

**A RESOLUTION SUPPORTING A-4532  
EXEMPTING PERSONAL INFORMATION FROM OPRA LAW**

**WHEREAS**, the Township of Robbinsville has concerns with how government can do a better job to protect the public's rights to privacy and to protect taxpayer dollars; and

**WHEREAS**, the Township of Robbinsville finds that a substantial number of OPRA requests are for commercial and solicitation purposes, which is not the intent of OPRA; and

**WHEREAS**, while the OPRA law states that governments have a responsibility to safeguard citizen's private information, the law is unclear as to when personal information should be dispersed, resulting in courts having to rely on subjective balancing tests to determine which personal information can or cannot be disclosed; and

**WHEREAS**, the disclosure of a person's name, address, telephone number, and e-mail address could potentially adversely affect the privacy of citizens with unwarranted solicitation and the possibility of harm to that person or to their property; and

**WHEREAS**, the original intent of OPRA was not for unwarranted solicitation and invasion of privacy; and

**WHEREAS**, the release of personal information could also adversely affect a citizen's willingness to provide their personal information to a government agency knowing that their personal information may not be protected from disclosure to anyone who files an OPRA request; and

**WHEREAS**, citizens should not have to worry that if they follow State and local laws that require names, addresses, e-mails and phone numbers, such as applying for a permit or license, that their personal information will be dispersed to anyone who wishes to see it under the OPRA law; and

**WHEREAS**, governments should do whatever is in their power to protect their citizens against harm, solicitation, nuisances, and theft; and

**WHEREAS**, Assemblyman Wayne DeAngelo has proposed bill A-4532, which would exempt from disclosure any portion of a personal government record which discloses any personal identifying information, including the name, address, telephone number, and e-mail address of any person; and

**WHEREAS**, this bill also bars attorney's fees from being awarded in denial of access proceedings when the decision to deny was reasonable and made in good faith after due diligence; and

**WHEREAS**, the Township Council of the Township of Robbinsville commends Assemblyman DeAngelo on his intent to protect the public's personal information and also protect taxpayers from unnecessary increases to their taxes due to OPRA lawsuits where the custodian of records did their due diligence and acted in good faith.

**NOW THEREFORE BE IT RESOLVED**, that the Township Council of the Township of Robbinsville, County of Mercer, State of New Jersey, hereby supports Assembly Bill A-4532, and calls upon the Legislature and Governor to enact A-4532 into law to protect the privacy rights of our residents and protect tax payer dollars.

**BE IT FURTHER RESOLVED**, that the Township Council of the Township of Robbinsville hereby urges Assembly Speaker Prieto to offer this bill for a full vote of the Assembly as soon as possible; and

**BE IT FURTHER RESOLVED**, that the Township Council of the Township of Robbinsville hereby urges Senate President Sweeney to introduce a companion bill to this legislation in the Senate; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Legislators of the 14<sup>th</sup> Legislative District, Assembly Speaker Vincent Prieto, Senate President Stephen Sweeney, and the Governor of the State of New Jersey.

I certify this to be a true copy of a Resolution adopted by the Township Council of the Township of Robbinsville at a meeting held on February 23, 2017.

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Michele Seigfried, Township Clerk