

**SENATE, No. 3887**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED JUNE 10, 2021

**Sponsored by:**

**Senator JAMES BEACH**

**District 6 (Burlington and Camden)**

**SYNOPSIS**

Requires cable television, direct broadcast satellite, and television streaming service companies to include certain fees and charges for service in advertised price to consumers.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning certain price advertising and supplementing  
2 P.L.1972, c.186 (C.48:5A-1 et seq.) and Title 56 of the Revised  
3 Statutes.

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

7  
8 1. a. A CATV company shall not advertise its price for CATV  
9 service to a consumer in this State unless the advertised price is the  
10 total billable amount that the CATV company will charge to a  
11 consumer for the provision of CATV service based on the minimum  
12 equipment necessary per television set to receive and operate the  
13 CATV service that is being advertised.

14 b. A price advertised to a consumer shall include, but not be  
15 limited to, any broadcast programming fee, administrative and  
16 service fee, regional sports network fee, or cable television  
17 equipment fee per television set, including set-top box and remote  
18 rental fee.

19 c. The provisions of subsection a. of this section shall not  
20 require a CATV company to include in its advertised price for  
21 CATV service to a consumer in this State any tax, fee, or other  
22 charge that, pursuant to federal or State law, the CATV company is  
23 required to charge to a consumer and, pursuant to federal law, may  
24 itemize on a bill for CATV service; however, a CATV company  
25 shall indicate with its advertised price to consumers that federal or  
26 State taxes, fees, or other charges may apply.

27  
28 2. a. A direct broadcast satellite service company or television  
29 streaming service company doing business in this State shall not  
30 advertise a price for television service to a consumer in this State  
31 unless the advertised price is the total billable amount that the  
32 company will charge to a consumer for the provision of the television  
33 service based on the minimum equipment necessary per television set  
34 to receive and operate the service that is being advertised.

35 b. A price advertised to a consumer shall include, but not be  
36 limited to, any broadcast programming fee, administrative and service  
37 fee, regional sports network fee, or television equipment fee per  
38 television set, including set-top box and remote rental fee, if  
39 applicable.

40 c. The provisions of subsection a. of this section shall not require  
41 a direct broadcast satellite service company or a television streaming  
42 service company to include in its advertised price for television service  
43 to a consumer in this State any tax, fee, or other charge that, pursuant  
44 to federal or State law, the company is required to charge to a  
45 consumer and, pursuant to federal law, may itemize on a bill for  
46 service; however, a direct broadcast satellite service company or a  
47 television streaming service company shall indicate with its advertised

1 price to consumers that federal or State taxes, fees, or other charges  
2 may apply.

3 c. As used in this section:

4 “Direct broadcast satellite service” shall have the same meaning as  
5 provided in section 1 of P.L.2019, c.188 (C.56:12-99).

6 “Television streaming service” means a service that transmits over  
7 the Internet video content that is played continuously without  
8 download and whose provider charges a fee to consumers in this State.

9  
10 3. A violation of section 2 of P.L. , c. (C. ) (pending  
11 before the Legislature as this bill) shall be an unlawful practice and  
12 violation of P.L.1960, c.39 (C.56:8-1 et seq.).

13  
14 4. This act shall take effect immediately, but shall remain  
15 inoperative for 60 days following the date of enactment.

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#### 18 STATEMENT

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20 This bill prohibits cable television (CATV), direct broadcast  
21 satellite, and television streaming service companies from  
22 advertising prices for television service to a consumer in this State  
23 unless the advertised price is the total billable amount that the  
24 company will charge to a consumer for the provision of television  
25 service based on the minimum equipment necessary per television  
26 set to receive and operate the television service that is being  
27 advertised. A price advertised to a consumer is to include, but not  
28 be limited to, any broadcast programming fee, administrative and  
29 service fee, any regional sports network fee, and television  
30 equipment fee per television set, including set-top box and remote  
31 rental fee, if applicable. A CATV company, direct broadcast  
32 satellite company, or television streaming service company is not  
33 required to include in its advertised price for CATV service to a  
34 consumer in this State any tax, fee, or other charge that, pursuant to  
35 federal or State law, the CATV company is required to charge to a  
36 consumer and, pursuant to federal law, may itemize on a bill;  
37 however, a CATV company, direct broadcast satellite company, or  
38 television streaming service company is to indicate with its  
39 advertised price to consumers that federal or State taxes, fees, or  
40 other charges may apply.

41 A violation of the provisions of section 2 of the bill is an  
42 unlawful practice under the consumer fraud act, P.L.1960, c.39  
43 (C.56:8-1 et seq.). An unlawful practice is punishable by a  
44 monetary penalty of not more than \$10,000 for a first offense and  
45 not more than \$20,000 for any subsequent offense. In addition, a  
46 violation can result in cease and desist orders issued by the  
47 Attorney General, the assessment of punitive damages, and the  
48 awarding of treble damages and costs to the injured.