

ASSEMBLY, No. 1182

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

SYNOPSIS

Clarifies liability for discharges of hazardous substances from drilling platforms that enter NJ waters.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning liability for discharges that enter State waters,
2 and supplementing P.L.1976, c.141 (C.58:10-23.11 et seq.).

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

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7 1. a. Any person who discharges a hazardous substance from
8 a drilling platform, or is in any way responsible for a hazardous
9 substance that is discharged from a drilling platform, into the waters
10 outside the jurisdiction of the State, that enters the waters of the
11 State, shall be liable, strictly, jointly and severally, without regard
12 to fault, for:

13 (1) cleanup and removal costs;

14 (2) damages for injury to, destruction of, loss of, or loss of use
15 of natural resources, including costs of assessing the damage;

16 (3) damages for injury to, or economic losses resulting from,
17 destruction of real or personal property; and

18 (4) damages for loss of profits or impairment of earning
19 capacity due to the injury, destruction, or loss of real or personal
20 property, or natural resources.

21 b. Nothing in this section shall limit the liability pursuant to
22 any other State law, or rule or regulation, or federal law of any
23 person who discharges a hazardous substance, or is in any way
24 responsible for a hazardous substance that is discharged, that enters
25 the waters of the State.

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27 2. This act shall take effect immediately.

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STATEMENT

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32 This bill provides that any person who discharges a hazardous
33 substance from a drilling platform, or is in any way responsible for
34 a hazardous substance that is discharged from a drilling platform,
35 into the waters outside the jurisdiction of the State, that enters the
36 waters of the State, shall be liable, strictly, jointly and severally,
37 without regard to fault: for cleanup and removal costs; damages for
38 injury to, destruction of, loss of, or loss of use of natural resources,
39 including costs of assessing the damage; damages for injury to, or
40 economic losses resulting from, destruction of real or personal
41 property; and damages for loss of profits or impairment of earning
42 capacity due to the injury, destruction, or loss of real or personal
43 property, or natural resources. In addition, this bill provides that
44 the liability imposed pursuant to this bill would not in any way limit
45 liability that otherwise may be imposed under any other State or
46 federal law.