ASSEMBLY PUBLIC SAFETY AND PREPAREDNESS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4070

STATE OF NEW JERSEY

DATED: FEBRUARY 12, 2026

The Assembly Public Safety and Preparedness Committee reports favorably Assembly Bill No. 4070.

As reported by the committee, this bill establishes the "Privacy Protection Act" concerning the collection and sharing of certain personal information by State and local government entities and health care facilities.

Under the bill, government entities and health care facilities are prohibited from requesting or collecting information from an individual relating to a person's immigration status, citizenship status, place of birth, social security number, and individual taxpayer identification number unless it is necessary to assess eligibility for, or to administer, a requested public service, benefit, program, professional qualification, or licensure. For a health care facility, the bill provides an exception to this provision when this information is necessary to ensure the safe and appropriate delivery of health care services.

The bill provides that any information concerning a person that is collected to assess eligibility for, or to administer the services, benefits, programs, professional qualifications, or licensure is not considered a government record under the open public records act and is not to be disclosed, except: (1) as required to administer benefits or services pursuant to State or federal law; (2) as required by a subpoena, valid court order, or warrant issued by a State or federal judge, or pursuant to federal law; (3) by an election agency when the disclosure of a candidate's citizenship status is a requirement for elected office; or (4) upon obtaining written consent from the person to whom the information pertains. The bill makes an exception to this requirement for a health care facility when the information is necessary to ensure the safe and appropriate delivery of health care services and as required by applicable State and federal law, including the "Health Insurance Portability and Accountability Act of 1996."

The bill requires the Commissioner of Health to consult with the Attorney General (AG) to develop and publish standardized written consent forms in the most commonly encountered languages of the

State to provide health care facilities with a method to comply with the bill's written consent requirements.

In addition, the bill prohibits a government entity from selling, sharing, or transferring automated license plate recognition information concerning the operation of a person's motor vehicle, except: (1) to another government entity when permitted by law; (2) pursuant to a subpoena, valid court order, or judicial warrant; or (3) upon obtaining written consent from the person to whom the information pertains. Under the bill, a government entity's use of a third-party automated license plate recognition system vendor or service for its own data storage purposes is not be considered the sale, share, or transfer of automated license plate recognition information, provided that such vendor or service not sell, share, transferring, or make searchable to other entities or persons information without the authorization of the government entity.

The bill requires that written consent for the disclosure of information be in the person's language of choice and that it include:

(1) the exact record or information to be shared;

(2) the purpose for sharing the record or information;

(3) a statement clarifying that consent is voluntary and declining to consent will not result in discrimination or retaliation by the government entity or health care facility;

(4) a statement clarifying that consent may be revoked, but that revocation does not impact any record or information already shared under prior written consent granted pursuant to the provisions of the bill; and

(5) the person or agency to receive the record or information.

In addition, the bill requires a government entity that discloses any record or information pursuant to a subpoena, valid court order, judicial warrant, or federal law to provide notice of the disclosure to the person to whom the record or information pertains within 90 days of the disclosure. The notice is to set forth the: (1) specific record or information subject to disclosure; (2) party to which the record or information was disclosed; and (3) basis for disclosing the information.

Under the bill, government entities are to review their confidentiality policies, guidelines, and regulations and identify any changes needed to ensure compliance with the bill's provisions. Government entities are to post any updated policies, guidelines, and regulations on their websites and implement the changes as expeditiously as possible, but no later than one calendar year after the bill's effective date.

The bill specifies that, in addition to any officer, employee, or contractor of the New Jersey Motor Vehicle Commission (MVC), as provided under current law, a government entity, as defined by the bill, is also prohibited from disclosing any motor vehicle records

containing personal information for any purposes related to Title 8 of the United States Code without the informed consent of the applicant, a warrant signed by a State or federal judge, lawful court order, or subpoena, except when it would be contrary to federal law. Under the bill, when responding to a warrant, court order, or subpoena requiring the disclosure of motor vehicle information, a government entity may disclose only those records or information specifically requested in the warrant, court order, or subpoena.

A violation of the bill's provisions by a government entity may result in injunctive relief and civil liability for the damages to the person to whom the information pertains or that person's representative or guardian. A violation of the bill's provisions by a health care facility would result in penalties and enforcement by the Department of Health, consistent with the department's authority under existing law and as a condition of licensure.

The bill is effective immediately, except for the provisions regarding the Department of Health, which are effective one year after enactment.