 arrest.

35 b. For purposes of this section:

36 "Disclosure" means publication, distribution, circulation,
37 dissemination, presentation, exhibition, advertisement, or offering,
38 by any means including, but not limited to, the Internet.

39 "Pecuniary benefit" is benefit in the form of money, property,
40 commercial interests, or anything else the primary significance of
41 which is economic gain;

42 "Personal identifying information" means any name, address or
43 other information that may be used, alone or in conjunction with
44 any other information, to identify a specific individual, and any
45 photographic image, reproduction or other depiction of a person.

46 c. In addition to any other right of action or recovery otherwise
47 available under the laws of this State, a person who knowingly
48 violates the provisions of subsection a. of this section shall be liable

1 to the person whose personal identifying information was the
2 subject of the violation, who may bring a civil action in the
3 Superior Court.

4 The court may award:

5 (1) actual damages, but not less than liquidated damages
6 computed at the rate of \$1,000 for each violation of paragraph (1)
7 of this subsection and \$10,000 for each violation of paragraph (2) of
8 this subsection;

9 (2) punitive damages upon proof of willful or reckless disregard
10 of the law;

11 (3) reasonable attorney's fees and other litigation costs
12 reasonably incurred; and

13 (4) any other preliminary and equitable relief the court
14 determines to be appropriate.

15 d. In addition to the liability provided under subsection c. of
16 this section and any other right of action or recovery otherwise
17 available under the laws of this State, a person violating the
18 provisions of subsection a. of this section shall be liable for a civil
19 penalty of not less than \$500 for each act in violation of paragraph
20 (1) of subsection a. of this section and a civil penalty of not less
21 than \$1,000 for each act in violation of paragraph (2) of subsection
22 a. of this section. The penalty prescribed by this section shall be
23 collected and enforced by summary proceedings under the "Penalty
24 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).
25

26 3. This act shall take effect immediately.
27
28

29 STATEMENT
30

31 This bill prohibits a person from soliciting or accepting any
32 pecuniary benefit in exchange for not disclosing certain personal
33 identifying information of another individual. The personal
34 identifying information protected under the bill is information that
35 identifies a person as having been arrested, charged, prosecuted, or
36 convicted of any criminal offense, including but not limited to
37 criminal history record background information and any photograph
38 of the person taken at the time of arrest. The bill also prohibits the
39 disclosure of the protected personal identifying information by the
40 person soliciting a pecuniary benefit.

41 The purpose of this bill is to protect the public from
42 unscrupulous persons who publish criminal justice system
43 information in order to harm or embarrass those arrested or
44 prosecuted for a criminal offense. Some of these persons operate
45 websites where they publish mug shots or rap sheets and require the
46 subject to pay a fee to prevent publication of or remove the
47 potentially embarrassing picture or information. These fees can
48 range from \$30 to several hundred dollars or higher. While the law

1 authorizes public access to this type of information, citizens should
2 be protected from companies who obtain the information with the
3 intent to coerce persons to pay for removal of the information in
4 order to avoid embarrassment, adverse employment or social
5 consequences, and other repercussions.

6 Under the bill's provisions, "personal identifying information" is
7 defined as a name, address or other information that may be used,
8 alone or in conjunction with any other information, to identify a
9 specific individual, and any photographic image, reproduction or
10 other depiction of a person.

11 The bill further provides that a person who knowingly violates
12 the bill's provisions is liable to the person whose personal
13 identifying information was disclosed, who may bring a civil action
14 in the Superior Court. The court may award: (1) actual damages,
15 but not less than liquidated damages computed at the rate of \$1,000
16 for each solicitation to refrain from disclosure of protected
17 information and \$10,000 for each actual disclosure of the
18 information; (2) punitive damages upon proof of willful or reckless
19 disregard of the law; (3) reasonable attorney's fees and other
20 litigation costs reasonably incurred; and (4) any other preliminary
21 and equitable relief the court determines to be appropriate.

22 In addition, a person shall be liable for a civil penalty of not less
23 than \$500 for each act of solicitation prohibited by the bill and a
24 civil penalty of not less than \$1,000 for each act of disclosure
25 prohibited under the bill. This penalty is to be collected and
26 enforced by summary proceedings under the "Penalty Enforcement
27 Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

ASSEMBLY CONSUMER AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2085

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 6, 2016

The Assembly Consumer Affairs Committee reports favorably and with committee amendments Assembly Bill No. 2085.

As amended and reported by the committee, Assembly Bill No. 2085 prohibits a person from soliciting or accepting any pecuniary benefit in exchange for not disclosing certain personal identifying information of another individual. The personal identifying information protected under the bill is information that identifies a person as having been arrested, charged, prosecuted, or convicted of any criminal offense. This protected information includes, but is not limited to, criminal history record background information and any photograph of the person taken at the time of arrest. The bill also prohibits the disclosure of protected personal identifying information by any person soliciting a pecuniary benefit.

Under the bill's provisions, "personal identifying information" is defined as a name, address or other information that may be used, alone or in conjunction with any other information, to identify a specific individual, and any photographic image, reproduction or other depiction of a person.

A person who knowingly violates the bill's provisions is liable to the person whose personal identifying information was disclosed, who may bring a civil action in the Superior Court. The court may award: (1) actual damages, but not less than liquidated damages computed at the rate of \$1,000 for each solicitation to refrain from disclosure of protected information and \$10,000 for each actual disclosure of the information; (2) punitive damages upon proof of willful or reckless disregard of the law; (3) reasonable attorney's fees and other litigation costs reasonably incurred; and (4) any other preliminary and equitable relief the court determines to be appropriate.

In addition, a person would be liable for a civil penalty of not less than \$500 for each act of solicitation prohibited under the bill and a civil penalty of not less than \$1,000 for each act of disclosure prohibited under the bill. This penalty is to be collected and enforced by summary proceedings under the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

The amended bill further provides that a person is guilty of a disorderly persons offense if that person purposefully discloses, threatens to disclose, or directs another person to disclose, for pecuniary benefit, any personal identifying information which identifies, or is presented in a context which identifies, a person as having been arrested, charged, prosecuted, or convicted of any criminal offense. The penalty for a disorderly persons offense is imprisonment for up to six months, a fine of up to \$1,000, or both.

The purpose of this bill is to protect the public from unscrupulous persons who publish criminal justice system information in order to harm or embarrass those arrested or prosecuted for a criminal offense. Some of these persons operate websites where they publish mug shots or rap sheets and require the subject to pay a fee to prevent publication of or remove the potentially embarrassing picture or information. These fees can range from \$30 to several hundred dollars or higher. While the law authorizes public access to this type of information, citizens should be protected from companies who obtain the information with the intent to coerce persons to pay for its removal of the information in order to avoid embarrassment, adverse employment or social consequences, and other repercussions.

This bill was pre-filed for introduction in the 2016-2017 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

Assembly Bill No. 2085 (1R) is identical to Senate Bill No. 1840 (2R).

COMMITTEE AMENDMENTS:

The committee amendments establish a criminal penalty for disclosing, threatening to disclose, or directing another person to disclose, for pecuniary benefit, any personal identifying information protected under the bill, and make technical changes.

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2085

with Assembly Floor Amendments
(Proposed by Assemblyman MUKHERJI)

ADOPTED: OCTOBER 20, 2016

Assembly Bill No. 2085 (1R) prohibits a person from soliciting or accepting any pecuniary benefit in exchange for not disclosing certain personal identifying information of another individual.

These Assembly amendments remove the criminal penalty for disclosing, threatening to disclose, or directing another person to disclose, for pecuniary benefit, any personal identifying information protected under the bill.

Governor Christie Takes Action on Pending Legislation

Friday, July 21, 2017

Tags: [Bill Action](#)



Stay Connected
with Social Media

Stay Connected
with Email Alerts

LIKE THIS PAGE? SHARE IT WITH YOUR FRIENDS.



Trenton, NJ – Governor Chris Christie today took action on dozens of bills, including S-359/A-2320 (Codey, Vitale/Vainieri Huttle, Conaway, Jimenez, Lampitt, Jasey, Sumter), which raises the minimum age from 19 to 21 of a person to whom a vendor may sell, offer for sale, distribute, give or furnish tobacco products in New Jersey. This new law also amends various related statues concerning penalties, fines, signage requirements, non-face-to-face transactions, and enforcement provisions to reflect the increased minimum age.

“By raising the minimum age to purchase tobacco products to 21, we are giving young people more time to develop a maturity and better understanding of how dangerous smoking can be and that it is better to not start smoking in the first place,” Governor Christie said. “My mother died from the effects of smoking, and no one should lose their life due to any addictive substance. Additionally, the less people who develop costly tobacco habits that can cause health problems, such as lung cancer, heart disease and developmental issues, the less strain there will be on our healthcare system.”

Governor Christie also took action on pending legislation related to:

Further Addressing the Opioid Epidemic

Governor Christie signed four bills that continue New Jersey's leadership role in fighting the national opioid epidemic. The legislation that requires the Department of Human Services develop, maintain, and post on their website daily information about the number of open beds available in facilities in the state for people in need of mental health or substance use disorder treatment; help inform parents of student athletes and cheerleaders about the use and misuse of prescription opioids; allows hospice programs to accept the unused prescription medicines of their hospice patients for safe disposal and implements the use of current-day, sensitive terminology when referring to persons with substance use disorders or certain disabilities.

- **A-1662/S-2466 (Schaer, Vainieri Huttle, Coughlin, McKnight, Mukherji/Vitale, Allen)** - Requires development and maintenance of data dashboard report to advise of open bed availability in residential facilities providing behavioral health services
- **A-3944/S-2402 (Mazzeo, Lagana, Vainieri Huttle, Benson, Caride, Wimberly/Diegnan, Vitale)** - Requires DOE to develop educational fact sheet for distribution to parents of student-athletes and cheerleaders concerning use and misuse of prescription opioids
- **S-2970/A-4522 (Vitale, Diegnan/Lampitt, Vainieri Huttle, Jimenez)** - Allows hospice care programs to accept unused prescription medications for disposal under certain circumstances
- **S-2721/ACS for A-926 (Vitale, Whelan/Vainieri Huttle, Benson, Tucker, Eustace, McKnight, Mosquera)** - Implements person-first language and changes pejorative terminology referring to persons with certain disabilities or substance use disorders

Protecting and Preserving the Environment

The Governor also signed several bills to protect people and improve the quality of life by strengthening New Jersey's environment.

“These new laws will create more open space preservation opportunities, green energy solutions and safeguards to ensure quality drinking water for all New Jerseyans,” Governor Christie said. “They provide greater flexibility for counties and municipalities to use the roughly \$270 million open space tax dollars they collect each year for the intended mission of protecting New Jersey's environment, improving communities with more recreation and

conservation, and preventing overcrowding of our towns and schools. They also ensure reliable, sustainable and safe environmental infrastructure across the state, by investing nearly \$100 million in critical projects this year."

- **A-1645/S-195 (Schaer, Webber, Dancer, Pintor Marin/Kyrillos, Smith)** - Expands definition of "acquisition," for purposes of county and municipal open space trust funds, to include demolition, removal of debris, and restoration of lands being acquired
- **S-3352/A-5045 (Ruiz, Bateman/Oliver, Chaparro, Singleton, Lagana, Bramnick, Vainieri Huttie, Zwicker)** - Appropriates \$71,700,224 from constitutionally dedicated CBT revenues and various Green Acres funds to DEP for local government open space acquisition and park development projects
- **S-3353/A-5046 (Greenstein, Thompson/Eustace, Land, Mukherji, Schaer, Bramnick, Vainieri Huttie, Wimberly)** - Appropriates \$12.3 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects
- **S-3354/A-5044 (Gordon, Allen/McKeon, Mazzeo, Muoio, Moriarty, Bramnick, Zwicker, Vainieri Huttie)** - Appropriates \$8,992,898 to DEP from constitutionally dedicated CBT revenues and various Green Acres funds for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes
- **S-3240/A-4996 (Greenstein, Codey/Mukherji, Mazzeo, Schaer, Holley, Land)** - Authorizes NJ Environmental Infrastructure Trust to expend certain sums to make loans for environmental infrastructure projects for FY2018
- **CC for S-3241/A-4998 (Smith, Codey/Eustace, Muoio, Moriarty, Conaway, Andrzejczak)** - Appropriates funds to DEP for environmental infrastructure projects for FY2018
- **S-3242/A-4997 (Gordon, Oroho/McKeon, Prieto)** - Clarifies procedures for approval of environmental and transportation infrastructure projects
- **S-3181/A-4756 (Smith, Diegnan/DeAngelo, Eustace, Gusciora)** - Permits solar electric power generation facility projects not having commenced commercial operation to retain designation through May 31, 2018 as connected to distribution system
- **S-2834/A-4569 (Sweeney, Greenstein, Bateman/Eustace, Karabinchak, McKeon, Vainieri Huttie, Benson, Muoio)** - The "Water Quality Accountability Act"; imposes certain testing, reporting, management, and infrastructure investment requirements on water purveyors

Governor Christie also took action on the following bills:

BILL SIGNINGS:

S-5/A-4925 (Vitale, Sweeney/Conaway, O'Scanlon, Houghtaling, Quijano, Giblin, DeAngelo, Munoz, Mukherji, A.M. Bucco) - Establishes data reporting requirements for emergency medical services providers and dispatch centers

SS SCS SCS for S-291, 652, 1954/ACS for A-1464 (Vitale, Whelan, Allen, Turner/Lampitt, Coughlin, Conaway, Vainieri Huttie, Lagana, Mukherji, Moriarty) - Authorizes health care providers to engage in telemedicine and telehealth

S-742/A-1205 (Beach/Mosquera, Holley, Wimberly, Jones) - Requires board of education to enter into agreement with law enforcement authorities regarding access to live video streams of public school buildings

S-1295/A-3701 (Vitale/Eustace, Munoz) - Amends and repeals sections of "Respiratory Care Practitioner Licensing Act"

S-1315/A-1839 (Vitale/Giblin, Wimberly, McKeon, Mukherji, Sumter) - Revises statutes regarding practice of physical therapy

S-1840/A-2085 (Ruiz, Gill/Mukherji, Oliver, McKnight) - Prohibits charging fee to stop publishing personal identifying information obtained through the criminal justice system

S-1913/A-2794 (Addiego, Greenstein/Lagana, Moriarty, Mukherji, Downey) - "Personal Information and Privacy Protection Act"; restricts collection and use of personal information by retail establishments for certain purposes

S-2058/A-671 (T. Kean, Pou/Munoz, Giblin, Mukherji, Moriarty) - Adds two nurse educators to the New Jersey Board of Nursing

S-2331/A-3962 (Codey, Vitale/Jasey, McKeon, Vainieri Huttie, Munoz, Mukherji, Mosquera, Lampitt) - Establishes tuition reimbursement program for certain psychiatrists who work in underserved areas or psychiatric hospitals in New Jersey

CC S-2403/A-3717 (Rice, Turner/Sumter, Vainieri Huttie, Lampitt, Downey) - Establishes Women's Vocational Training Pilot Program to promote economic self-sufficiency of low-income women through increased participation in high-wage, high-demand occupations; authorizes allocation of certain funds therefor

S-2452/A-4007 (Diegnan, Stack/Houghtaling, Downey, Mosquera, Mazzeo) - Requires Director of Division of Taxation to promulgate Property Taxpayer Bill of Rights

S-2577/A-4238 (Cunningham, Ruiz, Gordon/Sumter, Jasey, Muoio, Lagana, Downey, Benson) - Requires Higher Education Student Assistance Authority to provide annual New Jersey College Loans to Assist State Students Loan Program report to Governor and Legislature and develop student loan comparison information document to increase program transparency

S-2618/A-4691 (Cunningham, Pou/Caride, McKeon, Jasey, Giblin) - Requires institutions of higher education to enter into collective Statewide reverse transfer agreement

S-2819/A-4363 (Sweeney, Ruiz, Lesniak/Taliaferro, Andrzejczak, Lampitt, Mosquera, Holley, Quijano) - Creates "Nourishing Young Minds Initiative Fund" in Dept. of Agriculture to help pay for child food and nutrition programs

S-3027/A-4631 (Smith, Greenstein/Lampitt, Quijano, Eustace, Kennedy, Benson, Muoio, Zwicker, Mukherji) - Establishes State food waste reduction goal of 50 percent by 2030

S-3067/A-4652 (Ruiz, Vitale/Vainieri Huttie, Caride, Eustace, Jasey, Wimberly, Gusciora) - Requires Commissioner of Education to develop guidelines for school districts regarding transgender students

S-3176/A-4898 (Madden/Mukherji, Singleton) - Changes year used to calculate TDI and FLI employee taxes from most recent calendar year to most recent fiscal year

S-3191/A-3370 (Sweeney, Bateman/Burzichelli, Jones) - Extends voting rights of representatives of sending districts on receiving district board of education

S-3219/A-4859 (Sweeney, T. Kean, Greenstein, Holzapfel/Vainieri Huttie, Prieto, Downey) - Establishes additional penalties related to child pornography and expands crime to include portrayal of child in sexual manner; establishes crime of leader of child pornography network

S-3331/A-5039 (Cruz-Perez/Jones) - Authorizes State Treasurer to sell surplus real property in City of Camden, County of Camden to Camden County Improvement Authority

SJR-105/AJR-157 (Diegnan, Cruz-Perez, Sweeney/Pinkin, Karabinchak, Coughlin) - Designates August 29, 2017 as Governor James Florio Day in New Jersey

SJR-113/AJR-165 (Gordon/Vainieri Huttie, Chiaravalloti) - Clarifies intent of law subjecting PANYNJ to open public records and freedom of information laws in New Jersey and New York

A-222/S-2171 (DeAngelo, Giblin, Singleton, Holley, Benson/Bateman, Greenstein, Stack) - "New Jersey Library Construction Bond Act"; authorizes issuance of \$125,000,000 in general obligation bonds to finance capital projects at public libraries; appropriates \$5,000

A-373/S-607 (Auth, Vainieri Huttie, McGuckin, Schepisi, Peterson, Jimenez/Addiego, A.R. Bucco) - Requires life imprisonment without parole for persons convicted of the murder of a minor under the age of 18 in the course of the commission of a sex crime

A-555/S-1847 (Pinkin, Eustace/Diegnan) - Revises statutes concerning incorporation and governance of the Protestant Episcopal Church to remove gender-specific references

A-621/S-2328 (Lagana, Greenwald, Moriarty, Mosquera, Mukherji/Cruz-Perez, Turner) - Permits bowling alleys, including alleys licensed to sell alcoholic beverages, to conduct amusement games

A-1458/S-2449 (Lampitt, Mosquera, Downey, Singleton, Vainieri Huttie/Vitale, Ruiz) - Requires health care professionals engaged in prenatal care to provide parents of newborns with information on health insurance coverage for newborn children

A-1761/S-332 (Eustace, Mukherji, Gusciora/Scutari, Bateman) - Creates fencing crime involving stolen domestic companion animals

A-2060/S-2333 (Gusciora, Sumter, Oliver, Jasey, McKnight/Cruz-Perez, Turner) - Establishes process for consideration of offers from short sale buyers during residential mortgage foreclosures

A-2221/S-2453 (Benson, Russo, DeAngelo, A.M. Bucco/Diegnan, Greenstein) - Allows gross income taxpayers to use returns to make voluntary contributions to the Boy Scouts of America Councils in New Jersey

A-2441/S-2910 (Eustace, Gusciora, Kennedy, Mazzeo, Mukherji/Gordon, Turner) - Authorizes the Unclaimed Property Administrator to verify certain governmental debts before delivering abandoned property

A-2926/S-3197 (Greenwald, Vainieri Huttie, Schaer, Mukherji, Holley, Mosquera, Muoio, Sumter, Mazzeo/Cruz-Perez, Cunningham) - Repeals law suspending certain licenses, registrations and certifications for failure to repay student loans

A-2993/S-1305 (Conaway, Pinkin, Sumter, Wimberly, McKnight, Mukherji/Vitale, Madden) - Requires Medicaid coverage for diabetes self-management education, training, services, and equipment for patients diagnosed with diabetes, gestational diabetes, and pre-diabetes

A-3347/S-2242 (Wolfe, Holley, Jasey, McKnight, Wimberly/Diegnan) - Establishes New Jersey School Safety Specialist Academy in Department of Education and requires school districts to designate school safety specialist

A-3438/S-1564 (DeAngelo, Danielsens, Holley, Houghtaling, Downey, Wimberly, Quijano/Turner, Beach) - Requires initial determination of unemployment benefits to be made within three weeks of filing of claim

A-3463/S-2038 (Coughlin/Vitale, Codey) - Updates references to DOC and DHS and refers to persons receiving services from DHS

A-3686/S-2423 (McKeon, Jasey, Munoz, Vainieri Huttie, A.M. Bucco/Codey, Oroho) - Establishes new crime of strict liability vehicular homicide; renames existing vehicular homicide as reckless vehicular homicide; designated as Ralph and David's Law

A-4011/S-2887 (Jones, Barclay, Moriarty, Mosquera, Greenwald, Lampitt, Mazzeo, Chiaravalloti/Cruz-Perez, Beach) - Designates USS New Jersey as New Jersey State Ship

A-4081/S-2662 (Lampitt, Vainieri Huttle, Benson, Wimberly, Greenwald/Allen, Sweeney) - "Charlie's Law"; Establishes civil penalties for persons who interfere with or deny persons with disabilities accompanied by service or guide dogs access to places of public accommodation

A-4088/S-2567 (Schaer, Jasey, Benson, Wimberly/Cruz-Perez, Singer) - Establishes "High School to College Readiness Commission" to examine issues and develop recommendations to enhance student preparation for postsecondary education

A-4175/S-2808 (Caride, McKnight, Holley, Pintor Marin, Wimberly/Ruiz, Turner) -Requires Commissioner of Education to develop guidance on identifying English language learners for gifted and talented programs

A-4246/S-3194 (Dancer/Lesniak, Beck) - Decreases annual thoroughbred race dates to 50 minimum upon written consent from New Jersey Thoroughbred Horsemen's Association

A-4317/S-3206 (Prieto, Giblin/Diegnan) - Concerns violations of certain occupational licensing laws

A-4568/S-3017 (Vainieri Huttle, Eustace, Pinkin, Jasey, Johnson/Vitale, Ruiz) - Prohibits health insurers, SHBP, SEHBP, certain health care providers, and Medicaid from discriminating in providing coverage and services based on gender identity

A-4875/S-1996 (Muoio, Gusciora/Beach, Van Drew) - Requires gubernatorial candidates' statements be posted online

A-4969/S-3281 (Oliver, Giblin, Jasey, McKnight, Schaer, Wimberly/Gill, Cunningham) - Establishes Montclair State University as public research university

ACS for A-4994/S-3314 (McKeon, Burzichelli, Singleton, Caride/Sarlo, Oroho) - Requires certain State and local government agency employees with access to federal tax information to undergo criminal history background checks

AJR-37/SJR-67 (Mosquera, Chaparro/Weinberg) - Designates June 21 of each year as "ASK Day" to promote children's health and gun safety

ACS for AJR-54/SJR-104 (Benson, Mosquera, Chiaravalloti, Holley, McKnight, Wimberly/Sweeney, Beach) - Designates April 2nd of each year as "World Autism Awareness Day"

AJR-72/SJR-31 (Gove, Rumpf, A.M. Bucco, Holley/A.R. Bucco) - Designates September 17 through September 23 of each year as "Constitution Week"

AJR-115/SJR-81 (Vainieri Huttle, Lampitt, Giblin, Benson/Diegnan, A.R. Bucco) - Designates third Friday in September of every year as Concussion Awareness Day

AJR-126/SJR-85 (Dancer, DeAngelo, Munoz, A.M. Bucco, Mukherji, Houghtaling, Downey/Allen, Madden) - Commemorates establishment and service of the New Jersey State Police and celebrates 95th anniversary of first graduating class

AJR-137/SJR-102 (Mazzeo/Whelan) - Urges United States President Trump, members of his administration, and Congress to oppose measures and actions to prohibit states from authorizing and conducting Internet gaming

BILLS VETOED:

SCS for S-1297, 1990/A-3751 (Vitale, Sweeney/Jasey, Coughlin) - **CONDITIONAL** - Permits candidates for school board to circulate petitions jointly and be bracketed together on ballot; permits short nonpolitical designation of principles on petitions and ballots

A-31/S-3315 (Prieto, Muoio, Oliver, Schaer, Holley, Mukherji, Quijano, Wimberly, Pintor Marin/Vitale, Cruz-Perez) - **ABSOLUTE** - Increases amount of benefits under Work First New Jersey program by 30 percent over three years and according to Social Security cost of living increases thereafter

A-33/S-3316 (Muoio, Vainieri Huttle, Mukherji, Oliver, Gusciora, Pintor Marin/Vitale, Cruz-Perez) - **ABSOLUTE** - Repeals family cap in Work First New Jersey program

A-320/S-1018 (Singleton, Vainieri Huttle, Munoz, Moriarty, Lampitt, Sumter, Mukherji/Weinberg, Cruz-Perez) - **CONDITIONAL** - Establishes minimum Medicaid reimbursement rate for personal care services

A-1139/S-2616 (Holley, McKnight, Munoz, Kennedy, Mukherji, Pintor Marin, Wimberly/Ruiz, Vitale) - **CONDITIONAL** - Prohibits sale of unsafe supplemental mattresses designed for children's products

A-2297/S-659 (Vainieri Huttle, Sumter, Mukherji, Caride, Downey, Zwicker, Wimberly/Turner, Allen) - **CONDITIONAL** - Requires health insurance coverage for contraceptives to include prescriptions for 12 months

A-3338/S-862 (Eustace, Lagana, Vainieri Huttle, Muoio, Mukherji, Benson, Jimenez, Giblin, Moriarty, Lampitt/Stack, Weinberg) - **CONDITIONAL** - Dedicates one percent of cigarette and other tobacco products tax revenues to anti-smoking initiatives

ACS for A-3480, 4119/S-2536 (Downey, Lampitt, Schaer, Houghtaling, Benson, Singleton, Muoio, DeAngelo/Gill, Weinberg) - **ABSOLUTE** - Concerns employer inquiries about worker's wage and salary experience

A-4253/S-2634 (Quijano, Mukherji, Vainieri Huttle, Eustace, Jones, McKeon/Weinberg, Diegnan) - CONDITIONAL - Establishes "New Jersey Nonprofit Security Grant Pilot Program"; appropriates \$3,000,000 over next three fiscal years

A-4453/S-2881 (Downey, Houghtaling/Ruiz) – CONDITIONAL - Requires pupils who reside on certain federal property to enroll in resident school district in accordance with schedule determined by executive county superintendent of schools

A-4496/S-2977 (Wimberly, Sumter, Lampitt/Lesniak) – CONDITIONAL - "Healthy Small Food Retailer Act"; provides funding to small food retailers to sell fresh and nutritious food; appropriates \$1 million

A-4587/SCS for S-2574 (Quijano, Vainieri Huttle, Mukherji, Giblin/Diegnan, Sarlo) – ABSOLUTE - Imposes State sales and use tax and hotel and motel occupancy fee on transient accommodations; authorizes various municipal taxes and fees on transient accommodations

A-4870/S-3226 (Prieto, Oliver, Quijano, Pintor Marin, Schaer, Vainieri Huttle, Eustace/Ruiz, Sweeney, Greenstein) – ABSOLUTE - "Safe Transportation Jobs and Fair Employment Rules Act"

ACS for A-4927/SCS for S-3085 (Prieto, Oliver, Gusciora, Jasey/Sweeney, Diegnan, Ruiz) – CONDITIONAL - Revises law concerning family leave, temporary disability and family temporary disability leave, and domestic or sexual violence safety leave

###

Press Contact:
Brian Murray
609-777-2600



[Contact Us](#) | [Privacy Notice](#) | [Legal Statement & Disclaimers](#) | [Accessibility Statement](#) | 

Statewide: [NJ Home](#) | [Services A to Z](#) | [Departments/Agencies](#) | [FAQs](#)
Office of the Governor: [Home](#) | [Newsroom](#) | [Media](#) | [Administration](#) | [NJ's Priorities](#) | [Contact Us](#)

Copyright © State of New Jersey, 1996-2018
Office of the Governor
PO Box 001
Trenton, NJ 08625
609-292-6000