ASSEMBLY, No. 3621

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 5, 2020

Sponsored by:
Assemblywoman ANNETTE QUIJANO
District 20 (Union)

SYNOPSIS

Requires municipal governing body approval of agreement between police force and private outdoor video surveillance camera company.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning private outdoor video surveillance and amending P.L.2015, c.142.

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

1. Section 2 of P.L.2015, c.142 (C.40:48-1.7) is amended to read as follows:

2. a. A municipality may enact an ordinance to establish a private outdoor video surveillance camera registry and to allow any person who owns a private outdoor video surveillance camera on a residential or business property in the municipality to voluntarily register the camera with the municipal police department or force for the purpose of assisting law enforcement investigations of criminal activity that occurred within the vicinity of the camera's location. The ordinance shall provide that registration of a camera does not constitute a waiver of any rights granted under the Constitution of the United States or the State of New Jersey. <u>The ordinance shall further provide that the municipal police department or force shall not enter into a video-sharing contract, partnership, or any other agreement or arrangement with a private outdoor video surveillance camera business unless the municipal governing body has first approved, by resolution, of the agreement or arrangement.</u>

b. The municipal ordinance shall require the following information to be included in the private outdoor video surveillance camera registry:

(1) the name of the person who owns the camera;

(2) the most recent contact information, including the street address and telephone number of the person who owns the camera;

(3) the street address of the residence or business where the camera is installed;

(4) the number of cameras located at the residence or business;

(5) the outdoor areas recorded by the camera;

(6) the means by which the camera's footage is saved or stored, and the duration of time for which the footage is saved or stored; and

(7) any additional information the municipality deems necessary.

c. Information stored in the municipal registry pursuant to subsection b. of this section shall be available for the exclusive use by law enforcement officials to investigate criminal activity within the vicinity of the camera's location. Information stored in the registry shall not be considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or common law concerning access to public records and shall

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 <u>thus</u> is new matter.

not be discoverable as a public record by any person, entity, or governmental agency, except upon a subpoena issued by a grand jury or a court order in a criminal matter.

d. A State, county, or municipal law enforcement agency may contact a person whose information appears in the municipal registry established pursuant to subsection a. of this section, in order to request access to any camera's footage which may assist an investigation of criminal activity that occurred within the vicinity of the camera's location. A person who registers a camera with a municipal police department or force shall not be required to submit the camera's footage to a law enforcement agency, unless otherwise required by law.

e. As used in **[**this act**]** P.L.2015, c.142 (C.40:48-1.6 et seq.), "private outdoor video surveillance camera" or "camera" means a device installed outside a residence or business, which, for security purposes, captures footage of an area outside the residence or business.

(cf: P.L.2015, c.142, s.2)

2. This act shall take effect immediately.

STATEMENT

This bill would require municipal governing body approval before a municipal police force may enter into a video-sharing agreement or arrangement with a private outdoor video surveillance camera company. This bill would provide local elected officials with the opportunity to exercise oversight over these relationships to make sure they are consistent with the community’s values.