

**GOVERNOR'S STATEMENT UPON SIGNING
SENATE BILL NO. 332
(Sixth Reprint)**

Today I am signing Senate Bill No. 332 (Sixth Reprint), which requires certain businesses, or "controllers" under the bill, to notify consumers of the collection, disclosure, and sale of their personal information and to provide consumers with an ability to opt-out of that in certain circumstances. This bill imbues rights to the consumer relating to their personal data, specifically, the right to access, correct, and delete information, and to opt-out of the collection, disclosure, or sale of their information under certain circumstances. The bill further outlines the controller's obligations as relating to personal data retention, sale, and use, including mandating that the controller must limit the collection of personal data to what is adequate, relevant, and reasonably necessary and requiring that the controller specify the express purposes for which personal data is processed.

I am encouraged that the Legislature has passed this measure to help protect consumers from the unauthorized use and sale of their personal information. Other states, including California, Colorado, Connecticut, Delaware, Indiana, Iowa, Montana, Oregon, Tennessee, Texas, Utah, and Virginia, have already enacted similar measures, and I am proud New Jersey will join that contingent of states to better protect our residents.

Late amendments were made to the enforcement provision of the bill removing language that stated the bill should not be construed as providing a basis for a private right of action "under any other law". I understand that concerns have been raised that removing that language thereby establishes a private right of action under other laws for violations of this bill. However, nothing in this bill expressly establishes such a private right of action, and the provision as amended states that the bill shall not be "construed as providing the basis for . . . a private right of action for violations of [the bill]." Moreover, while this bill does not create a private right of action under this law or under any other law, it should not be construed to supersede or otherwise impact other laws that include a provision creating a private right of action separate and apart from this bill.

I am heartened that consumers will now be given a say in the distribution of their personal information, and I have full confidence that the Attorney General will fully and appropriately enforce the law to ensure a transparent process that allows consumers to maintain control over how their personal data is collected and used.

Date: January 16, 2024

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor