

New Jersey Governor Amends Its Open Public Records Act

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Source: Saiber Client Alert

On June 5, 2024, Governor Phil Murphy signed into law the first comprehensive reform to New Jersey's Open Public Records Act (OPRA) since its passing in 2002. This amendment to the long standing legislation was met with much objection from advocacy groups stating that such reforms diminish the access and transparency of State government action.

Amendments to the legislation narrowly made it through both houses of the legislature in early May and received strong opposition before it landed on the governor's desk. The sponsors of the bill justified these changes by stating that it was a way to curtail harassment by individuals and to allow municipalities to better conduct their business by combating the inundation of OPRA requests that have plagued their operations.

The Bill makes the following changes:

1. encourages municipalities and state agencies to put documents online so they are easily accessible and paper copies will be available if needed for a charge;
2.

new protections on personal information including restrictions on birth dates, email addresses and home addresses;
3.

it no longer guarantees that individuals who win disputed records requests in court will have their legal fees paid by the government agency;
4.

it enables governments to sue people seeking information if they can prove the requests amount to harassment or substantially interrupts the government's ability to conduct its business;
5.

no longer requires immediate access to budgets, bills, vouchers, contracts and public employee salaries and overtime information if that information is more than two years old; and
6.

it extends the seven-day deadline to provide records to as long as two weeks if redactions are required, or three weeks if the records are in storage.



Although the Bill does not outright restrict access to information, it may have an impact on the number and scope of requests made to government entities. If you have any questions about the above alert, please contact DanaLynn Colao or Samuel Rodrigues of Saiber LLC.