

SENATE, No. 3627

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED APRIL 19, 2021

Sponsored by:

Senator HOLLY T. SCHEPISI

District 39 (Bergen and Passaic)

SYNOPSIS

Exempts personal identifying information of minor from disclosure in public record; requires information to be redacted.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning the disclosure of certain information in public
2 records and amending P.L.1995, c.23 and P.L.2001, c.404.

3

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

6

7 1. Section 1 of P.L.1995, c.23 (C.47:1A-1.1) is amended to read
8 as follows:

9 1. As used in P.L.1963, c.73 (C.47:1A-1 et seq.) as amended
10 and supplemented:

11 "Biotechnology" means any technique that uses living
12 organisms, or parts of living organisms, to make or modify
13 products, to improve plants or animals, or to develop micro-
14 organisms for specific uses; including the industrial use of
15 recombinant DNA, cell fusion, and novel bioprocessing techniques.

16 "Custodian of a government record" or "custodian" means in the
17 case of a municipality, the municipal clerk and in the case of any
18 other public agency, the officer officially designated by formal
19 action of that agency's director or governing body, as the case may
20 be.

21 "Government record" or "record" means any paper, written or
22 printed book, document, drawing, map, plan, photograph,
23 microfilm, data processed or image processed document,
24 information stored or maintained electronically or by sound-
25 recording or in a similar device, or any copy thereof, that has been
26 made, maintained or kept on file in the course of his or its official
27 business by any officer, commission, agency or authority of the
28 State or of any political subdivision thereof, including subordinate
29 boards thereof, or that has been received in the course of his or its
30 official business by any such officer, commission, agency, or
31 authority of the State or of any political subdivision thereof,
32 including subordinate boards thereof. The terms shall not include
33 inter-agency or intra-agency advisory, consultative, or deliberative
34 material.

35 A government record shall not include the following information
36 which is deemed to be confidential for the purposes of P.L.1963,
37 c.73 (C.47:1A-1 et seq.) as amended and supplemented:

38 information received by a member of the Legislature from a
39 constituent or information held by a member of the Legislature
40 concerning a constituent, including but not limited to information in
41 written form or contained in any e-mail or computer data base, or in
42 any telephone record whatsoever, unless it is information the
43 constituent is required by law to transmit;

44 any memorandum, correspondence, notes, report or other
45 communication prepared by, or for, the specific use of a member of

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 thus is new matter.

1 the Legislature in the course of the member's official duties, except
2 that this provision shall not apply to an otherwise publicly-
3 accessible report which is required by law to be submitted to the
4 Legislature or its members;

5 any copy, reproduction or facsimile of any photograph, negative
6 or print, including instant photographs and videotapes of the body,
7 or any portion of the body, of a deceased person, taken by or for the
8 medical examiner at the scene of death or in the course of a post
9 mortem examination or autopsy made by or caused to be made by
10 the medical examiner except:

11 when used in a criminal action or proceeding in this State which
12 relates to the death of that person,

13 for the use as a court of this State permits, by order after good
14 cause has been shown and after written notification of the request
15 for the court order has been served at least five days before the
16 order is made upon the county prosecutor for the county in which
17 the post mortem examination or autopsy occurred,

18 for use in the field of forensic pathology or for use in medical or
19 scientific education or research, or

20 for use by any law enforcement agency in this State or any other
21 state or federal law enforcement agency;

22 criminal investigatory records;

23 the portion of any criminal record concerning a person's
24 detection, apprehension, arrest, detention, trial or disposition for
25 unlawful manufacturing, distributing, or dispensing, or possessing
26 or having under control with intent to manufacture, distribute, or
27 dispense, marijuana or hashish in violation of paragraph (11) of
28 subsection b. of N.J.S.2C:35-5, or a lesser amount of marijuana or
29 hashish in violation of paragraph (12) of subsection b. of that
30 section, or a violation of either of those paragraphs and a violation
31 of subsection a. of section 1 of P.L.1987, c.101 (C.2C:35-7) or
32 subsection a. of section 1 of P.L.1997, c.327 (C.2C:35-7.1) for
33 distributing, dispensing, or possessing, or having under control with
34 intent to distribute or dispense, on or within 1,000 feet of any
35 school property, or on or within 500 feet of the real property
36 comprising a public housing facility, public park, or public
37 building, or for obtaining, possessing, using, being under the
38 influence of, or failing to make lawful disposition of marijuana or
39 hashish in violation of paragraph (3) or (4) of subsection a., or
40 subsection b., or subsection c. of N.J.S.2C:35-10, or for a violation
41 of any of those provisions and a violation of N.J.S.2C:36-2 for
42 using or possessing with intent to use drug paraphernalia with that
43 marijuana or hashish;

44 victims' records, except that a victim of a crime shall have access
45 to the victim's own records;

46 any written request by a crime victim for a record to which the
47 victim is entitled to access as provided in this section, including,
48 but not limited to, any law enforcement agency report, domestic

1 violence offense report, and temporary or permanent restraining
2 order;

3 personal firearms records, except for use by any person
4 authorized by law to have access to these records or for use by any
5 government agency, including any court or law enforcement
6 agency, for purposes of the administration of justice;

7 personal identifying information received by the Division of Fish
8 and Wildlife in the Department of Environmental Protection in
9 connection with the issuance of any license authorizing hunting
10 with a firearm. For the purposes of this paragraph, personal
11 identifying information shall include, but not be limited to, identity,
12 name, address, social security number, telephone number, fax
13 number, driver's license number, email address, or social media
14 address of any applicant or licensee;

15 trade secrets and proprietary commercial or financial information
16 obtained from any source. For the purposes of this paragraph, trade
17 secrets shall include data processing software obtained by a public
18 body under a licensing agreement which prohibits its disclosure;

19 any record within the attorney-client privilege. This paragraph
20 shall not be construed as exempting from access attorney or
21 consultant bills or invoices except that such bills or invoices may be
22 redacted to remove any information protected by the attorney-client
23 privilege;

24 administrative or technical information regarding computer
25 hardware, software and networks which, if disclosed, would
26 jeopardize computer security;

27 emergency or security information or procedures for any
28 buildings or facility which, if disclosed, would jeopardize security
29 of the building or facility or persons therein;

30 security measures and surveillance techniques which, if
31 disclosed, would create a risk to the safety of persons, property,
32 electronic data or software;

33 information which, if disclosed, would give an advantage to
34 competitors or bidders;

35 information generated by or on behalf of public employers or
36 public employees in connection with any sexual harassment
37 complaint filed with a public employer or with any grievance filed
38 by or against an individual or in connection with collective
39 negotiations, including documents and statements of strategy or
40 negotiating position;

41 information which is a communication between a public agency
42 and its insurance carrier, administrative service organization or risk
43 management office;

44 information which is to be kept confidential pursuant to court
45 order;

46 any copy of form DD-214, NGB-22, or that form, issued by the
47 United States Government, or any other certificate of honorable
48 discharge, or copy thereof, from active service or the reserves of a

1 branch of the Armed Forces of the United States, or from service in
2 the organized militia of the State, that has been filed by an
3 individual with a public agency, except that a veteran or the
4 veteran's spouse or surviving spouse shall have access to the
5 veteran's own records;

6 any copy of an oath of allegiance, oath of office or any
7 affirmation taken upon assuming the duties of any public office, or
8 that oath or affirmation, taken by a current or former officer or
9 employee in any public office or position in this State or in any
10 county or municipality of this State, including members of the
11 Legislative Branch, Executive Branch, Judicial Branch, and all law
12 enforcement entities, except that the full name, title, and oath date
13 of that person contained therein shall not be deemed confidential;

14 that portion of any document which discloses the social security
15 number, credit card number, unlisted telephone number or driver
16 license number of any person, or that portion of any document
17 which discloses the home address, whether a primary or secondary
18 residence, of any active, formerly active, or retired judicial officer
19 or prosecutor, and any active, formerly active, or retired law
20 enforcement officer; except for use by any government agency,
21 including any court or law enforcement agency, in carrying out its
22 functions, or any private person or entity acting on behalf thereof,
23 or any private person or entity seeking to enforce payment of court-
24 ordered child support; except with respect to the disclosure of driver
25 information by the New Jersey Motor Vehicle Commission as
26 permitted by section 2 of P.L.1997, c.188 (C.39:2-3.4); and except
27 that a social security number contained in a record required by law
28 to be made, maintained or kept on file by a public agency shall be
29 disclosed when access to the document or disclosure of that
30 information is not otherwise prohibited by State or federal law,
31 regulation or order or by State statute, resolution of either or both
32 houses of the Legislature, Executive Order of the Governor, rule of
33 court or regulation promulgated under the authority of any statute or
34 executive order of the Governor;

35 a list of persons identifying themselves as being in need of
36 special assistance in the event of an emergency maintained by a
37 municipality for public safety purposes pursuant to section 1 of
38 P.L.2017, c.266 (C.40:48-2.67); **and**

39 a list of persons identifying themselves as being in need of
40 special assistance in the event of an emergency maintained by a
41 county for public safety purposes pursuant to section 6 of P.L.2011,
42 c.178 (C.App.A:9-43.13); and

43 that portion of any document that discloses personal identifying
44 information of persons under the age of 18 years, except with
45 respect to the disclosure of driver information by the New Jersey
46 Motor Vehicle Commission as permitted by section 2 of P.L.1997,
47 c.188 (C.39:2-3.4).

1 A government record shall not include, with regard to any public
2 institution of higher education, the following information which is
3 deemed to be privileged and confidential:

4 pedagogical, scholarly and/or academic research records and/or
5 the specific details of any research project conducted under the
6 auspices of a public higher education institution in New Jersey,
7 including, but not limited to research, development information,
8 testing procedures, or information regarding test participants,
9 related to the development or testing of any pharmaceutical or
10 pharmaceutical delivery system, except that a custodian may not
11 deny inspection of a government record or part thereof that gives
12 the name, title, expenditures, source and amounts of funding and
13 date when the final project summary of any research will be
14 available;

15 test questions, scoring keys and other examination data
16 pertaining to the administration of an examination for employment
17 or academic examination;

18 records of pursuit of charitable contributions or records
19 containing the identity of a donor of a gift if the donor requires non-
20 disclosure of the donor's identity as a condition of making the gift
21 provided that the donor has not received any benefits of or from the
22 institution of higher education in connection with such gift other
23 than a request for memorialization or dedication;

24 valuable or rare collections of books or documents obtained by
25 gift, grant, bequest or devise conditioned upon limited public
26 access;

27 information contained on individual admission applications; and
28 information concerning student records or grievance or
29 disciplinary proceedings against a student to the extent disclosure
30 would reveal the identity of the student.

31 "Personal firearms record" means any information contained in a
32 background investigation conducted by the chief of police, the
33 county prosecutor, or the Superintendent of State Police, of any
34 applicant for a permit to purchase a handgun, firearms identification
35 card license, or firearms registration; any application for a permit to
36 purchase a handgun, firearms identification card license, or firearms
37 registration; any document reflecting the issuance or denial of a
38 permit to purchase a handgun, firearms identification card license,
39 or firearms registration; and any permit to purchase a handgun,
40 firearms identification card license, or any firearms license,
41 certification, certificate, form of register, or registration statement.
42 For the purposes of this paragraph, information contained in a
43 background investigation shall include, but not be limited to,
44 identity, name, address, social security number, phone number, fax
45 number, driver's license number, email address, social media
46 address of any applicant, licensee, registrant or permit holder.

47 "Public agency" or "agency" means any of the principal
48 departments in the Executive Branch of State Government, and any

1 division, board, bureau, office, commission or other instrumentality
2 within or created by such department; the Legislature of the State
3 and any office, board, bureau or commission within or created by
4 the Legislative Branch; and any independent State authority,
5 commission, instrumentality or agency. The terms also mean any
6 political subdivision of the State or combination of political
7 subdivisions, and any division, board, bureau, office, commission or
8 other instrumentality within or created by a political subdivision of
9 the State or combination of political subdivisions, and any
10 independent authority, commission, instrumentality or agency
11 created by a political subdivision or combination of political
12 subdivisions.

13 "Law enforcement agency" means a public agency, or part
14 thereof, determined by the Attorney General to have law
15 enforcement responsibilities.

16 "Constituent" means any State resident or other person
17 communicating with a member of the Legislature.

18 "Judicial officer" means any active, formerly active, or retired
19 federal, state, county, or municipal judge, including a judge of the
20 Tax Court and any other court of limited jurisdiction established,
21 altered, or abolished by law, a judge of the Office of Administrative
22 Law, a judge of the Division of Workers' Compensation, and any
23 other judge established by law who serves in the executive branch.

24 "Member of the Legislature" means any person elected or
25 selected to serve in the New Jersey Senate or General Assembly.

26 "Criminal investigatory record" means a record which is not
27 required by law to be made, maintained or kept on file that is held
28 by a law enforcement agency which pertains to any criminal
29 investigation or related civil enforcement proceeding.

30 "Victim's record" means an individually-identifiable file or
31 document held by a victims' rights agency which pertains directly to
32 a victim of a crime except that a victim of a crime shall have access
33 to the victim's own records.

34 "Victim of a crime" means a person who has suffered personal or
35 psychological injury or death or incurs loss of or injury to personal
36 or real property as a result of a crime, or if such a person is
37 deceased or incapacitated, a member of that person's immediate
38 family.

39 "Victims' rights agency" means a public agency, or part thereof,
40 the primary responsibility of which is providing services, including
41 but not limited to food, shelter, or clothing, medical, psychiatric,
42 psychological or legal services or referrals, information and referral
43 services, counseling and support services, or financial services to
44 victims of crimes, including victims of sexual assault, domestic
45 violence, violent crime, child endangerment, child abuse or child
46 neglect, and the Victims of Crime Compensation Board, established
47 pursuant to P.L.1971, c.317 (C.52:4B-1 et seq.) and continued as

1 the Victims of Crime Compensation Office pursuant to P.L.2007,
2 c.95 (C.52:4B-3.2 et al.) and Reorganization Plan No. 001-2008.
3 (cf: P.L.2021, c.24, s.1)
4

5 2. Section 6 of P.L.2001, c.404 (C.47:1A-5) is amended to read
6 as follows:

7 6. a. The custodian of a government record shall permit the
8 record to be inspected, examined, and copied by any person during
9 regular business hours; or in the case of a municipality having a
10 population of 5,000 or fewer according to the most recent federal
11 decennial census, a board of education having a total district
12 enrollment of 500 or fewer, or a public authority having less than
13 \$10 million in assets, during not less than six regular business hours
14 over not less than three business days per week or the entity's
15 regularly-scheduled business hours, whichever is less; unless a
16 government record is exempt from public access by: P.L.1963, c.73
17 (C.47:1A-1 et seq.) as amended and supplemented; any other
18 statute; resolution of either or both houses of the Legislature;
19 regulation promulgated under the authority of any statute or
20 Executive Order of the Governor; Executive Order of the Governor;
21 Rules of Court; any federal law; federal regulation; or federal order.

22 Prior to allowing access to any government record, the custodian
23 thereof shall redact from that record any information which
24 discloses the social security number, credit card number, unlisted
25 telephone number, or driver license number of any person, and any
26 personal identify information of a person under the age of 18 years,
27 or the home address, whether a primary or secondary residence, of
28 any active, formerly active, or retired judicial officer or prosecutor,
29 and any active, formerly active, or retired law enforcement officer;
30 except for use by any government agency, including any court or
31 law enforcement agency, in carrying out its functions, or any
32 private person or entity acting on behalf thereof, or any private
33 person or entity seeking to enforce payment of court-ordered child
34 support; except with respect to the disclosure of driver information
35 by the New Jersey Motor Vehicle Commission as permitted by
36 section 2 of P.L.1997, c.188 (C.39:2-3.4); and except that a social
37 security number contained in a record required by law to be made,
38 maintained or kept on file by a public agency shall be disclosed
39 when access to the document or disclosure of that information is not
40 otherwise prohibited by State or federal law, regulation or order or
41 by State statute, resolution of either or both houses of the
42 Legislature, Executive Order of the Governor, rule of court or
43 regulation promulgated under the authority of any statute or
44 executive order of the Governor. Except where an agency can
45 demonstrate an emergent need, a regulation that limits access to
46 government records shall not be retroactive in effect or applied to
47 deny a request for access to a government record that is pending

1 before the agency, the council or a court at the time of the adoption
2 of the regulation.

3 b. (1) A copy or copies of a government record may be
4 purchased by any person upon payment of the fee prescribed by law
5 or regulation. Except as otherwise provided by law or regulation
6 and except as provided in paragraph (2) of this subsection, the fee
7 assessed for the duplication of a government record embodied in the
8 form of printed matter shall be \$0.05 per letter size page or smaller,
9 and \$0.07 per legal size page or larger. If a public agency can
10 demonstrate that its actual costs for duplication of a government
11 record exceed the foregoing rates, the public agency shall be
12 permitted to charge the actual cost of duplicating the record. The
13 actual cost of duplicating the record, upon which all copy fees are
14 based, shall be the cost of materials and supplies used to make a
15 copy of the record, but shall not include the cost of labor or other
16 overhead expenses associated with making the copy except as
17 provided for in subsection c. of this section. Access to electronic
18 records and non-printed materials shall be provided free of charge,
19 but the public agency may charge for the actual costs of any needed
20 supplies such as computer discs.

21 (2) No fee shall be charged to a victim of a crime for a copy or
22 copies of a record to which the crime victim is entitled to access, as
23 provided in section 1 of P.L.1995, c.23 (C.47:1A-1.1).

24 c. Whenever the nature, format, manner of collation, or volume
25 of a government record embodied in the form of printed matter to
26 be inspected, examined, or copied pursuant to this section is such
27 that the record cannot be reproduced by ordinary document copying
28 equipment in ordinary business size or involves an extraordinary
29 expenditure of time and effort to accommodate the request, the
30 public agency may charge, in addition to the actual cost of
31 duplicating the record, a special service charge that shall be
32 reasonable and shall be based upon the actual direct cost of
33 providing the copy or copies; provided, however, that in the case of
34 a municipality, rates for the duplication of particular records when
35 the actual cost of copying exceeds the foregoing rates shall be
36 established in advance by ordinance. The requestor shall have the
37 opportunity to review and object to the charge prior to it being
38 incurred.

39 d. A custodian shall permit access to a government record and
40 provide a copy thereof in the medium requested if the public agency
41 maintains the record in that medium. If the public agency does not
42 maintain the record in the medium requested, the custodian shall
43 either convert the record to the medium requested or provide a copy
44 in some other meaningful medium. If a request is for a record: (1)
45 in a medium not routinely used by the agency; (2) not routinely
46 developed or maintained by an agency; or (3) requiring a substantial
47 amount of manipulation or programming of information technology,
48 the agency may charge, in addition to the actual cost of duplication,

1 a special charge that shall be reasonable and shall be based on the
2 cost for any extensive use of information technology, or for the
3 labor cost of personnel providing the service, that is actually
4 incurred by the agency or attributable to the agency for the
5 programming, clerical, and supervisory assistance required, or both.

6 e. Immediate access ordinarily shall be granted to budgets,
7 bills, vouchers, contracts, including collective negotiations
8 agreements and individual employment contracts, and public
9 employee salary and overtime information.

10 f. The custodian of a public agency shall adopt a form for the
11 use of any person who requests access to a government record held
12 or controlled by the public agency. The form shall provide space
13 for the name, address, and phone number of the requestor and a
14 brief description of the government record sought. The form shall
15 include space for the custodian to indicate which record will be
16 made available, when the record will be available, and the fees to be
17 charged. The form shall also include the following: (1) specific
18 directions and procedures for requesting a record; (2) a statement as
19 to whether prepayment of fees or a deposit is required; (3) the time
20 period within which the public agency is required by P.L.1963, c.73
21 (C.47:1A-1 et seq.) as amended and supplemented, to make the
22 record available; (4) a statement of the requestor's right to challenge
23 a decision by the public agency to deny access and the procedure
24 for filing an appeal; (5) space for the custodian to list reasons if a
25 request is denied in whole or in part; (6) space for the requestor to
26 sign and date the form; (7) space for the custodian to sign and date
27 the form if the request is fulfilled or denied. The custodian may
28 require a deposit against costs for reproducing documents sought
29 through an anonymous request whenever the custodian anticipates
30 that the information thus requested will cost in excess of \$5 to
31 reproduce.

32 g. A request for access to a government record shall be in
33 writing and hand-delivered, mailed, transmitted electronically, or
34 otherwise conveyed to the appropriate custodian. A custodian shall
35 promptly comply with a request to inspect, examine, copy, or
36 provide a copy of a government record. If the custodian is unable
37 to comply with a request for access, the custodian shall indicate the
38 specific basis therefor on the request form and promptly return it to
39 the requestor. The custodian shall sign and date the form and
40 provide the requestor with a copy thereof. If the custodian of a
41 government record asserts that part of a particular record is exempt
42 from public access pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.)
43 as amended and supplemented, the custodian shall delete or excise
44 from a copy of the record that portion which the custodian asserts is
45 exempt from access and shall promptly permit access to the
46 remainder of the record. If the government record requested is
47 temporarily unavailable because it is in use or in storage, the
48 custodian shall so advise the requestor and shall make arrangements

1 to promptly make available a copy of the record. If a request for
2 access to a government record would substantially disrupt agency
3 operations, the custodian may deny access to the record after
4 attempting to reach a reasonable solution with the requestor that
5 accommodates the interests of the requestor and the agency.

6 h. Any officer or employee of a public agency who receives a
7 request for access to a government record shall forward the request
8 to the custodian of the record or direct the requestor to the
9 custodian of the record.

10 i. (1) Unless a shorter time period is otherwise provided by
11 statute, regulation, or executive order, a custodian of a government
12 record shall grant access to a government record or deny a request
13 for access to a government record as soon as possible, but not later
14 than seven business days after receiving the request, provided that
15 the record is currently available and not in storage or archived. In
16 the event a custodian fails to respond within seven business days
17 after receiving a request, the failure to respond shall be deemed a
18 denial of the request, unless the requestor has elected not to provide
19 a name, address or telephone number, or other means of contacting
20 the requestor. If the requestor has elected not to provide a name,
21 address, or telephone number, or other means of contacting the
22 requestor, the custodian shall not be required to respond until the
23 requestor reappears before the custodian seeking a response to the
24 original request. If the government record is in storage or archived,
25 the requestor shall be so advised within seven business days after
26 the custodian receives the request. The requestor shall be advised
27 by the custodian when the record can be made available. If the
28 record is not made available by that time, access shall be deemed
29 denied.

30 (2) During a period declared pursuant to the laws of this State as
31 a state of emergency, public health emergency, or state of local
32 disaster emergency, the deadlines by which to respond to a request
33 for, or grant or deny access to, a government record under
34 paragraph (1) of this subsection or subsection e. of this section shall
35 not apply, provided, however, that the custodian of a government
36 record shall make a reasonable effort, as the circumstances permit,
37 to respond to a request for access to a government record within
38 seven business days or as soon as possible thereafter.

39 j. A custodian shall post prominently in public view in the part
40 or parts of the office or offices of the custodian that are open to or
41 frequented by the public a statement that sets forth in clear, concise
42 and specific terms the right to appeal a denial of, or failure to
43 provide, access to a government record by any person for
44 inspection, examination, or copying or for purchase of copies
45 thereof and the procedure by which an appeal may be filed.

46 k. The files maintained by the Office of the Public Defender
47 that relate to the handling of any case shall be considered

1 confidential and shall not be open to inspection by any person
2 unless authorized by law, court order, or the State Public Defender.
3 (cf: P.L.2021, c.24, s.2)

4
5 3. Section 11 of P.L.2001, c.404 (C.47:1A-10) is amended to
6 read as follows:

7 11. Notwithstanding the provisions of P.L.1963, c.73 (C.47:1A-
8 1 et seq.) or any other law to the contrary, the personnel or pension
9 records of any individual in the possession of a public agency,
10 including but not limited to records relating to any grievance filed
11 by or against an individual, shall not be considered a government
12 record and shall not be made available for public access, except
13 that:

14 an individual's name, excluding the name of an individual under
15 the age of 18 years, title, position, salary, payroll record, length of
16 service, date of separation and the reason therefor, and the amount
17 and type of any pension received shall be a government record;

18 personnel or pension records of any individual shall be
19 accessible when required to be disclosed by another law, when
20 disclosure is essential to the performance of official duties of a
21 person duly authorized by this State or the United States, or when
22 authorized by an individual in interest; and

23 data contained in information which disclose conformity with
24 specific experiential, educational or medical qualifications required
25 for government employment or for receipt of a public pension, but
26 not including any detailed medical or psychological information,
27 shall be a government record.

28 (cf: P.L.2001, c.404, s.11)

29
30 4. This act shall take effect immediately.

31 32 33 STATEMENT

34
35 This bill requires a records custodian to redact any personal
36 identifying information of a person under the age of 18 years prior
37 to allowing access to any government record, subject to certain
38 exceptions in statutory law. The bill excludes that information from
39 the definition of a "government record," and excludes the name of
40 persons under the age of 18 years from disclosure in certain
41 personnel and pension records.

42 The information would still be subject to disclosure when used
43 by a government agency, court, or law enforcement agency in
44 carrying out its functions; when used by a private person or entity
45 seeking to enforce payment of court-ordered child support; when
46 circumstances involve the disclosure of driver information by the
47 New Jersey Motor Vehicle Commission under N.J.S.A.39:2-3.4;
48 and when the information involves a social security number

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- 1 contained in a record required by law to be made, maintained or
- 2 kept on file, if disclosure is not otherwise prohibited by law.