LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 5328
STATE OF NEW JERSEY
222nd LEGISLATURE

DATED: JULY 2, 2026

SUMMARY

Synopsis: Regulates data brokers, data collectors, and collection and dissemination of certain sensitive information.

Type of Impact: Annual State expenditure and revenue increases.

Agencies Affected: Department of Law and Public Safety.

Office of Legislative Services Estimate

Annual Fiscal Impact	
State Expenditure Increase	Indeterminate
State Revenue Increase	Indeterminate

- The Office of Legislative Services (OLS) finds that the bill will increase State expenditures for the costs of the Division of Consumer Affairs in the Department of Law and Public Safety related to the new registration, reporting, and enforcement requirements established in the bill for data brokers and data collectors.

- The bill requires each data broker and data collector to register annually and pay a registration fee to the division to support its costs to implement the bill. The OLS lacks the empirical basis to quantify the State revenue increases under the bill, but notes that these revenues could be significant and total in the millions or tens of millions of dollars annually.

- The State also may collect an indeterminate amount of annual revenue from civil penalties from data brokers and data collectors that do not comply with the bill's provisions.

BILL DESCRIPTION

This bill prohibits a controller of a commercial website or online services from selling sensitive data, which prohibition will apply to all individuals or legal entities regardless of the number of consumers whose data the individual or entity controls or processes.

Specifically, the bill requires the division to establish and maintain a public registry of data brokers and data collectors doing business in New Jersey. The registry is to include: the data broker's or data collector's name and physical address; a general email address that may be used

to request information about the data broker's or data collector's privacy policies and data collection practices; a general website address for the data broker or data collector; a website address specific to the data broker's or data collector's privacy policies; and any relevant opt-out information. The division is required to review and update this information at least annually.

The bill requires each data broker and data collector engaged in processing personal data of New Jersey consumers to annually register with the division and pay a registration fee according to the schedule provided in the bill. Collected registration fees will be used as necessary to implement the provisions of the bill. The fee schedule is:

Number of Consumers in the State	Fee Amount
100,000 Consumers or Fewer	$5,000
More than 100,000 and Fewer than 500,000 Consumers	$10,000
More than 500,000 and Fewer than One Million Consumers	$100,000
More than One Million and Fewer than 1.5 Million Consumers	$500,000
More than 1.5 Million and Fewer than 2.5 Million Consumers	$750,000
More than 2.5 Million and Fewer than 4.5 Million Consumers	$1,000,000
More than 4.5 Million Consumers	$1,500,000

The bill establishes that data brokers and data collectors that fail to submit and update information as required under the bill, or that fail to register and pay the registration fee required under the bill, will be liable for a civil penalty of $2,500 for each day the data broker or data collector is not in compliance in addition to repaying registration fees for each year that the data broker or data collector failed to register with the division.

A data broker or data collector, including a controller, that sells, offers for sale, or licenses sensitive data in violation of P.L.2023, c.266 or the bill's provisions will be liable to a civil penalty of $50,000 for each record sold, offered for sale or licensed.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that the bill will increase State expenditures for the costs of the Division of Consumer Affairs in the Department of Law and Public Safety related to the new registration, reporting, and enforcement requirements established in the bill for data brokers and data collectors.

The bill requires each data broker and data collector to register annually and pay a registration fee to the division to support its costs to implement the bill. The OLS lacks the empirical basis to quantify the State revenue increases under the bill, but notes that these revenues could be significant and total in the millions or tens of millions of dollars annually.

The State may collect an indeterminate amount of annual revenue from civil penalties from data brokers and data collectors that do not comply with the bill's provisions. The OLS cannot anticipate how widespread any noncompliance would be to estimate the annual revenue increase.

Section:	*Law and Public Safety*
Analyst:	*Kristin Brunner Santos* *Lead Fiscal Analyst*
Approved:	*Thomas Koenig* *Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).