

ASSEMBLY, No. 1454

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman PAUL D. MORIARTY

District 4 (Camden and Gloucester)

Assemblyman ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Co-Sponsored by:

**Assemblywoman Mosquera, Assemblymen Johnson, Space, McKeon,
Wirths and Assemblywoman Lopez**

SYNOPSIS

Requires independent State authority member to disclose contractual relationship between authority and authority member's relatives.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning disclosure by independent State authority
2 members of certain information and supplementing Title 52 of
3 the Revised Statutes.
4

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

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8 1. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 “Independent State authority” means a public authority, board,
11 commission, corporation, or other agency or instrumentality of the
12 State allocated, in but not of, a principal department of State
13 government pursuant to Article V, Section IV, paragraph 1 of the
14 New Jersey Constitution, or which is not subject to supervision or
15 control by the department in which it is allocated, and a regional
16 authority, but shall not include a college or university.

17 “Member” means the member of an independent State authority
18 or board thereof.

19 “Regional authority” means and includes the Passaic Valley
20 sewerage commissioners or any successor entity and the North
21 Jersey district water supply commission or any successor entity.

22 “Relative” means the spouse, domestic partner as defined in
23 section 3 of P.L.2003, c.246 (C.26:8A-3), parent, grandparent,
24 child, foster-child, grandchild, brother, sister, stepparent, cousin,
25 stepchild, stepbrother, stepsister, half-brother, or half-sister, aunt, or
26 uncle of any current authority member whether related by blood,
27 marriage, or adoption.
28

29 2. a. A person serving as a member of an independent State
30 authority shall report to the State Ethics Commission the existence
31 of a contractual relationship between a relative of the member and
32 the authority.

33 b. (1) A member shall report to the State Ethics Commission,
34 pursuant to subsection a. of this section, within 30 days of: (a) the
35 appointment of the member if, upon such appointment, a relative of
36 the member has a contractual relationship with the authority, or (b)
37 the creation of a contractual relationship between the authority and
38 the member’s relative, as appropriate.

39 (2) If, upon or prior to the date of the enactment of P.L. ,
40 c. (C.) (pending before the Legislature as this bill), a
41 contractual relationship exists between the authority and the
42 member’s relative, as of the date of enactment of P.L. ,
43 c. (C.), the member shall report such contractual
44 relationship within 30 days of the enactment of P.L. ,
45 c. (C.).

46 c. A member who violates the provisions of P.L. ,
47 c. (C.) shall be subject to removal from office and shall be
48 liable to a penalty of up to \$5,000, unless the member knew or

1 reasonably should have known the member was in violation of
2 P.L. , c. (C.), in which case the penalty shall be no less
3 than \$5,000 and no more than \$10,000 for each violation. Any
4 penalty imposed pursuant to P.L. , c. (C.) shall be collected
5 or enforced, with costs, in a summary proceeding pursuant to the
6 "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10
7 et seq.).

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9 3. This act shall take effect immediately.

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12 STATEMENT

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15 This bill requires a member of an independent State authority to
16 report to the State Ethics Commission the existence of a contractual
17 relationship between a relative of the member and the authority.

18 A member is required to make the report to the State Ethics
19 Commission within 30 days of the creation of a contractual
20 relationship between the authority and the member's relative, or the
21 member's appointment. If, upon or prior to the date of the bill's
22 enactment, a contractual relationship exists between the authority
23 upon which the member serves and the member's relative, then the
24 member is required to report that information to the State Ethics
25 Commission within 30 days of the bill's enactment.

26 A member who violates the provisions of the bill is subject to
27 removal from office and is liable to a penalty of up to \$5,000,
28 unless the member knew or reasonably should have known the
29 member was in violation, in which case the penalty is to be no less
30 than \$5,000 and no more than \$10,000 for each violation.