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RWH/JA

P.L. 2019, CHAPTER 350, *approved January 13, 2020*
Assembly, No. 6007

1 **AN ACT** concerning the corporate governance of insurers and
2 supplementing Title 17 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. The purpose of this act is to:

8 a. Provide the Commissioner of Banking and Insurance a
9 summary of an insurer's or insurance group's corporate governance
10 structure, policies and practices to permit the commissioner to gain
11 and maintain an understanding of the insurer's corporate
12 governance framework.

13 b. Outline the requirements for completing a corporate
14 governance annual disclosure with the commissioner.

15 c. Provide for the confidential treatment of the Corporate
16 Governance Annual Disclosure and related information that will
17 contain confidential and sensitive information related to an insurer's
18 or insurance group's internal operations and proprietary and trade
19 secret information which, if made public, could potentially cause
20 the insurer or insurance group competitive harm or disadvantage.

21
22 2. Nothing in this act shall be construed to prescribe or impose
23 corporate governance standards and internal procedures beyond that
24 which is required under applicable State corporate law.
25 Notwithstanding the foregoing, nothing in this act shall be
26 construed to limit the commissioner's authority, or the rights or
27 obligations of third parties, under applicable law, including, but not
28 limited to, the authority under P.L.1993, c.236 (C.17:23-20 et seq.),
29 section 5 of P.L.1970, c.22 (C.17:27A-5), and sections 7 and 8 of
30 P.L.2014, c.81 (C.17:27A-5.1 and C.17:27A-5.2).

31
32 3. The requirements of this act shall apply to all insurers
33 domiciled in this State, including licensed organized delivery
34 systems and reciprocal insurance exchanges.

35
36 4. As used in this act:

37 "Commissioner" means the Commissioner of Banking and
38 Insurance.

39 "Corporate governance annual disclosure" or "disclosure" means
40 a confidential report filed by the insurer or insurance group made in
41 accordance with the requirements of this act.

1 “Department” means the Department of Banking and Insurance.

2 “Insurance group” means those insurers and affiliates included
3 within an insurance holding company system as defined in section 1
4 of P.L.1970, c.22 (C.17:27A-1).

5 “Insurer” shall have the same meaning as set forth in section 1 of
6 P.L.1970, c.22 (C.17:27A-1 et seq.), and shall include any insurer
7 or entity subject to rehabilitation or liquidation pursuant to
8 P.L.1975, c.113 (C.17:30C-1 et seq.) and P.L.1992, c.65 (C.17B:32-
9 31 et seq.), including licensed organized delivery systems and
10 reciprocal insurance exchanges.

11 “NAIC” means the National Association of Insurance
12 Commissioners.

13 “ORSA Summary Report” means the report filed in accordance
14 with sections 46 through 56 of P.L.2014, c.81 (C.17:23-27 through
15 37).

16

17 5. a. An insurer, or the insurance group of which the insurer is
18 a member, shall, no later than June 1 of each calendar year, submit
19 to the commissioner a corporate governance annual disclosure that
20 contains the information described in subsection b. of section 6 of
21 this act. Notwithstanding any request from the commissioner made
22 pursuant to subsection c. of this section, if the insurer is a member
23 of an insurance group, the insurer shall submit the report required
24 by this section to the commissioner of the lead state, or group-wide
25 supervisor as defined by section 8 of P.L.2014, c.81 (C.17:27A-
26 5.2), if applicable, for the insurance group, in accordance with the
27 laws of that state, as determined by the procedures outlined in the
28 most recent Financial Analysis Handbook adopted by the NAIC.

29 b. The disclosure shall include a signature of the insurer or
30 insurance group’s chief executive officer or corporate secretary
31 attesting to the best of that individual’s belief and knowledge that
32 the insurer has implemented the corporate governance practices and
33 that a copy of the disclosure has been provided to the insurer’s
34 board of directors or the appropriate committee thereof.

35 c. An insurer not required to submit a disclosure under this
36 section shall do so upon the commissioner’s request.

37 d. For purposes of completing the disclosure, the insurer or
38 insurance group may provide information regarding corporate
39 governance at the ultimate controlling parent level, an intermediate
40 holding company level, or the individual legal entity level,
41 depending upon how the insurer or insurance group has structured
42 its system of corporate governance. The insurer or insurance group
43 is encouraged to make the disclosures at the level at which the
44 insurer’s or insurance group’s risk appetite is determined, or at
45 which the earnings, capital, liquidity, operations, and reputation of
46 the insurer are overseen collectively and at which the supervision of
47 those factors are coordinated and exercised, or the level at which
48 legal liability for failure of general corporate governance duties

1 would be placed. If the insurer or insurance group determines the
2 level of reporting based on these criteria, it shall indicate which of
3 the three criteria was used to determine the level of reporting and
4 explain any subsequent changes in level of reporting.

5 e. The review of the disclosure and any additional requests for
6 information shall be made through the lead state, or group-wide
7 supervisor as defined by section 8 of P.L.2014, c.81 (C.17:27A-
8 5.2), if applicable, as determined by the procedures within the most
9 recent Financial Analysis Handbook adopted by the NAIC.

10 f. Insurers providing information substantially similar to the
11 information required by this act in other documents provided to the
12 commissioner, including proxy statements filed in conjunction with
13 registration statements filed pursuant to section 3 of P.L. 1970, c.
14 22 (C. 17:27A-3), known as "Form B filings," or other state or
15 federal filings provided to this department shall not be required to
16 duplicate that information in the disclosure, but shall only be
17 required to cross reference the document in which the information
18 is included.

19
20 6. a. The insurer or insurance group shall have discretion over
21 the responses to the disclosure inquiries, provided the disclosure
22 shall contain the material information necessary to permit the
23 commissioner to gain an understanding of the insurer's or group's
24 corporate governance structure, policies, and practices. The
25 commissioner may request additional information that the
26 commissioner deems material and necessary to provide the
27 commissioner with a clear understanding of the corporate
28 governance policies, the reporting or information system or controls
29 implementing those policies.

30 b. Notwithstanding subsection a. of this section, the disclosure
31 shall be prepared consistent with rules promulgated by the
32 commissioner. Documentation and supporting information shall be
33 maintained and made available upon examination or upon request of
34 the commissioner.

35
36 7. a. Documents, materials or other information including the
37 disclosure, in the possession or control of the department that are
38 obtained by, created by or disclosed to the commissioner or any
39 other person under this act, shall be recognized by this State as
40 being proprietary and to contain trade secrets. All such documents,
41 materials or other information shall be confidential by law and
42 privileged, shall not be subject to disclosure by the commissioner
43 pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.), shall not be subject
44 to subpoena, and shall not be subject to discovery from the
45 commissioner or admissible in evidence in any private civil action.
46 However, the commissioner shall be authorized to use the
47 documents, materials or other information in the furtherance of any
48 regulatory or legal action brought as a part of the commissioner's

1 official duties. The commissioner shall not otherwise make the
2 documents, materials or other information public without the prior
3 written consent of the insurer. Nothing in this section shall be
4 construed to require written consent of the insurer before the
5 commissioner may share or receive confidential documents,
6 materials or other disclosure-related information pursuant to
7 subsection c. of this section to assist in the performance of the
8 commissioner's regular duties.

9 b. Neither the commissioner nor any person who received
10 documents, materials or other disclosure-related information,
11 through examination or otherwise, while acting under the authority
12 of the commissioner, or with whom those documents, materials or
13 other information are shared pursuant to this act shall be subject to
14 subpoena, permitted or required to testify in any private civil action
15 concerning any confidential documents, materials, or information
16 subject to subsection a. of this section.

17 c. In order to assist in the performance of the commissioner's
18 regulatory duties, the commissioner may:

19 (1) upon request, share documents, materials or other
20 disclosure-related information including the confidential and
21 privileged documents, materials or information subject to
22 subsection a. of this section, including proprietary and trade secret
23 documents and materials. with other state, federal and international
24 financial regulatory agencies, including members of any
25 supervisory college as provided in section 7 of
26 P.L. 2014, c. 81 (C. 17:27A-5.1), with the NAIC, and with third
27 party consultants pursuant to section 8 of this act, provided that the
28 recipient agrees in writing to maintain the confidentiality and
29 privileged status of the disclosure-related documents, material or
30 other information and has verified in writing the legal authority to
31 maintain confidentiality; and

32 (2) receive documents, materials or other disclosure-related
33 information, including otherwise confidential and privileged
34 documents, materials or information, including proprietary and
35 trade-secret information or documents, from regulatory officials of
36 other state, federal and international financial regulatory agencies,
37 including members of any supervisory college as provided in
38 section 7 of P.L.2014, c. 81 (C. 17:27A-5.1), and from the NAIC,
39 and shall maintain as confidential or privileged any documents,
40 materials or information received with notice or the understanding
41 that it is confidential or privileged under the laws of the jurisdiction
42 that is the source of the document, material or information.

43 d. The sharing of information and documents by the
44 commissioner pursuant to this act shall not constitute a delegation
45 of regulatory authority or rulemaking, and the commissioner is
46 solely responsible for the administration, execution and
47 enforcement of the provisions of this act.

1 e. No waiver of any applicable privilege or claim of
2 confidentiality in the documents, proprietary and trade-secret
3 materials or other disclosure-related information shall occur as a
4 result of disclosure of disclosure-related information or documents
5 to the commissioner under this section or as a result of sharing as
6 authorized in this act.

7
8 8. a. The commissioner may retain, at the insurer's expense,
9 third-party consultants, including attorneys, actuaries, accountants
10 and other experts not otherwise a part of the commissioner's staff as
11 may be reasonably necessary to assist the commissioner in
12 reviewing the disclosure and related information or the insurer's
13 compliance with this act.

14 b. Any persons retained under subsection a. of this section shall
15 be under the direction and control of the commissioner and shall act
16 in a purely advisory capacity.

17 c. The NAIC and third-party consultants shall be subject to the
18 same confidentiality standards and requirements as the
19 commissioner.

20 d. As part of the retention process, a third-party consultant
21 shall verify to the commissioner, with notice to the insurer, that it is
22 free of a conflict of interest and that it has internal procedures in
23 place to monitor compliance with a conflict and to comply with the
24 confidentiality standards and requirements of this act.

25 e. A written agreement with the NAIC or a third-party
26 consultant governing sharing and use of information provided
27 pursuant to this act shall contain the following provisions and
28 expressly require the written consent of the insurer prior to making
29 public information provided under this act:

30 (1) Specific procedures and protocols for maintaining the
31 confidentiality and security of disclosure-related information shared
32 with the NAIC or a third-party consultant pursuant to this act;

33 (2) Procedures and protocols for sharing by the NAIC only with
34 other state regulators from states in which the insurance group has
35 domiciled insurers. The agreement shall provide that the recipient
36 agrees in writing to maintain the confidentiality and privileged
37 status of the disclosure-related documents, materials or other
38 information and has verified in writing the legal authority to
39 maintain confidentiality;

40 (3) A provision specifying that ownership of the disclosure-
41 related information shared with the NAIC or a third-party
42 consultant remains with the department and the NAIC's or third-
43 party consultant's use of the information is subject to the direction
44 of the commissioner;

45 (4) A provision that prohibits the NAIC or a third-party
46 consultant from storing the information shared pursuant to this act
47 in a permanent database after the underlying analysis is completed;

1 (5) A provision requiring the NAIC or third-party consultant to
2 provide prompt notice to the commissioner and to the insurer or
3 insurance group regarding any subpoena, request for disclosure, or
4 request for production of the insurer's disclosure-related
5 information; and

6 (6) A requirement that the NAIC or a third-party consultant to
7 consent to intervention by an insurer in any judicial or
8 administrative action in which the NAIC or a third-party consultant
9 may be required to disclose confidential information about the
10 insurer shared with the NAIC or a third-party consultant pursuant to
11 this act.

12
13 9. Any insurer failing, without just cause, to timely file the
14 disclosure as required in this act shall be required, after notice and
15 hearing, to pay a penalty of up to \$5,000 for each day's delay, to be
16 recovered by the commissioner.

17
18 10. The commissioner may promulgate regulations pursuant to
19 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
20 1 et seq.) and issue such orders as shall be necessary to carry out the
21 provisions of this act.

22
23 11. If any provision of this act, other than section 7, or the
24 application thereof to any person or circumstance, is held invalid,
25 such determination shall not affect the provisions or applications of
26 this act which can be given effect without the invalid provision or
27 application, and to that end the provisions of this act, with the
28 exception of section 7, are severable.

29
30 12. The requirements of this act shall become effective
31 immediately upon enactment. The first filing of the disclosure shall
32 be in 2020.

33
34 13. This act shall take effect immediately and shall be
35 retroactive to January 1, 2020.

36
37
38 STATEMENT

39
40 This bill requires an insurer or insurance group to submit an
41 annual report to the Commissioner of Banking and Insurance
42 summarizing its corporate governance structure, policies and
43 practices.

44 No later than June 1 of each calendar year, insurers and insurer
45 groups domiciled in New Jersey will be required to file a corporate
46 governance annual disclosure that contains the material information
47 necessary to permit the commissioner to gain an understanding of
48 the insurer's or group's corporate governance structure, policies,

1 and practices. Although the corporate governance annual disclosure
2 will be prepared consistent with rules promulgated by the
3 commissioner, the insurer or insurance group will retain discretion
4 regarding the appropriate format for providing the information
5 required. Nothing in the bill should be construed to prescribe or
6 impose corporate governance standards and internal procedures.

7 The documents, materials or other information including the
8 corporate governance annual disclosure will be confidential and
9 will not be subject to the open public records law, subpoena,
10 discovery, and the information will not be admissible in evidence in
11 any private civil action.

12 The commissioner may retain, at the insurer's expense, third-
13 party consultants as may be reasonably necessary to assist the
14 commissioner in reviewing the corporate governance annual
15 disclosure or the insurer's compliance with the bill's provisions.

16 An insurer that fails, without just cause, to timely file the
17 corporate governance annual disclosure as required, must pay, after
18 notice and hearing, a penalty of up to \$5,000 for each day's delay.

19 The provisions of the bill, except for the confidentiality
20 provisions, are severable if found to be invalid.

21 The Department of Banking and Insurance is required to have
22 this legislation in place as part of its accreditation review by the
23 National Association of Insurance Commissioners (NAIC). It is
24 based on the NAIC Corporate Governance Annual Disclosure
25 Model Act and must be enacted by January 1, 2020 for compliance
26 with accreditation standards.

27

28

29

30

31 _____
32 Requires insurers and insurance groups to submit corporate
governance annual disclosure to DOBI Commissioner.

ASSEMBLY, No. 6007

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED NOVEMBER 25, 2019

Sponsored by:

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

Senator NELLIE POU

District 35 (Bergen and Passaic)

SYNOPSIS

Requires insurers and insurance groups to submit corporate governance annual disclosure to DOBI Commissioner.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/10/2020)

1 AN ACT concerning the corporate governance of insurers and
2 supplementing Title 17 of the Revised Statutes.

3

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

6

7 1. The purpose of this act is to:

8 a. Provide the Commissioner of Banking and Insurance a
9 summary of an insurer's or insurance group's corporate governance
10 structure, policies and practices to permit the commissioner to gain
11 and maintain an understanding of the insurer's corporate
12 governance framework.

13 b. Outline the requirements for completing a corporate
14 governance annual disclosure with the commissioner.

15 c. Provide for the confidential treatment of the Corporate
16 Governance Annual Disclosure and related information that will
17 contain confidential and sensitive information related to an insurer's
18 or insurance group's internal operations and proprietary and trade
19 secret information which, if made public, could potentially cause
20 the insurer or insurance group competitive harm or disadvantage.

21

22 2. Nothing in this act shall be construed to prescribe or impose
23 corporate governance standards and internal procedures beyond that
24 which is required under applicable State corporate law.
25 Notwithstanding the foregoing, nothing in this act shall be
26 construed to limit the commissioner's authority, or the rights or
27 obligations of third parties, under applicable law, including, but not
28 limited to, the authority under P.L.1993, c.236 (C.17:23-20 et seq.),
29 section 5 of P.L.1970, c.22 (C.17:27A-5), and sections 7 and 8 of
30 P.L.2014, c.81 (C.17:27A-5.1 and C.17:27A-5.2).

31

32 3. The requirements of this act shall apply to all insurers
33 domiciled in this State, including licensed organized delivery
34 systems and reciprocal insurance exchanges.

35

36 4. As used in this act:

37 "Commissioner" means the Commissioner of Banking and
38 Insurance.

39 "Corporate governance annual disclosure" or "disclosure" means
40 a confidential report filed by the insurer or insurance group made in
41 accordance with the requirements of this act.

42 "Department" means the Department of Banking and Insurance.

43 "Insurance group" means those insurers and affiliates included
44 within an insurance holding company system as defined in section 1
45 of P.L.1970, c.22 (C.17:27A-1).

46 "Insurer" shall have the same meaning as set forth in section 1 of
47 P.L.1970, c.22 (C.17:27A-1 et seq.), and shall include any insurer
48 or entity subject to rehabilitation or liquidation pursuant to

1 P.L.1975, c.113 (C.17:30C-1 et seq.) and P.L.1992, c.65 (C.17B:32-
2 31 et seq.), including licensed organized delivery systems and
3 reciprocal insurance exchanges.

4 “NAIC” means the National Association of Insurance
5 Commissioners.

6 “ORSA Summary Report” means the report filed in accordance
7 with sections 46 through 56 of P.L.2014, c.81 (C.17:23-27 through
8 37).

9
10 5. a. An insurer, or the insurance group of which the insurer is
11 a member, shall, no later than June 1 of each calendar year, submit
12 to the commissioner a corporate governance annual disclosure that
13 contains the information described in subsection b. of section 6 of
14 this act. Notwithstanding any request from the commissioner made
15 pursuant to subsection c. of this section, if the insurer is a member
16 of an insurance group, the insurer shall submit the report required
17 by this section to the commissioner of the lead state, or group-wide
18 supervisor as defined by section 8 of P.L.2014, c.81 (C.17:27A-
19 5.2), if applicable, for the insurance group, in accordance with the
20 laws of that state, as determined by the procedures outlined in the
21 most recent Financial Analysis Handbook adopted by the NAIC.

22 b. The disclosure shall include a signature of the insurer or
23 insurance group’s chief executive officer or corporate secretary
24 attesting to the best of that individual’s belief and knowledge that
25 the insurer has implemented the corporate governance practices and
26 that a copy of the disclosure has been provided to the insurer’s
27 board of directors or the appropriate committee thereof.

28 c. An insurer not required to submit a disclosure under this
29 section shall do so upon the commissioner’s request.

30 d. For purposes of completing the disclosure, the insurer or
31 insurance group may provide information regarding corporate
32 governance at the ultimate controlling parent level, an intermediate
33 holding company level, or the individual legal entity level,
34 depending upon how the insurer or insurance group has structured
35 its system of corporate governance. The insurer or insurance group
36 is encouraged to make the disclosures at the level at which the
37 insurer’s or insurance group’s risk appetite is determined, or at
38 which the earnings, capital, liquidity, operations, and reputation of
39 the insurer are overseen collectively and at which the supervision of
40 those factors are coordinated and exercised, or the level at which
41 legal liability for failure of general corporate governance duties
42 would be placed. If the insurer or insurance group determines the
43 level of reporting based on these criteria, it shall indicate which of
44 the three criteria was used to determine the level of reporting and
45 explain any subsequent changes in level of reporting.

46 e. The review of the disclosure and any additional requests for
47 information shall be made through the lead state, or group-wide
48 supervisor as defined by section 8 of P.L.2014, c.81 (C.17:27A-

1 5.2), if applicable, as determined by the procedures within the most
2 recent Financial Analysis Handbook adopted by the NAIC.

3 f. Insurers providing information substantially similar to the
4 information required by this act in other documents provided to the
5 commissioner, including proxy statements filed in conjunction with
6 registration statements filed pursuant to section 3 of P.L. 1970, c.
7 22 (C. 17:27A-3), known as "Form B filings," or other state or
8 federal filings provided to this department shall not be required to
9 duplicate that information in the disclosure, but shall only be
10 required to cross reference the document in which the information
11 is included.

12
13 6. a. The insurer or insurance group shall have discretion over
14 the responses to the disclosure inquiries, provided the disclosure
15 shall contain the material information necessary to permit the
16 commissioner to gain an understanding of the insurer's or group's
17 corporate governance structure, policies, and practices. The
18 commissioner may request additional information that the
19 commissioner deems material and necessary to provide the
20 commissioner with a clear understanding of the corporate
21 governance policies, the reporting or information system or controls
22 implementing those policies.

23 b. Notwithstanding subsection a. of this section, the disclosure
24 shall be prepared consistent with rules promulgated by the
25 commissioner. Documentation and supporting information shall be
26 maintained and made available upon examination or upon request of
27 the commissioner.

28
29 7. a. Documents, materials or other information including the
30 disclosure, in the possession or control of the department that are
31 obtained by, created by or disclosed to the commissioner or any
32 other person under this act, shall be recognized by this State as
33 being proprietary and to contain trade secrets. All such documents,
34 materials or other information shall be confidential by law and
35 privileged, shall not be subject to disclosure by the commissioner
36 pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.), shall not be subject
37 to subpoena, and shall not be subject to discovery from the
38 commissioner or admissible in evidence in any private civil action.
39 However, the commissioner shall be authorized to use the
40 documents, materials or other information in the furtherance of any
41 regulatory or legal action brought as a part of the commissioner's
42 official duties. The commissioner shall not otherwise make the
43 documents, materials or other information public without the prior
44 written consent of the insurer. Nothing in this section shall be
45 construed to require written consent of the insurer before the
46 commissioner may share or receive confidential documents,
47 materials or other disclosure-related information pursuant to

1 subsection c. of this section to assist in the performance of the
2 commissioner's regular duties.

3 b. Neither the commissioner nor any person who received
4 documents, materials or other disclosure-related information,
5 through examination or otherwise, while acting under the authority
6 of the commissioner, or with whom those documents, materials or
7 other information are shared pursuant to this act shall be subject to
8 subpoena, permitted or required to testify in any private civil action
9 concerning any confidential documents, materials, or information
10 subject to subsection a. of this section.

11 c. In order to assist in the performance of the commissioner's
12 regulatory duties, the commissioner may:

13 (1) upon request, share documents, materials or other
14 disclosure-related information including the confidential and
15 privileged documents, materials or information subject to
16 subsection a. of this section, including proprietary and trade secret
17 documents and materials. with other state, federal and international
18 financial regulatory agencies, including members of any
19 supervisory college as provided in section 7 of
20 P.L. 2014, c. 81 (C. 17:27A-5.1), with the NAIC, and with third
21 party consultants pursuant to section 8 of this act, provided that the
22 recipient agrees in writing to maintain the confidentiality and
23 privileged status of the disclosure-related documents, material or
24 other information and has verified in writing the legal authority to
25 maintain confidentiality; and

26 (2) receive documents, materials or other disclosure-related
27 information, including otherwise confidential and privileged
28 documents, materials or information, including proprietary and
29 trade-secret information or documents, from regulatory officials of
30 other state, federal and international financial regulatory agencies,
31 including members of any supervisory college as provided in
32 section 7 of P.L.2014, c. 81 (C. 17:27A-5.1), and from the NAIC,
33 and shall maintain as confidential or privileged any documents,
34 materials or information received with notice or the understanding
35 that it is confidential or privileged under the laws of the jurisdiction
36 that is the source of the document, material or information.

37 d. The sharing of information and documents by the
38 commissioner pursuant to this act shall not constitute a delegation
39 of regulatory authority or rulemaking, and the commissioner is
40 solely responsible for the administration, execution and
41 enforcement of the provisions of this act.

42 e. No waiver of any applicable privilege or claim of
43 confidentiality in the documents, proprietary and trade-secret
44 materials or other disclosure-related information shall occur as a
45 result of disclosure of disclosure-related information or documents
46 to the commissioner under this section or as a result of sharing as
47 authorized in this act.

1 8. a. The commissioner may retain, at the insurer's expense,
2 third-party consultants, including attorneys, actuaries, accountants
3 and other experts not otherwise a part of the commissioner's staff as
4 may be reasonably necessary to assist the commissioner in
5 reviewing the disclosure and related information or the insurer's
6 compliance with this act.

7 b. Any persons retained under subsection a. of this section shall
8 be under the direction and control of the commissioner and shall act
9 in a purely advisory capacity.

10 c. The NAIC and third-party consultants shall be subject to the
11 same confidentiality standards and requirements as the
12 commissioner.

13 d. As part of the retention process, a third-party consultant
14 shall verify to the commissioner, with notice to the insurer, that it is
15 free of a conflict of interest and that it has internal procedures in
16 place to monitor compliance with a conflict and to comply with the
17 confidentiality standards and requirements of this act.

18 e. A written agreement with the NAIC or a third-party
19 consultant governing sharing and use of information provided
20 pursuant to this act shall contain the following provisions and
21 expressly require the written consent of the insurer prior to making
22 public information provided under this act:

23 (1) Specific procedures and protocols for maintaining the
24 confidentiality and security of disclosure-related information shared
25 with the NAIC or a third-party consultant pursuant to this act;

26 (2) Procedures and protocols for sharing by the NAIC only with
27 other state regulators from states in which the insurance group has
28 domiciled insurers. The agreement shall provide that the recipient
29 agrees in writing to maintain the confidentiality and privileged
30 status of the disclosure-related documents, materials or other
31 information and has verified in writing the legal authority to
32 maintain confidentiality;

33 (3) A provision specifying that ownership of the disclosure-
34 related information shared with the NAIC or a third-party
35 consultant remains with the department and the NAIC's or third-
36 party consultant's use of the information is subject to the direction
37 of the commissioner;

38 (4) A provision that prohibits the NAIC or a third-party
39 consultant from storing the information shared pursuant to this act
40 in a permanent database after the underlying analysis is completed;

41 (5) A provision requiring the NAIC or third-party consultant to
42 provide prompt notice to the commissioner and to the insurer or
43 insurance group regarding any subpoena, request for disclosure, or
44 request for production of the insurer's disclosure-related
45 information; and

46 (6) A requirement that the NAIC or a third-party consultant to
47 consent to intervention by an insurer in any judicial or
48 administrative action in which the NAIC or a third-party consultant

1 may be required to disclose confidential information about the
2 insurer shared with the NAIC or a third-party consultant pursuant to
3 this act.

4

5 9. Any insurer failing, without just cause, to timely file the
6 disclosure as required in this act shall be required, after notice and
7 hearing, to pay a penalty of up to \$5,000 for each day's delay, to be
8 recovered by the commissioner.

9

10 10. The commissioner may promulgate regulations pursuant to
11 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
12 1 et seq.) and issue such orders as shall be necessary to carry out the
13 provisions of this act.

14

15 11. If any provision of this act, other than section 7, or the
16 application thereof to any person or circumstance, is held invalid,
17 such determination shall not affect the provisions or applications of
18 this act which can be given effect without the invalid provision or
19 application, and to that end the provisions of this act, with the
20 exception of section 7, are severable.

21

22 12. The requirements of this act shall become effective
23 immediately upon enactment. The first filing of the disclosure shall
24 be in 2020.

25

26 13. This act shall take effect immediately and shall be
27 retroactive to January 1, 2020.

28

29

30

STATEMENT

31

32 This bill requires an insurer or insurance group to submit an
33 annual report to the Commissioner of Banking and Insurance
34 summarizing its corporate governance structure, policies and
35 practices.

36

37 No later than June 1 of each calendar year, insurers and insurer
38 groups domiciled in New Jersey will be required to file a corporate
39 governance annual disclosure that contains the material information
40 necessary to permit the commissioner to gain an understanding of
41 the insurer's or group's corporate governance structure, policies,
42 and practices. Although the corporate governance annual disclosure
43 will be prepared consistent with rules promulgated by the
44 commissioner, the insurer or insurance group will retain discretion
45 regarding the appropriate format for providing the information
46 required. Nothing in the bill should be construed to prescribe or
47 impose corporate governance standards and internal procedures.

48

The documents, materials or other information including the
corporate governance annual disclosure will be confidential and

1 will not be subject to the open public records law, subpoena,
2 discovery, and the information will not be admissible in evidence in
3 any private civil action.

4 The commissioner may retain, at the insurer's expense, third-
5 party consultants as may be reasonably necessary to assist the
6 commissioner in reviewing the corporate governance annual
7 disclosure or the insurer's compliance with the bill's provisions.

8 An insurer that fails, without just cause, to timely file the
9 corporate governance annual disclosure as required, must pay, after
10 notice and hearing, a penalty of up to \$5,000 for each day's delay.

11 The provisions of the bill, except for the confidentiality
12 provisions, are severable if found to be invalid.

13 The Department of Banking and Insurance is required to have
14 this legislation in place as part of its accreditation review by the
15 National Association of Insurance Commissioners (NAIC). It is
16 based on the NAIC Corporate Governance Annual Disclosure
17 Model Act and must be enacted by January 1, 2020 for compliance
18 with accreditation standards.

ASSEMBLY FINANCIAL INSTITUTIONS AND INSURANCE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 6007

STATE OF NEW JERSEY

DATED: DECEMBER 5, 2019

The Assembly Financial Institutions and Insurance Committee reports favorably Assembly Bill No. 6007.

This bill requires an insurer or insurance group to submit an annual report to the Commissioner of Banking and Insurance summarizing its corporate governance structure, policies and practices.

No later than June 1 of each calendar year, insurers and insurer groups domiciled in New Jersey will be required to file a corporate governance annual disclosure that contains the material information necessary to permit the commissioner to gain an understanding of the insurer's or group's corporate governance structure, policies, and practices. Although the corporate governance annual disclosure will be prepared consistent with rules promulgated by the commissioner, the insurer or insurance group will retain discretion regarding the appropriate format for providing the information required. Nothing in the bill should be construed to prescribe or impose corporate governance standards and internal procedures.

The documents, materials or other information including the corporate governance annual disclosure will be confidential and will not be subject to the open public records law, subpoena, discovery, and the information will not be admissible in evidence in any private civil action.

The commissioner may retain, at the insurer's expense, third-party consultants as may be reasonably necessary to assist the commissioner in reviewing the corporate governance annual disclosure or the insurer's compliance with the bill's provisions.

An insurer that fails, without just cause, to timely file the corporate governance annual disclosure as required, must pay, after notice and hearing, a penalty of up to \$5,000 for each day's delay.

The provisions of the bill, except for the confidentiality provisions, are severable if found to be invalid.

The Department of Banking and Insurance is required to have this legislation in place as part of its accreditation review by the National Association of Insurance Commissioners (NAIC). It is based on the NAIC Corporate Governance Annual Disclosure Model Act and must be enacted by January 1, 2020 for compliance with accreditation standards.

SENATE, No. 4287

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED DECEMBER 5, 2019

Sponsored by:
Senator NELLIE POU
District 35 (Bergen and Passaic)

SYNOPSIS

Requires insurers and insurance groups to submit corporate governance annual disclosure to DOBI Commissioner.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the corporate governance of insurers and
2 supplementing Title 17 of the Revised Statutes.

3

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

6

7 1. The purpose of this act is to:

8 a. Provide the Commissioner of Banking and Insurance a
9 summary of an insurer's or insurance group's corporate governance
10 structure, policies and practices to permit the commissioner to gain
11 and maintain an understanding of the insurer's corporate
12 governance framework.

13 b. Outline the requirements for completing a corporate
14 governance annual disclosure with the commissioner.

15 c. Provide for the confidential treatment of the Corporate
16 Governance Annual Disclosure and related information that will
17 contain confidential and sensitive information related to an insurer's
18 or insurance group's internal operations and proprietary and trade
19 secret information which, if made public, could potentially cause
20 the insurer or insurance group competitive harm or disadvantage.

21

22 2. Nothing in this act shall be construed to prescribe or impose
23 corporate governance standards and internal procedures beyond that
24 which is required under applicable State corporate law.
25 Notwithstanding the foregoing, nothing in this act shall be
26 construed to limit the commissioner's authority, or the rights or
27 obligations of third parties, under applicable law, including, but not
28 limited to, the authority under P.L.1993, c.236 (C.17:23-20 et seq.),
29 section 5 of P.L.1970, c.22 (C.17:27A-5), and sections 7 and 8 of
30 P.L.2014, c.81 (C.17:27A-5.1 and C.17:27A-5.2).

31

32 3. The requirements of this act shall apply to all insurers
33 domiciled in this State, including licensed organized delivery
34 systems and reciprocal insurance exchanges.

35

36 4. As used in this act:

37 "Commissioner" means the Commissioner of Banking and
38 Insurance.

39 "Corporate governance annual disclosure" or "disclosure" means
40 a confidential report filed by the insurer or insurance group made in
41 accordance with the requirements of this act.

42 "Department" means the Department of Banking and Insurance.

43 "Insurance group" means those insurers and affiliates included
44 within an insurance holding company system as defined in section 1
45 of P.L.1970, c.22 (C.17:27A-1).

46 "Insurer" shall have the same meaning as set forth in section 1 of
47 P.L.1970, c.22 (C.17:27A-1 et seq.), and shall include any insurer
48 or entity subject to rehabilitation or liquidation pursuant to

1 P.L.1975, c.113 (C.17:30C-1 et seq.) and P.L.1992, c.65 (C.17B:32-
2 31 et seq.), including licensed organized delivery systems and
3 reciprocal insurance exchanges.

4 “NAIC” means the National Association of Insurance
5 Commissioners.

6 “ORSA Summary Report” means the report filed in accordance
7 with sections 46 through 56 of P.L.2014, c.81 (C.17:23-27 through
8 37).

9
10 5. a. An insurer, or the insurance group of which the insurer is
11 a member, shall, no later than June 1 of each calendar year, submit
12 to the commissioner a corporate governance annual disclosure that
13 contains the information described in subsection b. of section 6 of
14 this act. Notwithstanding any request from the commissioner made
15 pursuant to subsection c. of this section, if the insurer is a member
16 of an insurance group, the insurer shall submit the report required
17 by this section to the commissioner of the lead state, or group-wide
18 supervisor as defined by section 8 of P.L.2014, c.81 (C.17:27A-
19 5.2), if applicable, for the insurance group, in accordance with the
20 laws of that state, as determined by the procedures outlined in the
21 most recent Financial Analysis Handbook adopted by the NAIC.

22 b. The disclosure shall include a signature of the insurer or
23 insurance group’s chief executive officer or corporate secretary
24 attesting to the best of that individual’s belief and knowledge that
25 the insurer has implemented the corporate governance practices and
26 that a copy of the disclosure has been provided to the insurer’s
27 board of directors or the appropriate committee thereof.

28 c. An insurer not required to submit a disclosure under this
29 section shall do so upon the commissioner’s request.

30 d. For purposes of completing the disclosure, the insurer or
31 insurance group may provide information regarding corporate
32 governance at the ultimate controlling parent level, an intermediate
33 holding company level, or the individual legal entity level,
34 depending upon how the insurer or insurance group has structured
35 its system of corporate governance. The insurer or insurance group
36 is encouraged to make the disclosures at the level at which the
37 insurer’s or insurance group’s risk appetite is determined, or at
38 which the earnings, capital, liquidity, operations, and reputation of
39 the insurer are overseen collectively and at which the supervision of
40 those factors are coordinated and exercised, or the level at which
41 legal liability for failure of general corporate governance duties
42 would be placed. If the insurer or insurance group determines the
43 level of reporting based on these criteria, it shall indicate which of
44 the three criteria was used to determine the level of reporting and
45 explain any subsequent changes in level of reporting.

46 e. The review of the disclosure and any additional requests for
47 information shall be made through the lead state, or group-wide
48 supervisor as defined by section 8 of P.L.2014, c.81 (C.17:27A-

1 5.2), if applicable, as determined by the procedures within the most
2 recent Financial Analysis Handbook adopted by the NAIC.

3 f. Insurers providing information substantially similar to the
4 information required by this act in other documents provided to the
5 commissioner, including proxy statements filed in conjunction with
6 registration statements filed pursuant to section 3 of P.L. 1970, c.
7 22 (C. 17:27A-3), known as "Form B filings," or other state or
8 federal filings provided to this department shall not be required to
9 duplicate that information in the disclosure, but shall only be
10 required to cross reference the document in which the information
11 is included.

12

13 6. a. The insurer or insurance group shall have discretion over
14 the responses to the disclosure inquiries, provided the disclosure
15 shall contain the material information necessary to permit the
16 commissioner to gain an understanding of the insurer's or group's
17 corporate governance structure, policies, and practices. The
18 commissioner may request additional information that the
19 commissioner deems material and necessary to provide the
20 commissioner with a clear understanding of the corporate
21 governance policies, the reporting or information system or controls
22 implementing those policies.

23 b. Notwithstanding subsection a. of this section, the disclosure
24 shall be prepared consistent with rules promulgated by the
25 commissioner. Documentation and supporting information shall be
26 maintained and made available upon examination or upon request of
27 the commissioner.

28

29 7. a. Documents, materials or other information including the
30 disclosure, in the possession or control of the department that are
31 obtained by, created by or disclosed to the commissioner or any
32 other person under this act, shall be recognized by this State as
33 being proprietary and to contain trade secrets. All such documents,
34 materials or other information shall be confidential by law and
35 privileged, shall not be subject to disclosure by the commissioner
36 pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.), shall not be subject
37 to subpoena, and shall not be subject to discovery from the
38 commissioner or admissible in evidence in any private civil action.
39 However, the commissioner shall be authorized to use the
40 documents, materials or other information in the furtherance of any
41 regulatory or legal action brought as a part of the commissioner's
42 official duties. The commissioner shall not otherwise make the
43 documents, materials or other information public without the prior
44 written consent of the insurer. Nothing in this section shall be
45 construed to require written consent of the insurer before the
46 commissioner may share or receive confidential documents,
47 materials or other disclosure-related information pursuant to

1 subsection c. of this section to assist in the performance of the
2 commissioner's regular duties.

3 b. Neither the commissioner nor any person who received
4 documents, materials or other disclosure-related information,
5 through examination or otherwise, while acting under the authority
6 of the commissioner, or with whom those documents, materials or
7 other information are shared pursuant to this act shall be subject to
8 subpoena, permitted or required to testify in any private civil action
9 concerning any confidential documents, materials, or information
10 subject to subsection a. of this section.

11 c. In order to assist in the performance of the commissioner's
12 regulatory duties, the commissioner may:

13 (1) upon request, share documents, materials or other
14 disclosure-related information including the confidential and
15 privileged documents, materials or information subject to
16 subsection a. of this section, including proprietary and trade secret
17 documents and materials. with other state, federal and international
18 financial regulatory agencies, including members of any
19 supervisory college as provided in section 7 of P.L. 2014, c. 81 (C.
20 17:27A-5.1), with the NAIC, and with third party consultants
21 pursuant to section 8 of this act, provided that the recipient agrees
22 in writing to maintain the confidentiality and privileged status of
23 the disclosure-related documents, material or other information and
24 has verified in writing the legal authority to maintain
25 confidentiality; and

26 (2) receive documents, materials or other disclosure-related
27 information, including otherwise confidential and privileged
28 documents, materials or information, including proprietary and
29 trade-secret information or documents, from regulatory officials of
30 other state, federal and international financial regulatory agencies,
31 including members of any supervisory college as provided in
32 section 7 of P.L.2014, c. 81 (C. 17:27A-5.1), and from the NAIC,
33 and shall maintain as confidential or privileged any documents,
34 materials or information received with notice or the understanding
35 that it is confidential or privileged under the laws of the jurisdiction
36 that is the source of the document, material or information.

37 d. The sharing of information and documents by the
38 commissioner pursuant to this act shall not constitute a delegation
39 of regulatory authority or rulemaking, and the commissioner is
40 solely responsible for the administration, execution and
41 enforcement of the provisions of this act.

42 e. No waiver of any applicable privilege or claim of
43 confidentiality in the documents, proprietary and trade-secret
44 materials or other disclosure-related information shall occur as a
45 result of disclosure of disclosure-related information or documents
46 to the commissioner under this section or as a result of sharing as
47 authorized in this act.

1 8. a. The commissioner may retain, at the insurer's expense,
2 third-party consultants, including attorneys, actuaries, accountants
3 and other experts not otherwise a part of the commissioner's staff as
4 may be reasonably necessary to assist the commissioner in
5 reviewing the disclosure and related information or the insurer's
6 compliance with this act.

7 b. Any persons retained under subsection a. of this section shall
8 be under the direction and control of the commissioner and shall act
9 in a purely advisory capacity.

10 c. The NAIC and third-party consultants shall be subject to the
11 same confidentiality standards and requirements as the
12 commissioner.

13 d. As part of the retention process, a third-party consultant
14 shall verify to the commissioner, with notice to the insurer, that it is
15 free of a conflict of interest and that it has internal procedures in
16 place to monitor compliance with a conflict and to comply with the
17 confidentiality standards and requirements of this act.

18 e. A written agreement with the NAIC or a third-party
19 consultant governing sharing and use of information provided
20 pursuant to this act shall contain the following provisions and
21 expressly require the written consent of the insurer prior to making
22 public information provided under this act:

23 (1) Specific procedures and protocols for maintaining the
24 confidentiality and security of disclosure-related information shared
25 with the NAIC or a third-party consultant pursuant to this act;

26 (2) Procedures and protocols for sharing by the NAIC only with
27 other state regulators from states in which the insurance group has
28 domiciled insurers. The agreement shall provide that the recipient
29 agrees in writing to maintain the confidentiality and privileged
30 status of the disclosure-related documents, materials or other
31 information and has verified in writing the legal authority to
32 maintain confidentiality;

33 (3) A provision specifying that ownership of the disclosure-
34 related information shared with the NAIC or a third-party
35 consultant remains with the department and the NAIC's or third-
36 party consultant's use of the information is subject to the direction
37 of the commissioner;

38 (4) A provision that prohibits the NAIC or a third-party
39 consultant from storing the information shared pursuant to this act
40 in a permanent database after the underlying analysis is completed;

41 (5) A provision requiring the NAIC or third-party consultant to
42 provide prompt notice to the commissioner and to the insurer or
43 insurance group regarding any subpoena, request for disclosure, or
44 request for production of the insurer's disclosure-related
45 information; and

46 (6) A requirement that the NAIC or a third-party consultant to
47 consent to intervention by an insurer in any judicial or
48 administrative action in which the NAIC or a third-party consultant

1 may be required to disclose confidential information about the
2 insurer shared with the NAIC or a third-party consultant pursuant to
3 this act.

4

5 9. Any insurer failing, without just cause, to timely file the
6 disclosure as required in this act shall be required, after notice and
7 hearing, to pay a penalty of up to \$5,000 for each day's delay, to be
8 recovered by the commissioner.

9

10 10. The commissioner may promulgate regulations pursuant to
11 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1
12 et seq.) and issue such orders as shall be necessary to carry out the
13 provisions of this act.

14

15 11. If any provision of this act, other than section 7, or the
16 application thereof to any person or circumstance, is held invalid,
17 such determination shall not affect the provisions or applications of
18 this act which can be given effect without the invalid provision or
19 application, and to that end the provisions of this act, with the
20 exception of section 7, are severable.

21

22 12. The requirements of this act shall become effective
23 immediately upon enactment. The first filing of the disclosure shall
24 be in 2020.

25

26 13. This act shall take effect immediately and shall be
27 retroactive to January 1, 2020.

28

29

30

STATEMENT

31

32 This bill requires an insurer or insurance group to submit an
33 annual report to the Commissioner of Banking and Insurance
34 summarizing its corporate governance structure, policies and
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17 Model Act and must be enacted by January 1, 2020 for compliance
18 with accreditation standards.

[Corrected Copy]

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 4287

STATE OF NEW JERSEY

DATED: DECEMBER 12, 2019

The Senate Commerce Committee reports favorably Senate Bill No. 4287.

This bill requires an insurer or insurance group to submit an annual report to the Commissioner of Banking and Insurance summarizing its corporate governance structure, policies and practices.

No later than June 1 of each calendar year, insurers and insurer groups domiciled in New Jersey will be required to file a corporate governance annual disclosure that contains the material information necessary to permit the commissioner to gain an understanding of the insurer's or group's corporate governance structure, policies, and practices. Although the corporate governance annual disclosure will be prepared consistent with rules promulgated by the commissioner, the insurer or insurance group will retain discretion regarding the appropriate format for providing the information required. Nothing in the bill should be construed to prescribe or impose corporate governance standards and internal procedures.

The documents, materials or other information including the corporate governance annual disclosure will be confidential and will not be subject to the open public records law, subpoena, discovery, and the information will not be admissible in evidence in any private civil action.

The commissioner may retain, at the insurer's expense, third-party consultants as may be reasonably necessary to assist the commissioner in reviewing the corporate governance annual disclosure or the insurer's compliance with the bill's provisions.

An insurer that fails, without just cause, to timely file the corporate governance annual disclosure as required, must pay, after notice and hearing, a penalty of up to \$5,000 for each day's delay.

The provisions of the bill, except for the confidentiality provisions, are severable if found to be invalid.

The Department of Banking and Insurance is required to have this legislation in place as part of its accreditation review by the National Association of Insurance Commissioners (NAIC). It is based on the NAIC Corporate Governance Annual Disclosure Model Act and must be enacted by January 1, 2020 for compliance with accreditation standards.

Governor Murphy Takes Action on Legislation

01/13/2020

TRENTON – Today, Governor Phil Murphy signed the following bills into law:

A268 (Kean, Egan, Holley/Singer, Gopal) - "P.I.C.K. Awareness Act"; authorizes issuance of special support recovery license plates.

A790 (Andrzejczak, Land, Mosquera, Mukherji, Downey, Zwicker, Mazzeo/Connors, Singleton) - "Combat to College Act"; grants priority course registration to military service members and veterans attending public institutions of higher education.

A791 (Andrzejczak, Land, Mosquera, Danielsen, Mukherji, Downey, Zwicker/Van Drew, Brown) - Requires institution of higher education to award appropriate credit for student's military service.

A1212 (McKeon, Gusciora, Vainieri Huttle/Sweeney, Smith, Bateman, Greenstein) - Clarifies intent of P.L.2007, c.340 regarding NJ's required participation in Regional Greenhouse Gas Initiative.

A1305 (Greenwald/Rice) - Renames Mountainview Youth Correctional Facility as "William H. Fauver Youth Correctional Facility."

A1576 (Conaway, Giblin/Vitale) - Requires certain health care facilities to provide, and employees to receive, annual influenza vaccination.

A1582 (Conaway, Moriarty, Mosquera, Benson, Pinkin, Giblin, Quijano/Weinberg, Ruiz) - Establishes "Dietetics and Nutrition Licensing Act".

A1991 (Sumter, Munoz, Mukherji/Singer, Gordon) - Requires students at institutions of higher education to receive immunization for meningitis in accordance with recommendations of Advisory Committee on Immunization Practices.

A3101 (Egan Jones, Benson, Land/Singleton) - Increases minimum annual amounts for appropriation for certain arts, historical heritage, and tourism purposes from hotel and motel occupancy fee revenues.

[Copy of Statement](#)

A3160 (Lampitt, Giblin, Murphy/Beach) - Permits cosmetology and hairstyling school clinics to charge certain fees for services rendered to general public.

A3832 (Mukherji, McKnight, Chiaravalloti/Cryan, Stack) - Authorizes municipal tax levy through public question for certain purposes; clarifies ability of local government entities to issue non-recourse bonds; appropriates \$100,000.

A4493 (Pinkin, Conaway, Vainieri Huttle/Vitale) - Authorizes expedited partner therapy, under which sexual partners or patients diagnosed with sexually transmitted disease are treated without prior clinical examination.

A4608 (Zwicker, Downey/Weinberg, Kean) - " Applied Behavior Analyst Licensing Act."

A4710 (Lampitt, Zwicker, Vainieri Huttle/Beach,Turner) - "Strengthening Gifted and Talented Education Act"; establishes school district responsibilities in educating gifted and talented students.

A5037 (Pintor Marin, Speight, Vainieri Huttle/Andrzejczak, Greenstein) - Enhances penalties related to counterfeit drugs.

A5091 (McKeon, Vainieri Huttle, Pinkin/Pou, Singleton) - Establishes "Safeguarding Against Financial Exploitation Act."

A5263 (Tully, Armato/Corrado) - Requires four-year public institution of higher education to award college credits to firefighters for certain courses completed at county fire academies.

A5277 (DeAngelo, Houghtaling/Greenstein) - Eliminates term limits for members of State Board of Examiners of Master Plumbers and State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration Contractors.

A5624 (Pintor Marin, Munoz, Lampitt/Weinberg, Corrado) - Requires that State employee serve as Equal Employment Opportunity and Affirmative Action officer for gubernatorial transitions.

A5625 (Pintor Marin, Munoz, Lampitt/Weinberg, Corrado) - Requires payment of expenses related to background investigations for certain gubernatorial transition positions.

A5628 (Pintor Marin, Munoz, McKnight/Weinberg, Corrado) - Requires Civil Service Commission establish standardize recordkeeping and retention requirements with regard to unclassified State employees.

[Copy of Statement](#)

A5631 (Pintor Marin, Munoz, Pinkin/Weinberg, Corrado) - Specifies certain requirements for State agency review of complaint of workplace discrimination.

[Copy of Statement](#)

A5632 (Pintor Marin, Munoz, Reynolds-Jackson/Weinberg) - Requires certain public employees receive additional training to manage harassment or discrimination complaints.

A5917 (Chiaravalloti, McKnight/Cunningham, Weinberg) - Expands DOH oversight of hospital finances.

A6007 (McKeon/Pou) - Requires insurers and insurance groups to submit corporate governance annual disclosure to DOBI Commissioner.

S463 (Singer, Greenstein/Dancer, Calabrese, DeAngelo) - Provides for voluntary contributions by taxpayers on gross income tax returns for Meals on Wheels.

S538 (Oroho, Stack/Wirths, Vaineri Huttie, Bucco) - Allows long term tax exemption extension for certain low-income housing.

S775 (Cunningham, Sacco/Sumter, Caride, Vainieri Huttie) - Establishes Tuition Aid Grant Study Commission to examine New Jersey's Tuition Aid Grant Program and make recommendations regarding improvements to program.

S778 (Cunningham, Kean/Quijano, Jasey, Pintor Marin) - Establishes Campus Sexual Assault Commission.

S1493 (Stack, Singleton/Quijano, Chaparro, Timberlake) - Prohibits landlords from requiring residential tenants to pay rent and other related charges through electronic funds transfer; requires landlords to provide receipts for cash payments.

S1508 (Turner, Singleton/Reynolds-Jackson, Sumter, Wimberly) - Eliminates motor vehicle surcharges following retirement of bonds and debts tied to surcharges.

S1834 (Ruiz, Cunningham/Quijano, Murphy) - Requires each public institution of higher education to post its budget on the institution's website.

S1953 (Oroho, Cruz-Perez/Space, Andrzejcack, Wirths) - Directs Dept. of Agriculture to authorize and advise food hubs.

S1966 (Sweeney, Singleton/Taliaferro) - Increases death benefit of active member of PFRS and SPRS to 50 percent of final compensation for surviving child or children.

S2527 (Ruiz, Turner/Lampitt, Quijano, Timberlake) - Requires Department of Agriculture to promote school meal programs.

S2533 (Greenstein, Cruz-Perez/Vainieri Huttie, Lopez, Timberlake) - Requires Office of Victim-Witness Advocacy to provide services to certain inmates.

S2898 (Madden, Sarlo/Murphy, Mosquera, Vainieri Huttie) - Establishes "New Jersey Fire and EMS Crisis Intervention Services" telephone hotline; provides funding for hotline through fire inspection fees and penalties.

S2980 (Ruiz/Lampitt, McKnight) - Provides that school district may not condition student enrollment in district on fact that MVC does not have name or address of parent or guardian on file.

S2982 (Ruiz/Lampitt, Mukherji, Lopez) - Clarifies that child may not be excluded from public school based on membership in protected category under "Law Against Discrimination" or immigration status.

S2998 (Ruiz/Freiman, Downey) - Requires creditors to make certain disclosures regarding collateral protection insurance to consumer debtors.

S3064 (Ruiz, Singleton/Armato, Conaway, Swain) - Establishes task force to develop State-wide plan to diversify apprenticeships.

S3066 (Ruiz, Singleton/Lampitt, Mukherji, Benson) - Creates five year High-Growth Industry Regional Apprenticeship Development Grant Pilot Program.

S3118 (Ruiz/Speight, Munoz, Tucker) - Establishes public awareness campaign to promote early conversations about advance care planning and end-of-life care.

S3124 (Stack/Mukherji) - Requires landlords to allow tenants to pay rent up to three business days after eviction order or lockout is executed and accept rent payments by any means.

S3206 (Pou, Cruz-Perez/Lopez, McKeon, Murphy) - Establishes "Unbanked and Underbanked Consumers Study Commission."

S3215 (Greenstein, Singleton/Zwicker, Mukherji, Swain) - Requires State to use 20-year time horizon and most recent Intergovernmental Panel on Climate Change Assessment Report when calculating global warming potential to measure global warming impact of greenhouse gases.

S3246 (Sarlo, Singleton, Oroho, Bucco/Benson, Bucco, Freiman) - Establishes elective pass-through entity business alternative income tax and allows corresponding refundable gross income tax and corporation business tax credit.

S3327 (Ruiz, Cruz-Perez/Lopez, Timberlake) - Establishes Commission on Latino and Hispanic Heritage in DOE.

S3348 (Weinberg/Vainieri Huttle, McKnight) - Requires home health agencies and specialty pharmacies providing services related to bleeding episodes associated with hemophilia to comply with certain minimum practice standards.

S3528 (Scutari, Codey/Vainieri Huttle, Quijano, Kennedy) - Establishes process to obtain judgement of adoption for civil union partner or spouse of natural or legal parent of child when that person is named as parent on child's birth certificate.

S3574 (Scutari, Kean, Cryan/Carter, Kennedy, Freiman) - Requires NJT to conduct feasibility study on restoring one-seat ride to Manhattan on Raritan Valley Line.

Governor Murphy conditionally vetoed the following bills:

A2431 (Benson, Jimenez, DeCroce, Eustace/Weinberg, Kean) – Requires health insurers to provide plans that limit patient cost-sharing concerning certain prescription drug coverage.

[Copy of Statement](#)

A4978 (Timberlake, Zwicker, Vainieri Huttle/Greenstein, Cryan) – Prohibits online education services from using and disclosing certain information, engaging in targeted advertising, and requires deletion of certain information in certain circumstances.

[Copy of Statement](#)

S3920 (Pou/Wimberly, Sumter) – Concerns provision of energy to certain manufacturing facilities by providing exemptions to certain energy related taxes.

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Governor Murphy absolute vetoed the following bill:

S4139 (Greenstein/Benson) - Makes Fiscal Year 2020 supplemental appropriation of \$250,000 to Rutgers University - New Brunswick for School of Dental Medicine - Special Care Treatment Center.

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