

P.L.2015, CHAPTER 2, *approved January 29, 2015*

Senate, No. 1382

1 AN ACT concerning certain unsolicited telemarketing sales calls and
2 amending P.L.2003, c.76.

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

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7 1. Section 12 of P.L.2003, c.76 (C.56:8-130) is amended to read
8 as follows:

9 12. a. **[No]** A telemarketer shall not make or cause to be made
10 any unsolicited telemarketing sales call to a commercial mobile
11 service device of any customer, except that a telemarketer that is a
12 commercial mobile services company may call its customer using
13 its commercial mobile services if its customer will not incur
14 telecommunication charges or a usage allocation deduction as a
15 result of **[such]** the call and the call is directly related to the
16 commercial mobile services of the commercial mobile services
17 company, unless the customer has stated to the commercial mobile
18 services company that the customer no longer desires to receive
19 these calls.

20 b. For the purposes of this section, "commercial mobile
21 service" means a type of mobile telecommunications service as
22 defined in subsection (d) of section 332 of the Communications Act
23 of 1934 (47 U.S.C. s.332(d)); and "commercial mobile service
24 device" means any equipment used for the purpose of providing
25 commercial mobile service.

26 c. The provisions of this section shall apply to those numbers
27 for commercial mobile service devices which the division is able to
28 distinguish from numbers for devices for telecommunications
29 service, as defined in section 2 of P.L.1991, c.428 (C.48:2-21.17),
30 on the 30th day following certification of such to the Governor and
31 the Legislature.

32 (cf: P.L.2003, c.76, s.12)

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34 2. This act shall take effect immediately.

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STATEMENT

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39 This bill clarifies the State's "no call list" law to prohibit
40 unsolicited telemarketing sales calls from being made to
41 commercial mobile service devices. Currently, the "no call list"
42 law prohibits all telemarketing sales calls from being made to

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.

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1 commercial mobile service devices, except that a commercial
2 mobile service company may call its customers using its
3 commercial mobile services.

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8 Prohibits unsolicited telemarketing sales calls to commercial
9 mobile service devices.