

S 4116 -- Redline

Introduced to Committee Substitute -- Requires public participation be allowed as component of certain public meetings.

Deletions ~~struck~~ · Insertions underlined

S4116 SCS SENATE COMMITTEE SUBSTITUTE FOR SENATE, No.

4116 STATE OF NEW JERSEY 222nd LEGISLATURE ~~INTRODUCED~~ADOPTED ~~MAY~~JUNE ~~11~~1, 2026 Sponsored by:

STEINHARDT District 23 (Hunterdon, Somerset and Warren) Senator PARKER SPACE District 24 (Morris, Sussex and Warren) ~~-Co-Sponsored -by: SYNOPSIS Requires public participation be allowed as component of certain public meetings-~~

Senator Moriarty CURRENT VERSION OF TEXTSYNOPSIS ~~As~~Requires introducedpublic participation be allowed as component of certain public meetings.

~~An~~CURRENT ~~Act~~VERSION ~~requiring~~OF ~~public~~TEXT ~~participation~~ ~~be~~Substitute ~~allowed as~~ ~~a~~adopted ~~component of certain public meetings and amending P.L.1975, c.231.~~ ~~Be It Enacted~~ by the Senate Community and General Urban Assembly Affairs of Committee. ~~the State of New Jersey:~~

An Act requiring public participation be allowed as a component of certain public meetings and amending P.L.1975, c.231.

Be It Enacted by the Senate and General Assembly of the State of New Jersey:

~~7-7.~~ a. Except as provided by subsection b.

~~a.~~ of this section all meetings of public bodies shall be open to the public at all times. Nothing in [this act] P.L.1975, c.231 (C.10:4-6 et seq.) shall be construed to limit the discretion of a public body to permit, prohibit, or regulate the active participation of the public at any meeting, except that a municipal governing body, a board of county commissioners, any board, commission, or entity of, or created by, a board of county commissioners, and a board of education shall be required to set aside a portion of every meeting of the [municipal governing body or board of education,] respective entity the length of the portion to be determined by the [municipal governing body or board of education] respective entity, for public comment on any [governmental or school district] issue that a member of the public feels may be of concern to the residents of the [municipality or school district] respective entity.

~~Except as b. provided~~ A by public subsection b. ~~may exclude the public only from that portion of a meeting at which the public body discusses any:~~

~~of this(1) section, all meetings of public bodies shall be open to the public at all times. Nothing in [this act] P.L.1975, c.231 (C.10:4-6 et seq.) shall be construed to limit the discretion of a public body to permit, prohibit, or regulate the active participation of the public at any meeting, except that a municipal governing body, board of county commissioners, [and a] board of education, or any board, commission, or entity thereof, shall [be required to] set aside a portion of [every meeting of the municipal governing body or board of education, the] all public meetings for public comment, if such entity is to vote on a matter of which, public business at the meeting. The length of the portion [to] for public comment shall be determined by the express [municipal provision governing body or board of education, federal for law, public State comment statute, on any governmental or school rule district issue that a member of the court public shall feels may be of rendered concern confidential to the residents of the municipality or school excluded district.] from respective entity. b. A public body may exclude the public provisions only from that portion of a subsection meetings a. at which the public body discusses any:~~

~~(1) matter which, by express provision of federal law, State statute, or rule of court shall be rendered confidential or excluded from the provisions of subsection a.~~

~~(2)~~ (2) matter in which the release of information would impair a right to receive funds from the Government of the United States;

~~(3)~~ (3) material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance, and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by an institution or program, including but not limited to, information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress, or condition of any individual, unless the individual concerned (or, in the case of a minor or an incapacitated individual, the individual's guardian) shall request in writing that the material be disclosed publicly;

~~(4)~~ (4) collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body;

~~(5)~~ (5) matter involving the purchase, lease, or acquisition of real property with public funds, the setting of banking rates, or investment of public funds, if it could adversely affect the public

interest if discussion of the matters were disclosed;

~~(6)~~ (6) tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair that protection, or investigations of violations or possible violations of the law;

~~(7)~~ (7) pending or anticipated litigation or contract negotiation other than in subsection b.

~~(8)~~ (8) matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion, or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that the matter or matters be discussed at a public meeting;

or ~~(9)~~ (9) deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.

P.L.2013, c.103, s.57) 2. This act shall take effect ~~immediately.~~ immediately. ~~STATEMENT~~

~~This bill amends P.L.1075, c.231, the "Senator Byron M.~~

~~Baer Open Public Meetings Act," to require a municipal governing body, board of county commissioners, board of education, or any board, commission, or entity thereof, to set aside a portion of time for public comment at all public meetings where voting on a matter of public business is to take place.~~