

[First Reprint]

**ASSEMBLY, No. 3897**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

INTRODUCED FEBRUARY 27, 2024

**Sponsored by:**

**Assemblyman WILLIAM F. MOEN, JR.**

**District 5 (Camden and Gloucester)**

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**District 20 (Union)**

**Assemblyman REGINALD W. ATKINS**

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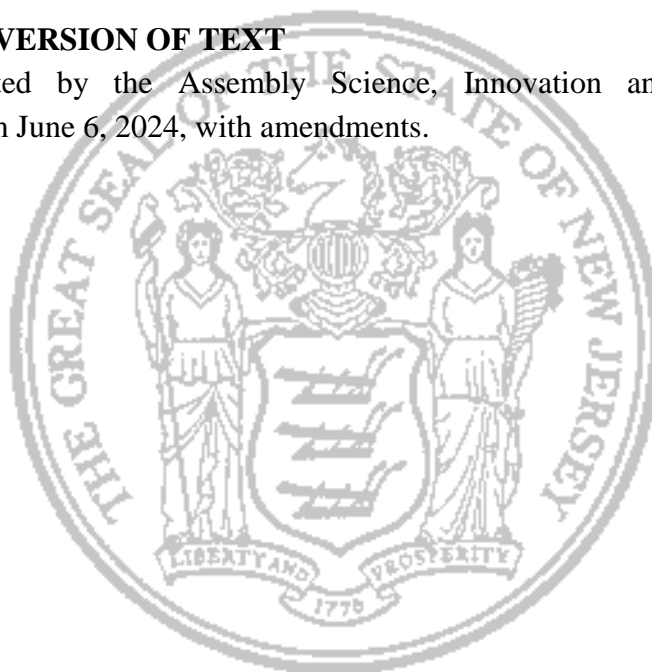
**Assemblymen Karabinchak and Sampson**

**SYNOPSIS**

Requires municipalities, counties, and school districts to report cybersecurity incidents.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Science, Innovation and Technology Committee on June 6, 2024, with amendments.



**(Sponsorship Updated As Of: 12/9/2024)**

1 AN ACT requiring municipalities, counties, and school districts to  
2 report certain cybersecurity incidents and supplementing  
3 <sup>1</sup>[chapter 17B of]<sup>1</sup> Title 52 of the Revised Statutes.

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

7  
8 1. As used in <sup>1</sup>[this act] P.L. , c. (C. ) (pending before  
9 the Legislature as this bill)<sup>1</sup>:

10 “Cybersecurity incident” means an event occurring on or  
11 conducted through a computer network that jeopardizes the  
12 integrity, confidentiality, or availability of, or information residing  
13 on, computers, information systems, communications systems  
14 networks, physical or virtual infrastructure controlled by computers  
15 or information systems.

16 “Department” means the Department of Law and Public Safety.

17 “Governing body” means the body exercising general legislative  
18 powers in a county or municipality according to the terms and  
19 procedural requirements set forth in the form of government  
20 adopted by the county or municipality.

21 “Information resource” means information and related resources,  
22 such as personnel, equipment, funds, and information technology.

23 “Information system” means a discrete set of information  
24 resources organized for the collection, processing, maintenance,  
25 use, sharing, dissemination, or disposition of information.

26 “New Jersey Cybersecurity and Communications Integration  
27 Cell” means the New Jersey Cybersecurity and Communications  
28 Integration Cell established pursuant to Executive Order No. 178 of  
29 2015 in the New Jersey Office of Homeland Security and  
30 Preparedness, or any successor entity.

31 “School district” means a local or regional school district  
32 established pursuant to chapter 8 or chapter 13 of Title 18A of the  
33 New Jersey Statutes, a county special services school district  
34 established pursuant to article 8 of chapter 46 of Title 18A of the  
35 New Jersey Statutes, a county vocational school district established  
36 pursuant to article 3 of chapter 54 of Title 18A of the New Jersey  
37 Statutes, and a district under full State intervention pursuant to  
38 P.L.1987, c.399 (C.18A:7A-34 et al.).

39

40 2. a. The Attorney General, in consultation with the New  
41 Jersey Cybersecurity and Communications Integration Cell, shall  
42 develop an online cybersecurity incident reporting form on the New  
43 Jersey Cybersecurity and Communications Integration Cell’s  
44 Internet website, specifically for use by a designated employee of:

45 (1) a governing body of a municipality;

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AST committee amendments adopted June 6, 2024.

1 (2) a governing body of a county; or

2 (3) a school district.

3 b. A designated employee of a municipality, county, or school  
4 district that has been made aware of a cybersecurity incident shall  
5 promptly complete and submit a cybersecurity incident online form  
6 developed pursuant to subsection a. of this section if the  
7 cybersecurity incident has:

8 (1) compromised the confidentiality, integrity, availability, or  
9 privacy of the billing, communications, data management or  
10 information systems, or the information resources thereon, of a  
11 municipality, county, or school district where the employee works;  
12 or

13 (2) compromised a municipality's, county's, or school district's  
14 industrial control system, if applicable, including monitoring  
15 operations, and centralized control systems, that adversely  
16 impacted, disabled, or manipulated infrastructure, resulting in loss  
17 of service or damage to infrastructure.

18 c. No later than 30 days after receiving a cybersecurity incident  
19 reporting form that has been submitted through the online form  
20 developed pursuant to subsection a. of this section, the New Jersey  
21 Cybersecurity and Communications Integration Cell shall contract  
22 with an independent cybersecurity company to audit the  
23 cybersecurity program of the municipality, county, or school district  
24 that submitted the form and to audit any actions the municipality,  
25 county, or school district took in response to the cybersecurity  
26 incident.

27 d. The audit of a municipality, county, or school district  
28 required pursuant to subsection c. of this section shall be provided  
29 by the independent cybersecurity company to the municipality,  
30 county, or school district, and shall identify:

31 (1) cyber threats and vulnerabilities to a municipality, county, or  
32 school district;

33 (2) weaknesses in the municipality's, county's, or school  
34 district's cybersecurity program; and

35 (3) strategies to address those weaknesses as to protect the  
36 municipality, county, or school district from the threat of future  
37 cybersecurity incidents.

38 e. The audit required pursuant to subsection c. of this section  
39 shall be conducted by a qualified and independent cybersecurity  
40 company and shall be paid for by the department.

41 f. Following an audit required pursuant to subsection c. of this  
42 section, the governing body of a municipality or county, or a school  
43 district, shall submit the audit and any corrective action plans  
44 derived from the audit to the New Jersey Cybersecurity and  
45 Communications Integration Cell.

46 g. A municipality, county, or school district may apply to the  
47 department, in a form and manner to be determined by the  
48 department, for reimbursement for any other costs incurred pursuant

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1 to the requirements of P.L. , c. (C. ) (pending before the  
2 Legislature as this bill).

3 h. Information collected and shared by a municipality, county,  
4 or school district concerning the cybersecurity incident reported  
5 pursuant to subsection b. of this section, the audit required pursuant  
6 to subsection c. of this section, and any corrective action plan  
7 derived therefrom, shall be exempt from disclosure pursuant to the  
8 provisions of P.L.1963, c.73 (C.47:1A-1 et seq.), commonly known  
9 as the open public records act.

10

11 3. This act shall take effect immediately.