

CHAPTER 150

AN ACT concerning guidance offered under the “Local Government Ethics Law” on potential conflict of interests for certain members of the governing body of a municipality wherein a casino is located and amending P.L.2009, c.26.

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

1. Section 3 of P.L.2009, c.26 (C.52:13D-17.3) is amended to read as follows:

C.52:13D-17.3 Employment with casino permitted for certain members of municipal governing body; guidance offered.

3. Notwithstanding the provisions of section 4 of P.L.1981, c.142 (C.52:13D-17.2), a member of the governing body of a municipality wherein a casino is located, other than the mayor, and a member of the immediate family thereof, may hold employment with the holder of, or applicant for, a casino license, or any holding or intermediary company with respect thereto, while serving in that elective office and thereafter, if that member of the governing body, or member of the immediate family thereof, held that specific employment when that member of the governing body took office. Notwithstanding any provision of the "Local Government Ethics Law," P.L.1991, c.29 (C.40A:9-22.1 et seq.) to the contrary, such a member or member-elect of the governing body shall request the Local Finance Board in the Division of Local Government Services in the Department of Community Affairs to provide guidance in the form of a written advisory opinion, pursuant to the “Local Government Ethics Law,” regarding any potential conflict of interest that may arise as a result of the employment described herein while serving on the governing body. Any advisory opinion issued under the “Local Government Ethics Law” for this purpose shall be a government record, as defined in section 1 of P.L.1995, c.23 (C.47:1A-1.1), that is accessible to the public and shall not be confidential. The Local Finance Board may adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), any rules and regulations necessary to implement the provisions of this section.

2. This act shall take effect immediately.

Approved January 5, 2012.