

P.L. 1997, CHAPTER 406, *approved January 19, 1998*
Assembly, No. 72 (*Second Reprint*)

1 AN ACT concerning certain children's records and supplementing Title
2 9 of the Revised Statutes.

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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. ¹[Notwithstanding any other provision of law to the contrary,
8 every] Every¹ parent ²[¹, to the extent permitted by federal and State
9 laws concerning privacy. ¹], except as prohibited by federal and State
10 law,² shall have access to records and information pertaining to his or
11 her ¹[minor] unemancipated¹ child, including, but not limited to,
12 medical, dental, insurance, child care and educational records, whether
13 or not the child resides with the parent, unless that access is found by
14 the court to be not in the best interest of the child or the access is
15 found by the court to be sought for the purpose of causing detriment
16 to the other parent.

17 b. The place of residence of either parent shall not appear on any
18 records or information released pursuant to the provisions of this
19 section.

20 c. ²[Any parent] A child's parent, guardian or legal custodian² may
21 petition the court to have ²[the other] a² parent's access to the
22 records limited. If the court, after a hearing, finds that the parent's
23 access to the record is not in the best interest of the child or that the
24 access sought is for the purpose of causing detriment to the other
25 parent, the court may order that access to the records be limited.

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27 ¹[2. The Department of Education shall promulgate rules and
28 regulations pursuant to the "Administrative Procedure Act," P.L.1968,
29 c.410 (C.52:14B-1 et seq.) to effectuate the purpose of this act.]¹

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AJU committee amendments adopted May 20, 1996.

² Senate SWF committee amendments adopted November 18, 1996.

1 ¹[3.] 2.¹ This act shall take effect immediately.

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6 Provides parents access to children's records.