

[First Reprint]

ASSEMBLY, No. 3529

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED MAY 8, 2003

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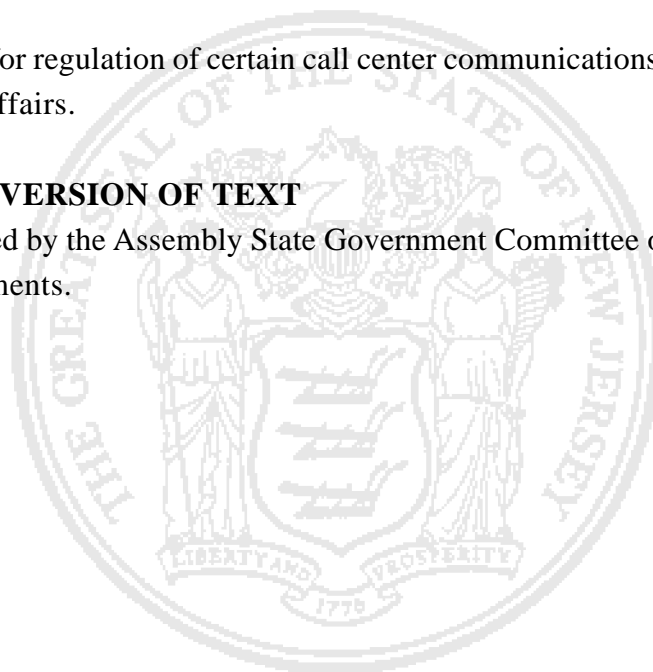
R.Smith and Assemblywoman Weinberg

SYNOPSIS

Provides for regulation of certain call center communications by Division of Consumer Affairs.

CURRENT VERSION OF TEXT

As reported by the Assembly State Government Committee on June 5, 2003, with amendments.



(Sponsorship Updated As Of: 12/12/2003)

1 AN ACT concerning certain telephone and electronic mail
2 communications and supplementing P.L.1960, c.39 (C.56:8-1 et
3 seq.).

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

7
8 1. ¹a. ¹ As used in this ¹[act] section¹:

9 "Inbound call center" means a physical or electronic operation
10 ¹staffed by 25 or more employees of a corporation or other entity
11 doing business in New Jersey, or a subcontractor thereof, when the
12 significant and primary duties, responsibilities and functions of those
13 employees involve responding to incoming telephone calls and
14 electronic mail,¹ that utilizes telecommunication services or electronic
15 mail in one or more of the following activities: customer services;
16 soliciting sales; reactivating dormant accounts; ¹[conducting surveys
17 or research;]¹ collection of receivables; receiving reservations;
18 receiving orders; or taking orders.

19 ¹["Personal information" means any personally identifiable
20 information that is provided by a person to an inbound call center,
21 which shall include, but not be limited to, financial and credit
22 information, or a name, address, telephone number or Social Security
23 number.] b. Within the first 30 seconds of answering a non-
24 emergency telephone call made by a resident of New Jersey to an
25 inbound call center, an employee at the call center shall identify:
26 himself, by stating his name, or official company registration or alias;
27 the name of his employer; the state and country in which he is located;
28 and, if applicable, the name and telephone number of a customer
29 service representative of the entity utilizing the services of his
30 employer.

31 c. An employee of an inbound call center who responds to an
32 electronic mail message from a resident of New Jersey shall identify:
33 himself, by stating his name, or official company registration or alias;
34 the name of his employer; the state and country in which he is located;
35 and, if applicable, the name and telephone number of a customer
36 service representative of the entity utilizing the services of his
37 employer.

38 d. It is an unlawful practice and a violation of P.L.1960, c.39
39 (C.56:8-1 et seq.) to violate the provisions of this section.¹

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and 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 ASG committee amendments adopted June 5, 2003.

1 ¹[2. a. Within the first 30 seconds of answering a telephone call
2 made by a person to an inbound call center, an employee at the call
3 center shall identify: himself, by stating his name; the name of his
4 employer; the location of the municipality, state and country in which
5 he is located; and, if applicable, the name and telephone number of a
6 customer service representative of the entity utilizing the services of
7 his employer.

8 b. Any telephone call to an inbound call center located in a foreign
9 country shall be rerouted to a call center located in the United States,
10 if such a request is made by the caller.]¹

11

12 ¹[3. An employee at an inbound call center operating in a foreign
13 country shall not solicit any personal information, whether by
14 telephone or by an electronic mail message, unless the employee first
15 informs the caller that disclosing that information to the employee is
16 optional, and receives the affirmative consent of the caller to whom
17 the information relates. In the case of such communication by
18 telephone, an audio recording of that telephone call shall be made and
19 retained.]¹

20

21 ¹[4. An employee of an inbound call center who responds to an
22 electronic mail message from a person shall identify: himself, by stating
23 his name; the name of his employer; the location of the municipality,
24 state and country in which he is located; and, if applicable, the name
25 and telephone number of a customer service representative of the
26 entity utilizing the services of his employer.]¹

27

28 ¹[5. It is an unlawful practice and a violation of P.L.1960, c.39
29 (C.56:8-1 et seq.) to violate the provisions of this act.]¹

30

31 ¹[6.] 2.¹ This act shall take effect on the first day of the sixth
32 month following enactment.