

[First Reprint]

SENATE SUBSTITUTE FOR
SENATE, No. 2108

STATE OF NEW JERSEY
214th LEGISLATURE

ADOPTED NOVEMBER 22, 2010

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Morris and Somerset)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblyman JOHN F. MCKEON

District 27 (Essex)

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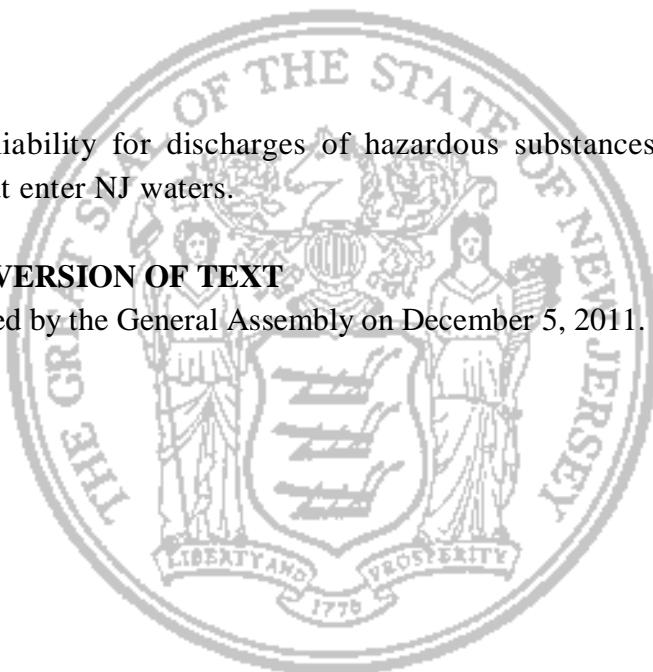
Senators Greenstein, Stack and Assemblywoman Spencer

SYNOPSIS

Clarifies liability for discharges of hazardous substances from drilling platforms that enter NJ waters.

CURRENT VERSION OF TEXT

As amended by the General Assembly on December 5, 2011.



(Sponsorship Updated As Of: 12/16/2011)

1 **AN ACT** concerning liability for discharges that enter State waters,
2 and supplementing P.L.1976, c.141 (C.58:10-23.11 et seq.).

3

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

6

7 1. a. Any person who discharges a hazardous substance 'from
8 a drilling platform¹', or is in any way responsible for a hazardous
9 substance that is discharged 'from a drilling platform¹', into the
10 waters outside the jurisdiction of the State, that enters the waters of
11 the State, shall be liable, strictly, jointly and severally, without
12 regard to fault, for:

13 (1) cleanup and removal costs;

14 (2) damages for injury to, destruction of, loss of, or loss of use
15 of natural resources, including costs of assessing the damage;

16 (3) damages for injury to, or economic losses resulting from,
17 destruction of real or personal property; and

18 (4) damages for loss of profits or impairment of earning
19 capacity due to the injury, destruction, or loss of real or personal
20 property, or natural resources.

21 b. Nothing in this section shall limit the liability pursuant to
22 any other State law, or rule or regulation, or federal law of any
23 person who discharges a hazardous substance, or is in any way
24 responsible for a hazardous substance that is discharged, that enters
25 the waters of the State.

26

27 2. This act shall take effect immediately.

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 Assembly floor amendments adopted December 5, 2011.