

P.L. 2019, CHAPTER 188, *approved July 19, 2019*
Assembly, No. 1369

1 **AN ACT** concerning certain service contracts and supplementing
2 Title 56 of the Revised Statutes.

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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. As used in P.L. , c. (C.) (pending before the
8 Legislature as this bill):

9 “Cable television service” shall have the same meaning as
10 provided in section 3 of P.L.1972, c.186 (C.48:5A-3).

11 “Commercial mobile service” shall have the same meaning as
12 provided in 47 U.S.C. s.332.

13 “Direct broadcast satellite service” means a satellite system with
14 programming offered as a service by a provider of direct broadcast
15 satellite service as defined in 47 U.S.C. s.335.

16 “Electric generation service” and “gas supply service” shall have
17 the same meaning as provided in section 3 of P.L.1999, c.23
18 (C.48:3-51).

19 “Executor” means the executor or administrator of the estate of a
20 customer who is subject to the provisions of P.L. , c. (C.)
21 (pending before the Legislature as this bill) upon the death of that
22 customer.

23 “Heating oil” means number 2 heating oil, number 4 heating oil,
24 number 6 heating oil, and kerosene used exclusively for residential
25 use.

26 “Heating oil service” means the delivery of heating oil to a
27 customer but shall not include delivery pursuant to a contract for a
28 term of less than 275 days where the customer had committed to
29 purchase a specified volume of heating oil at a specified price.

30 “Internet access service” shall have the same meaning as
31 provided in 47 U.S.C. s.231.

32 “Propane service” shall have the same meaning as “propane
33 services” as defined in section 2 of P.L.2007, c.150 (C.52:27D-
34 510).

35 “Telecommunications service” shall have the same meaning as
36 provided in section 2 of P.L.1991, c.428 (C.48:2-21.17).

37 “Voice over Internet Protocol service” shall have the same
38 meaning as provided in section 3 of P.L.2007, c.195 (C.48:17-34).

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40 2. Subject to federal law and regulation, a provider of cable
41 television service, commercial mobile service, direct broadcast

1 satellite service, electric generation service, gas supply service,
2 heating oil service, Internet access service, propane service,
3 telecommunications service, and Voice over Internet Protocol
4 service, shall allow the executor for a deceased customer who is
5 under contract with the provider, including but not limited to, a
6 bundle contract or multi-year contract, to opt-out of the contract
7 without paying an early termination fee or other similar charge
8 when the executor requests to opt-out of the contract in writing.
9 The executor shall provide to the provider, within 180 days of the
10 executor's request, a copy of the deceased customer's certificate of
11 death. A request for opting-out of the contract without charge shall
12 be made in good faith. The provider shall waive the otherwise
13 applicable charges for the executor requesting to opt-out of the
14 contract as of the date the provider receives the request.

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16 3. a. A person who violates P.L. , c. (C.) (pending
17 before the Legislature as this bill) shall be liable to a civil penalty
18 of up to \$1,000 for each offense.

19 b. A penalty imposed pursuant to subsection a. of this section
20 shall be collected in a civil action by a summary proceeding under
21 the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-
22 10 et seq.) or in any case before a court of competent jurisdiction
23 wherein injunctive relief has been requested. The Superior Court
24 and municipal court shall have jurisdiction to enforce the "Penalty
25 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.) in
26 connection with P.L. , c. (C.) (pending before the
27 Legislature as this bill). If the violation is of a continuing nature,
28 each day during which the violation continues shall constitute an
29 additional, separate, and distinct offense.

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31 4. This act shall take effect immediately and apply to contracts
32 entered into or renewed on or after the effective date of this act.

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37 Allows for cancellation of certain service contracts without
38 paying early termination fee if customer becomes deceased prior to
39 end of service contract.