

SENATE, No. 1466

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 19, 1996

By Senator RICE

1 AN ACT concerning paging devices and cellular telephones, and  
2 supplementing chapter 33 of Title 2C of the New Jersey 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. a. No person shall sell or lease a remotely activated paging  
8 device or cellular telephone to a person under the age of 18 unless that  
9 person provides to the seller a statement of consent by the person's  
10 parent or legal guardian to the sale or lease. Parental consent and such  
11 other information as may be deemed appropriate by the Attorney  
12 General shall be provided on a triplicate form designed by the Attorney  
13 General. The seller or lessor shall retain one copy of the consent form,  
14 provide the purchaser or lessee with one copy and forward one copy  
15 to the Attorney General.

16 b. A copy of the consent form authorizing the purchase of the  
17 paging device or cellular telephone shall be in the possession of the  
18 person who is under 18 years of age at all times while that person is in  
19 possession of the remotely activated paging device or cellular  
20 telephone.

21 c. The Attorney General shall maintain a registry of persons under  
22 the age of 18 who purchase remotely activated paging devices and  
23 cellular telephones. Pursuant to the "Administrative Procedure Act,"  
24 P.L.1968, c.410 (C.52:14B-1 et seq.), the Attorney General shall  
25 promulgate rules and regulations necessary to effectuate the purposes  
26 of this act.

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28 2. This act shall take effect on the first day of the second month  
29 after enactment and shall be retroactive to the effective date of  
30 P.L. , c. (now pending before the Governor as the Assembly  
31 Committee Substitute for Assembly Bill Nos. 1364 and 889 (1R);  
32 however, the Attorney General may take such anticipatory action as  
33 necessary prior to the effective date to effectuate the purposes of this  
34 act.

## STATEMENT

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This bill prohibits the purchase or lease of a remotely activated paging device or cellular telephone by a person under the age of 18 unless the purchaser provides to the seller a statement of consent to the sale or lease by the purchaser's parent or legal guardian on a form in triplicate to be designed by the Attorney General. The seller or lessor would be required to keep one copy of the form and forward one copy to the Attorney General. The person under 18 years of age would be required to keep a copy of the consent statement in his or her possession at all times while in the possession of the paging device or cellular telephone. The bill also would require the Attorney General to maintain a registry of persons under 18 years of age who purchase remotely activated paging devices or cellular telephones.

Recent legislation which passed both houses of the Legislature and awaits the Governor's approval would repeal the current ban on the sale or transfer of these devices to minors. This bill is necessary because paging devices and cellular telephones are used by drug dealers to employ young people in the sale of illegal drugs. The bill would become effective on the first day of the second month after enactment and would be retroactive to the date that the repeal of the current ban becomes effective.

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Requires parental consent and registry of minors who buy paging devices or cellular telephones.