

[First Reprint]

SENATE SUBSTITUTE FOR  
**SENATE, No. 2108**

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**STATE OF NEW JERSEY**  
**214th LEGISLATURE**

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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)**

**Co-Sponsored by:**

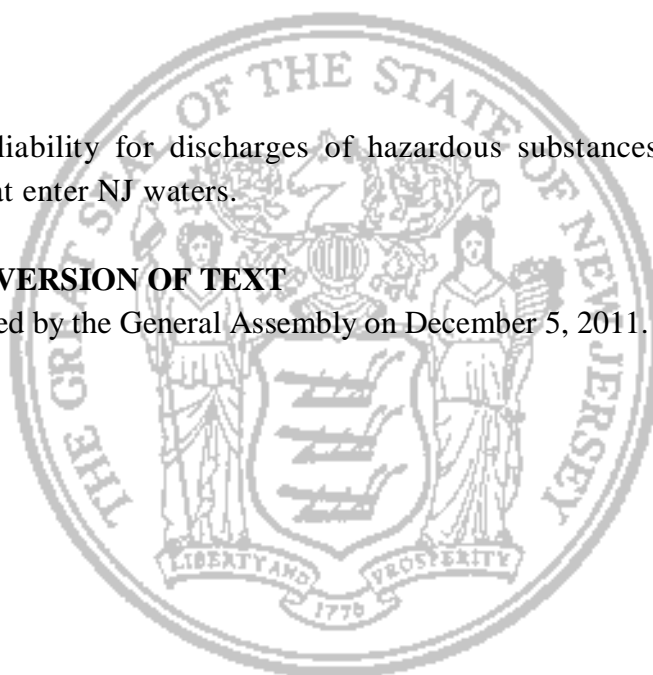
**Senators Greenstein, Stack and Assemblywoman Spencer**

**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:*

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7       1.   a. Any person who discharges a hazardous substance <sup>1</sup>from  
8 a drilling platform<sup>1</sup>, or is in any way responsible for a hazardous  
9 substance that is discharged <sup>1</sup>from a drilling platform<sup>1</sup>, 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:

<sup>1</sup> Assembly floor amendments adopted December 5, 2011.