

[Second Reprint]

SENATE, No. 2330

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED APRIL 9, 2020

Sponsored by:

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District 35 (Bergen and Passaic)

Senator JOSEPH P. CRYAN

District 20 (Union)

Senator STEVEN V. OROHO

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District 19 (Middlesex)

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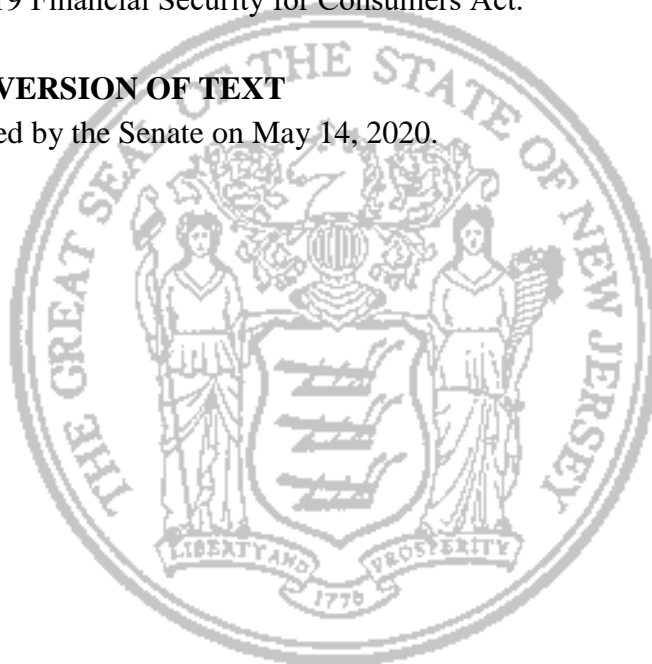
Senators Addiego and Cruz-Perez

SYNOPSIS

“COVID-19 Financial Security for Consumers Act.”

CURRENT VERSION OF TEXT

As amended by the Senate on May 14, 2020.



(Sponsorship Updated As Of: 5/7/2020)

1 AN ACT concerning financial security, amending P.L.2020, c.7 and
 2 N.J.S.2A:17-19, and supplementing various parts of the statutory
 3 law.

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

7
 8 1. (New section) As used in sections 1¹**【,】** and¹ 2¹**【, and 3】**¹ of
 9 this act:

10 “Affected person” means a person who is a resident of this State
 11 and has suffered ¹**【financial hardship】** a loss of income¹ as a result
 12 of the coronavirus disease 2019 pandemic.

13 “Covered coronavirus period” means the period beginning with the
 14 Public Health Emergency and State of Emergency declared by the
 15 Governor in Executive Order 103 of 2020 and extending ¹**【120】** 90¹
 16 days following the end of that public health emergency and state of
 17 emergency ¹, or extending until December 1, 2020, whichever date is
 18 sooner¹.

19 ¹**【“Creditor”** means any person and any agent, servant,
 20 employee, or attorney of a person engaged in collecting a debt owed
 21 or alleged to be owed to the person by a debtor and shall also
 22 include a buyer of delinquent debt who hires a third party or an
 23 attorney to collect a debt. A person shall not be deemed to be
 24 engaged in collecting a debt, if the person’s activities are solely for
 25 the purpose of serving legal process on another person in
 26 connection with the judicial enforcement of a debt.

27 “Debt collector” means any person or business whose principal
 28 purpose is the collection of a debt, or who regularly collects or
 29 attempts to collect, directly or indirectly, a debt owed or due or
 30 asserted to be owed or due another. The term debt collector shall
 31 also include any person who buys or acquires debt that is in default
 32 at the time of purchase or acquisition and who seeks to collect that
 33 debt. The term debt collector shall include a creditor who, in the
 34 process of collecting the creditor’s own debt, uses any name other
 35 than the creditor’s own name which would indicate that a third
 36 person is collecting or attempting to collect the debt. The term debt
 37 collector shall also include a person in a business the principal
 38 purpose of which is the enforcement of security interests.**】**¹

39 “User of a consumer report” means any person or entity that is
 40 furnished a consumer report for a purpose that is permissible
 41 pursuant to section 4 of P.L.1997, c.172 (C.56:11-31).

42
 43 2. (New section) a. (1) An affected person may contact any
 44 consumer reporting agency and inform the agency that the person

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SBA committee amendments adopted May 7, 2020.

²Senate floor amendments adopted May 14, 2020.

1 has experienced ²~~【financial hardship】~~ a loss of income² as a result
2 of the coronavirus disease 2019 pandemic.

3 (2) Any consumer reporting agency that receives a request
4 pursuant to paragraph (1) of this subsection shall respond to the
5 affected person ¹~~【and the Director of the Division of Consumer~~
6 ~~Affairs in the Department of Law and Public Safety】~~¹ within five
7 days of receiving the request. The agency shall place an alert in the
8 file of that ¹~~【consumer】~~ affected person¹ indicating the
9 ¹~~【consumer】~~ affected person¹ has been impacted by the coronavirus
10 disease 2019 pandemic and shall provide that alert in any consumer
11 report or credit score provided by the agency.

12 b. (1) No user of a consumer report shall consider any adverse
13 information that is a result of the coronavirus disease 2019
14 pandemic in a consumer report pertaining to an affected person
15 ²~~【who provides the user with notice pursuant to paragraph (2) of~~
16 ~~this subsection, or】~~² who has an alert included in the person's
17 consumer report pursuant to paragraph ¹~~【(3)】~~ (2)¹ of subsection a.
18 of this section.

19 (2) An affected person ²who has an alert included in the
20 person's consumer report pursuant to paragraph (2) of subsection a.
21 of this section² may contact any user of a consumer report and
22 request that the user disregard any adverse information related to
23 the person in a consumer report with respect to the covered
24 coronavirus period.

25 (3) Any user of a consumer report that receives a request
26 pursuant to paragraph (2) of this subsection shall respond to the
27 affected person ¹~~【and the Director of the Division of Consumer~~
28 ~~Affairs in the Department of Law and Public Safety】~~¹ within five
29 days of receiving the request.

30 c. No charge shall be imposed by a consumer reporting agency
31 pursuant to section 10 of P.L.1997, c.172 (C.56:11-37) with respect
32 to a request made by a consumer pursuant to this section.

33 d. No person shall create, implement, or revise a credit scoring
34 model that would treat as a negative factor or value any adverse
35 information reported during the covered coronavirus period if the
36 consumer's file or report includes an alert pursuant to paragraph
37 ¹~~【(3)】~~ (2)¹ of subsection a. of this section.

38

39 ¹~~【3. (New section)~~ a. Except as otherwise provided in
40 subsection d. of this section, with respect to the covered coronavirus
41 period, no creditor or debt collector shall:

42 (1) initiate, file, or threaten to file any new collection lawsuit;

43 (2) initiate, threaten to initiate, or act upon any legal or
44 equitable remedy for the garnishment, seizure, attachment, or
45 withholding of wages, earnings, property or funds for the payment
46 of a debt to a creditor;

- 1 (3) initiate, threaten to initiate, or act upon any legal or
- 2 equitable remedy for the repossession of any vehicle;
- 3 (4) visit or threaten to visit the household of a debtor at any
- 4 time;
- 5 (5) visit or threaten to visit the place of employment of a debtor
- 6 at any time;
- 7 (6) confront or communicate in person with a debtor regarding
- 8 the collection of a debt in any public place at any time; or
- 9 (7) report any portion of a debt which is alleged to be unpaid, to
- 10 any debt collector.
- 11 b. With respect to the covered coronavirus period, no debt
- 12 collector shall initiate a communication with any debtor via
- 13 telephone, either in person or by recorded audio message to the
- 14 debtor's residence, cellular telephone, or other telephone number
- 15 provided by the debtor, except that a debt collector shall not be
- 16 deemed to have initiated a communication with a debtor if the
- 17 communication by the debt collector is in response to a request
- 18 made by the debtor for the communication.
- 19 c. A debtor or the Attorney General may bring an action
- 20 alleging a creditor or debt collector has violated the provisions of
- 21 this act. Upon a finding that non-compliance by a creditor or debt
- 22 collector with this section has occurred, a court of competent
- 23 jurisdiction may:
- 24 (1) order the non-compliant creditor or debt collector to retract
- 25 the debt reported to the collection or credit reporting agency,
- 26 bureau, or data collection facility;
- 27 (2) impose a fine on the non-compliant creditor or debt
- 28 collector, not to exceed \$5,000;
- 29 (3) order the non-compliant creditor or debt collector to pay a
- 30 reasonable counsel fee in connection with a debtor who has suffered
- 31 damage as a result of an attempt to collect a debt or damage to a
- 32 credit rating due to the reporting of a debt to a collection or credit
- 33 reporting agency, bureau, or data collection facility;
- 34 (4) order the non-compliant creditor or debt collector to take
- 35 such steps as are necessary, within 30 days of the order, to
- 36 rehabilitate the credit record of a claimant, with a showing made to
- 37 the court of the efforts made in that regard; and
- 38 (5) order the non-compliant creditor or debt collector to pay an
- 39 award of damages to the individual not to exceed 25 percent of the
- 40 debt attempted to be collected or reported by the non-compliant
- 41 creditor or debt collector to the collection or credit reporting
- 42 agency, bureau, or data collection facility, the minimum award
- 43 being \$350.
- 44 d. In the case of an action or proceeding that would otherwise
- 45 be barred from being brought by the expiration of the statute of
- 46 limitations as provided in N.J.S.2A:14-1 or N.J.S.12A:2-725, as
- 47 applicable during the covered coronavirus period, a creditor or debt
- 48 collector may commence an action or proceeding in a court of

1 competent jurisdiction against a debtor, provided that the creditor or
2 debt collector includes in any process served on a debtor prominent
3 language putting the debtor on notice that the creditor or debt
4 collector may not attempt to collect on any portion of a debt which
5 is alleged to be unpaid or report any portion of a debt which is
6 alleged to be unpaid, to any collection or credit reporting agency,
7 bureau, or data collection facility, until the conclusion of the
8 covered coronavirus period.】¹

9
10 ¹【4.】 3.¹ (New section) a. ¹【Until】 Except as provided in
11 subsection h. of this section, until¹ 180 days after the first bill for a
12 medical debt has been sent, no medical creditor or medical debt
13 collector shall take any legal action against an individual, including
14 but not limited to, placing a lien on an individual's property;
15 attaching or seizing an individual's bank account or any other
16 personal property; commencing a civil action against an individual;
17 or garnishing an individual's wages.

18 b. At least 30 days before taking legal action against an
19 individual, a medical creditor or medical debt collector shall
20 provide to the individual written information on:

21 (1) any financial assistance that is available for eligible
22 individuals;

23 (2) any legal actions that may be initiated in order to obtain
24 payment; and

25 (3) a deadline after which those legal actions may be initiated,
26 which date shall be no earlier than 30 days after the date of the
27 notice.

28 c. A medical creditor or a medical debt collector shall not
29 initiate a legal action unless the action is described in the creditor or
30 collector's billing and collections policy.

31 d. A medical creditor or a medical debt collector shall not sell
32 an individual's debt to another party, except if, prior to the sale, the
33 medical creditor or medical debt collector has entered into a legally
34 binding written agreement with the medical debt buyer that
35 provides that the medical debt buyer shall comply with the
36 requirements of this section, and that the debt is returnable to or
37 recallable by the medical creditor upon a determination by the
38 medical creditor or medical debt buyer that the individual is eligible
39 for financial assistance.

40 e. During the one year period beginning on the date when ¹【a
41 consumer】 an individual¹ is first given a bill for medical debt, no
42 medical creditor or medical debt collector shall communicate with
43 or report any information to a consumer reporting agency regarding
44 the medical debt.

45 f. After the one year period described in subsection e. of this
46 section has elapsed, a medical creditor or medical debt collector
47 shall give ¹【a consumer】 an individual¹ at least one additional bill

1 before reporting a medical debt to a consumer reporting agency.
2 The amount reported to the consumer reporting agency shall be the
3 same as the amount stated in the bill, and the bill shall state that the
4 debt is being reported to a consumer reporting agency. A medical
5 debt collector shall provide the ¹**['consumer] individual**¹ the notice
6 required by 15 U.S.C. s.1692g before reporting a debt to a
7 consumer reporting agency.

8 g. ¹**['A debtor] An individual**¹ or the Attorney General may
9 bring an action alleging a medical creditor or medical debt collector
10 has violated the provisions of this section. Upon a finding that non-
11 compliance by a medical creditor or medical debt collector with this
12 section has occurred, a court of competent jurisdiction may:

13 (1) order the non-compliant medical creditor or medical debt
14 collector to retract the debt reported to the collection or credit
15 reporting agency, bureau, or data collection facility;

16 (2) impose a fine on the non-compliant medical creditor or
17 medical debt collector, not to exceed \$5,000;

18 (3) order the non-compliant medical creditor or medical debt
19 collector to pay a reasonable counsel fee in connection with an
20 individual who has suffered damage as a result of an attempt to
21 collect a debt or damage to credit rating due to the reporting of a
22 debt to a collection or credit reporting agency, bureau, or data
23 collection facility;

24 (4) order the non-compliant medical creditor or medical debt
25 collector to take such steps as are necessary, within 30 days of the
26 order, to rehabilitate the credit record of ¹**['a claimant] an**
27 **individual**¹, with a showing made to the court of the efforts made in
28 that regard; and

29 (5) order the non-compliant medical creditor or medical debt
30 collector to pay an award of damages to the individual not to exceed
31 25 percent of the debt attempted to be collected or reported by the
32 non-compliant medical creditor or medical debt collector to the
33 collection or credit reporting agency, bureau, or data collection
34 facility, the minimum award being \$350.

35 h. ¹Notwithstanding the provisions of this section to the
36 contrary, a medical creditor may take legal action against an
37 individual:

38 (1) in the event that an insurance carrier or other third party has
39 issued a payment directly to the individual for health care services
40 delivered by the medical creditor; or

41 (2) to collect any cost-sharing that is owed to the medical
42 creditor pursuant to an agreement with an insurance carrier or other
43 third party.

44 Any legal action taken pursuant to this subsection shall not seek
45 to collect an amount greater than the cost-sharing that is owed to the
46 medical creditor or the payment issued by the carrier or third party
47 to the individual.

1 i.¹ ²The provisions of this section shall not apply to a licensed
2 health care facility that is the primary residence of an individual.

3 j.² As used in this section:

4 “Medical creditor” means an entity that provides health care
5 services and to whom the ¹**‘[consumer] individual’** owes money for
6 health care services, or the entity that provided health care services
7 and to whom the ¹**‘[consumer] individual’** previously owed money
8 if the medical debt has been purchased by a debt buyer.

9 ¹“Medical debt” means money owed for health care services
10 provided to an individual. Medical debt shall not include money
11 owed for services provided to an animal.¹

12 “Medical debt buyer” means a person or entity that is engaged in
13 the business of purchasing medical debts for collection purposes,
14 whether it collects the debt itself or hires a third party for collection
15 or an attorney-at-law for litigation in order to collect such debt.

16 “Medical debt collector” means any person that regularly collects
17 or attempts to collect, directly or indirectly, medical debts originally
18 owed or due or asserted to be owed or due another. A medical debt
19 buyer is considered to be a medical debt collector for all purposes.

20
21 ¹**‘[5.] 4.’** (New section) a. During the Public Health
22 Emergency and State of Emergency declared by the Governor in
23 Executive Order 103 of 2020, the State Medicaid and NJ
24 FamilyCare programs shall provide coverage and payment for
25 expenses incurred in the treatment of coronavirus disease 2019,
26 provided that a licensed ¹**‘[medical practitioner] health care**
27 **professional’**¹ licensed in accordance with the provisions of Title 45
28 of the Revised Statutes, or otherwise authorized to provide health
29 care services in this State, has issued a medical order for that
30 treatment.

31 b. The coverage shall be provided to the same extent as for any
32 other health care services, except that no cost-sharing shall be
33 imposed on the coverage provided pursuant to this section.

34 c. The Commissioner of Human Services shall apply for such
35 State plan amendments or waivers as may be necessary to
36 implement the provisions of this act and to secure federal financial
37 participation for State Medicaid expenditures under the federal
38 Medicaid program.

39
40 ¹**‘[6.] 5.’** (New section) a. During the Public Health
41 Emergency and State of Emergency declared by the Governor in
42 Executive Order 103 of 2020, a carrier that offers a health benefits
43 plan in this State shall provide coverage and payment for expenses
44 incurred in the treatment of coronavirus disease 2019, provided that
45 a health care professional licensed in accordance with the
46 provisions of Title 45 of the Revised Statutes, or otherwise

1 authorized to provide health care services in this State, has issued a
2 medical order for the treatment.

3 b. (1) The coverage shall be provided to the same extent as
4 for any other health care services under the health benefits plan,
5 except that no cost-sharing shall be imposed on the coverage
6 provided pursuant to this section.

7 (2) In the case of a high deductible health plan, benefits for
8 treatment of coronavirus disease 2019 shall be provided at the
9 lowest deductible and other cost-sharing permitted for a high
10 deductible health plan under section 223(c)(2)(A) of the Internal
11 Revenue Code (26 U.S.C. s.223).

12 c. As used in this section, “carrier,” means an insurance
13 company, health service corporation, hospital service corporation,
14 medical service corporation, or health maintenance organization
15 authorized to issue health benefits plans in this State, and shall
16 include the State Health Benefits Program and the School
17 Employees' Health Benefits Program.

18

19 ¹**[7.] 6.**¹ Section 1 of P.L.2020, c.7 is amended to read as
20 follows:

21 1. a. During the Public Health Emergency and State of
22 Emergency declared by the Governor in Executive Order 103 of
23 2020, the State Medicaid and NJ FamilyCare programs shall
24 provide coverage and payment for expenses incurred in:

25 (1) the testing for coronavirus disease 2019, provided that a
26 licensed ¹**[medical practitioner]** health care professional¹ licensed in
27 accordance with the provisions of Title 45 of the Revised Statutes,
28 or otherwise authorized to provide health care services in this State,
29 has issued a medical order for that testing; and

30 (2) the delivery of health care services through telemedicine or
31 telehealth in accordance with the provisions of P.L.2017, c.117
32 (C.45:1-61 et al.).

33 b. The coverage shall be provided to the same extent as for any
34 other health care services, except that no cost-sharing shall be
35 imposed on the coverage provided pursuant to this section.

36 c. The Commissioner of Human Services shall apply for such
37 State plan amendments or waivers as may be necessary to
38 implement the provisions of this act and to secure federal financial
39 participation for State Medicaid expenditures under the federal
40 Medicaid program.

41

42 ¹**[8.] 7.**¹ Section 2 of P.L.2020, c.7 is amended to read as
43 follows:

44 2. a. During the Public Health Emergency and State of
45 Emergency declared by the Governor in Executive Order 103 of
46 2020, a carrier that offers a health benefits plan in this State shall
47 provide coverage and payment for expenses incurred in:

1 (1) the testing of coronavirus disease 2019, provided that a
2 health care professional licensed in accordance with the provisions
3 of **【P.L.2017, c.117 (C.45:1-61 et al.)】** Title 45 of the Revised
4 Statutes, or otherwise authorized to provide health care services in
5 this State, has issued a medical order for the testing; and

6 (2) any health care services delivered to a covered person
7 through telemedicine or telehealth in accordance with the
8 provisions of P.L.2017, c.117 (C.45:1-61 et al.).

9 b. The coverage shall be provided to the same extent as for any
10 other health care services under the health benefits plan, except that
11 no cost-sharing shall be imposed on the coverage provided pursuant
12 to this section.

13 c. As used in this section, “carrier,” means an insurance
14 company, health service corporation, hospital service corporation,
15 medical service corporation, or health maintenance organization
16 authorized to issue health benefits plans in this State, and shall
17 include the State Health Benefits Program and the School
18 Employees' Health Benefits Program.

19
20 **¹【9.】 8.¹** (New section) a. (1) Notwithstanding any other law to
21 the contrary, whenever the Governor declares a public health
22 emergency pursuant to the “Emergency Health Powers Act,” P.L.2005,
23 c.222 (C.26:13-1 et seq.), or a state of emergency pursuant to
24 P.L.1942, c.251 (C.App.A.9-33 et seq.), or both, during that declared
25 emergency the Governor may issue an executive order precluding the
26 issuance of ¹new¹ executions or other post-judgment process set forth
27 in chapters 17 and 18 of Title 2A of the New Jersey Statutes used to
28 enforce a judgment recovered in, or enforce an order for the payment
29 of money issued by, the Superior Court, Law Division, including the
30 Special Civil Part of the Law Division, but not including ¹any new
31 executions or other post-judgment process to enforce a judgment or
32 order on a landlord-tenant matter instituted in or transferred to the
33 Special Civil Part, and not including¹ any ¹new¹ executions or other
34 post-judgment process to enforce a judgment or order on a matter that,
35 pursuant to the Rules of Court, was instituted in or transferred to the
36 Superior Court, Chancery Division, Family Part, and subsequently
37 transferred to the Superior Court, Law Division, for any judgment or
38 order entered before, on, or after the day the executive order is issued.
39 **¹【This】** ¹The¹ executive order shall remain in effect for no longer than
40 **¹【60】 90¹** days following the declared end to the emergency.

41 (2) ¹(a)¹ With respect to any executive order issued by the
42 Governor pursuant to paragraph (1) of this subsection relating to the
43 Public Health Emergency and State of Emergency declared by the
44 Governor in Executive Order 103 of 2020 concerning the coronavirus
45 disease 2019 pandemic, that executive order shall apply retroactively
46 to any judgment or order described in that paragraph that was entered
47 on or after the date the emergency was declared in Executive Order

1 103 of 2020, for which an execution or other post-judgment process
2 has not been issued as of the day the executive order is issued ¹, but
3 shall not apply to any judgment or order described in that paragraph on
4 a landlord-tenant matter instituted in or transferred to the Superior
5 Court, Law Division, Special Civil Part that would result in removal of
6 a person from a residential property that is prohibited by Executive
7 Order 106 of 2020 issued pursuant to P.L.2020, c.1 (C.2A:18-59.3).

8 (b) With respect to any subsequent executive order issued by the
9 Governor pursuant to paragraph (1) of this subsection, that executive
10 order shall not apply to any judgment or order described in that
11 paragraph on a landlord-tenant matter instituted in or transferred to the
12 Superior Court, Law Division, Special Civil Part that would result in
13 removal of a person from a residential property that is prohibited by a
14 subsequent executive order issued pursuant to P.L.2020, c.1 (C.2A:18-
15 59.3) or other applicable law¹.

16 b. Proceedings on an execution or other post-judgment process
17 used to enforce a judgment recovered in, or enforce an order for the
18 payment of money issued by, the Superior Court, Law Division,
19 including the Special Civil Part of the Law Division, may be continued
20 while the executive order issued pursuant to subsection a. of this
21 section remains in effect, unless a court of competent jurisdiction
22 determines on its own motion, or motion of any party, that
23 enforcement should be stayed in the interest of justice.

24 c. Sheriffs, Special Civil Part Officers, and their agents shall
25 refrain from acting on any newly issued execution or other post-
26 judgment process as described in subsections a. and b. of this section,
27 unless a court of competent jurisdiction determines on its own motion,
28 or motion of any party, that enforcement is necessary in the interest of
29 justice.

30
31 ¹**【10.】** 9.¹ N.J.S.2A:17-19 is amended to read as follows:

32 2A:17-19. a. Goods and chattels, shares of stock or interests in
33 any corporation and, except as otherwise provided herein, personal
34 property of every kind, not exceeding in value, exclusive of wearing
35 apparel, \$1,000.00, and all wearing apparel, ¹**【and all governmental**
36 financial assistance provided in response to the Public Health
37 Emergency and State of Emergency declared by Executive Order No.
38 103 of 2020 concerning the coronavirus disease 2019 pandemic and
39 any related federal emergency declaration pursuant to federal law
40 concerning that same pandemic,】¹ the property of a debtor shall be
41 reserved, both before and after his death, for his use or that of his
42 family or his estate, and shall not be liable to be seized or taken by
43 virtue of any execution or civil process whatever, issued out of any
44 court of this State.

45 b. (1) All governmental financial assistance provided in response
46 to the Public Health Emergency and State of Emergency declared by
47 Executive Order No. 103 of 2020 concerning the coronavirus disease

1 2019 pandemic and any related federal emergency declaration
2 pursuant to federal law concerning that same pandemic, the property
3 of a debtor shall be reserved, both before and after his death, for his
4 use or that of his family or his estate, and shall not be liable to be
5 seized or taken by virtue of any execution or civil process whatever,
6 issued out of any court of this State, except as set forth in paragraph
7 (2) of this subsection.

8 (2) All governmental financial assistance described in paragraph
9 (1) of this subsection may be seized or taken by virtue of any
10 execution or civil process whatever, issued out of any court of this
11 State, with respect to any matter that, pursuant to the Rules of Court,
12 was instituted in or transferred to the Superior Court, Chancery
13 Division, Family Part.

14 c. Nothing herein contained shall be deemed or held to protect
15 from sale under execution or other process any goods, chattels or
16 property, for the purchase whereof the debt or demand for which the
17 judgment on which such execution or process was issued, shall have
18 been contracted, or to apply to process issued for the collection of
19 taxes or assessments.

20 (cf: P.L.1973, c.162, s.1)

21
22 **¹[11.]10.¹** (New section) If any provision of this act or its
23 application to any person or circumstances is held invalid, the
24 invalidity shall not affect other provisions or applications of this act
25 which can be given effect without the invalid provision or
26 application, and to this end the provisions of this act shall be
27 severable.

28
29 **¹[12.]11.¹** (New section) This act shall be known and may be
30 cited as the “COVID-19 Financial Security for Consumers Act.”

31
32 **¹[13.] 12.¹** This act shall take effect immediately. Sections **¹[5]**
33 **⁴** through **¹[8] 7¹** of this act shall apply to all health benefits plans
34 currently in effect in the State, or that are delivered, issued, executed
35 or renewed in this State, or approved for issuance or renewal in this
36 State by the Commissioner of Banking and Insurance, on or after the
37 effective date of this act.