§§1&4 - T&E
§§2&3 –
C.32:1-6.4
to 32:1-6.5
§5 - Note

P.L.2015, CHAPTER 64, ***approved June 26, 2015***
Senate, No. 2183 ***(Second Reprint)***

AN ACT concerning public access to certain Port Authority of New York and New Jersey records and supplementing chapter 1 of Title 32 of the Revised Statutes.

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

1. The Governor is authorized to enter into a supplemental compact or agreement, on behalf of the State of New Jersey, with the State of New York amending the compact of April 30, 1921, between the states of New York and New Jersey, as amended and supplemented, creating the Port Authority of New York and New Jersey as set forth in section 2 of P.L. , c. (C.) (pending before the Legislature as this bill).

[2]**[**2 a. Notwithstanding any provision to the contrary, the records of the port authority shall be open to the public in accordance with the laws of New York, articles 6 and 6-A of the public officers law, and New Jersey, P.L.1963, c.73 (C.47:1A-1 et seq.), pertaining to the disclosure of government records.

b. [1]**[**If, pursuant to subsection a. of this section, a record of the Port Authority of New York and New Jersey is subject to public access under the laws of either the State of New York or the State of New Jersey, but not subject to public access under the laws of the other state, the record shall be made readily accessible, upon request, for inspection, copying, or examination, notwithstanding that the laws of the other state do not provide for public access**]** When there is an inconsistency between the law of the State of New York and the law of the State of New Jersey, the law of the state that provided the greatest rights of access on the date that the chapter of the laws of 2014 that added this section became a law shall apply[1].

c. The provisions of article 78 of the civil practice law and the rules of the state of New York or P.L.1963, c.73 (C.47:1A-1 et seq.)

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:
[1]Senate SSG committee amendments adopted June 26, 2014.
[2]Senate amendments adopted in accordance with Governor's recommendations May 18, 2015.

of the laws of New Jersey, as applicable, shall apply to enforce the provisions of this section.**]**[2]

[2]2. Notwithstanding any law to the contrary, the Port Authority shall be deemed an "agency" and treated as such under the laws of New York, for all purposes under articles 6 and 6-A of the Public Officers Law, and shall be deemed a "public agency" and treated as such under New Jersey, P.L.1963, c.73 (C.47:1A-1 et seq.), pertaining to the disclosure of government records.[2]

[2]3. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.[2]

[2]**[**3.**]** 4.[2] The Governor is authorized to apply, on behalf of the State of New Jersey, to the Congress of the United States for its consent and approval to the amendments to this compact or agreement provided in section 2 of P.L. , c. (C.) (pending before the Legislature as this bill), but in the absence of such consent and approval, the Port Authority of New York and New Jersey referred to in such supplemental compact or agreement shall have all of the powers which the State of New York and the State of New Jersey may confer upon it without the consent and approval of Congress.

[2]**[**4.**]** 5.[2] This act shall take effect upon the enactment into law by the State of New York of legislation having an identical effect as this act, but if the State of New York has already enacted such legislation, this act shall take effect immediately.

Requires PANYNJ be subject to NY Freedom of Information Law and NJ open public records act.