

ASSEMBLY, No. 3529

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED MAY 8, 2003

Sponsored by:

Assemblywoman LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Assemblyman GARY L. GUEAR, SR.

District 14 (Mercer and Middlesex)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



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:

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8 1. As used in this act:

9 "Inbound call center" means a physical or electronic operation that
10 utilizes telecommunication services or electronic mail in one or more
11 of the following activities: customer services; soliciting sales;
12 reactivating dormant accounts; conducting surveys or research;
13 collection of receivables; receiving reservations; receiving orders; or
14 taking orders.

15 "Personal information" means any personally identifiable
16 information that is provided by a person to an inbound call center,
17 which shall include, but not be limited to, financial and credit
18 information, or a name, address, telephone number or Social Security
19 number.

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21 2. a. Within the first 30 seconds of answering a telephone call
22 made by a person to an inbound call center, an employee at the call
23 center shall identify: himself, by stating his name; the name of his
24 employer; the location of the municipality, state and country in which
25 he is located; and, if applicable, the name and telephone number of a
26 customer service representative of the entity utilizing the services of
27 his employer.

28 b. Any telephone call to an inbound call center located in a foreign
29 country shall be rerouted to a call center located in the United States,
30 if such a request is made by the caller.

31

32 3. An employee at an inbound call center operating in a foreign
33 country shall not solicit any personal information, whether by
34 telephone or by an electronic mail message, unless the employee first
35 informs the caller that disclosing that information to the employee is
36 optional, and receives the affirmative consent of the caller to whom
37 the information relates. In the case of such communication by
38 telephone, an audio recording of that telephone call shall be made and
39 retained.

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41 4. An employee of an inbound call center who responds to an
42 electronic mail message from a person shall identify: himself, by stating
43 his name; the name of his employer; the location of the municipality,
44 state and country in which he is located; and, if applicable, the name
45 and telephone number of a customer service representative of the
46 entity utilizing the services of his employer.

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

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4 6. This act shall take effect on the first day of the sixth month
5 following enactment.

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STATEMENT

10 This bill provides for regulation by the Director of the Division of
11 Consumer Affairs in the Department of Law and Public Safety of
12 inbound call centers, which receive telephone call or electronic mail
13 messages from callers. As defined in the bill, "call center" means a
14 physical or electronic operation that utilizes telecommunication
15 services or electronic mail in one or more of the following activities:
16 customer services; soliciting sales; reactivating dormant accounts;
17 conducting surveys or research; collection of receivables; receiving
18 reservations; receiving orders; or taking orders.

19 The bill specifies that an employee of an inbound call center, when
20 responding to a telephone call or an electronic mail message made by
21 a person, shall identify: himself by stating his name; the name of his
22 employer; the location of the municipality, state and country in which
23 he is located; and, if applicable, the name and telephone number of a
24 customer service representative of the entity utilizing the services of
25 his employer.

26 In addition, the bill provides that an employee at an inbound call
27 center operating in a foreign country shall not solicit any personal
28 information, whether by telephone or by an electronic mail message
29 unless the employee first informs the caller that disclosing that
30 information to the employee is optional, and receives the affirmative
31 consent of the caller to whom the information relates. The bill also
32 provides that any telephone call to an in-bound call center located in
33 a foreign country shall be rerouted to a call center located in the
34 United States, if such a request is made by the caller. As defined in
35 the bill, "personal information" means any personally identifiable
36 information that is provided by a person to an inbound call center,
37 which shall include, but not be limited to, financial and credit
38 information, or a name, address, telephone number or Social Security
39 number.

40 Violators of the bill's provisions are subject to the provisions of the
41 consumer fraud law, P.L.1960, c.39 (C.56:8-1 et seq.), which carries
42 maximum penalties of \$10,000 for the first offense and \$20,000 for the
43 second and subsequent offenses.