

# SENATE, No. 1382

## STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED FEBRUARY 27, 2014

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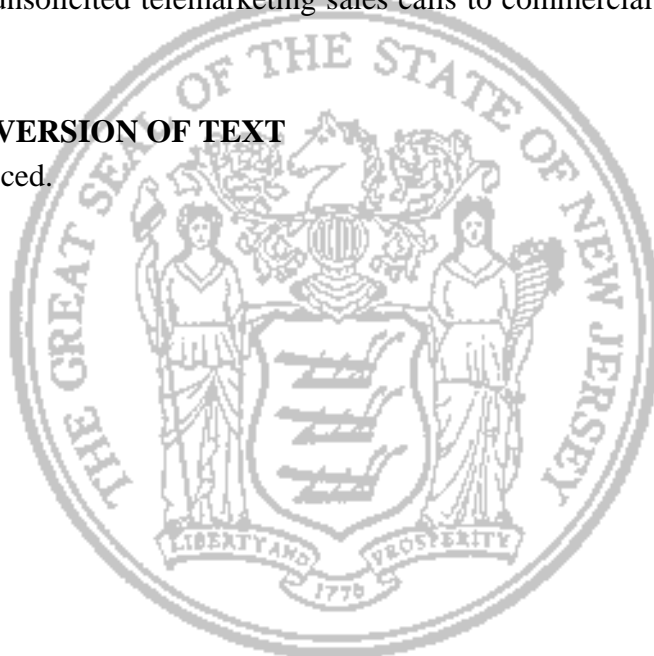
**Senator Addiego, Assemblyman Coughlin and Assemblywoman Handlin**

**SYNOPSIS**

Prohibits unsolicited telemarketing sales calls to commercial mobile service devices.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/16/2014)**

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

3

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)

33

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  
43 commercial mobile service devices, except that a commercial  
44 mobile service company may call its customers using its  
45 commercial mobile services.

**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.