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UPDATE: Revised New Jersey Social Media Bill Ready for Governor's Signature

Stradley Ronon [recently reported](#) on the latest wave of laws restricting employer access to employee social media accounts. Earlier this month, New Jersey Gov. Chris Christie vetoed what was largely considered the harshest of such laws. Gov. Christie recommended amendments that would allow future drafts of the law to avoid his veto, however.

New Jersey legislators have now accepted Gov. Christie's proposed revisions and passed [revised legislation](#). Although Gov. Christie announced that he would still need to review the final legislation, it is expected that the new bill will escape his veto.

As a result, New Jersey employers should be prepared to face new restrictions with regard to social media inquiries. Under the legislation, employers may not request or require that employees or job candidates disclose login information for social media accounts used exclusively for personal communications. Even if an employee agreed to voluntarily waive these privacy protections, such a waiver would be void under the legislation. Notably, the law contains exceptions for certain employer investigations and actions taken based on publicly available information.

A civil penalty of up to \$1,000 for the first violation and up to \$2,500 for each subsequent violation may be imposed against employers. Now removed from the legislation were prior provisions authorizing civil lawsuits and prohibiting even basic inquiries about the existence of social media accounts.

This new legislation is only part of a larger growing trend toward restricting employer access to social media throughout the United States. Practical advice for every employer, regardless of state of operation, is available [here](#).

This issue is an UPDATE to:

[Employment NewsFlash, March 2013](#)
[Another Wave of Social Media Laws: Five Ways
for Employers to Stay Ahead of Trend](#)

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