

ASSEMBLY, No. 2210

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED FEBRUARY 25, 2008

Sponsored by:

Assemblywoman CONNIE WAGNER

District 38 (Bergen)

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District 37 (Bergen)

SYNOPSIS

Provides that if wireless telephone service subscriber terminates service, any applicable subscriber termination fee is to be prorated.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning certain commercial mobile service provider
2 contracts and supplementing P.L.1960, c.39 (C.56:8-1 et seq.).
3

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

7 1. As used in this act:

8 “Wireless telephone service” or “service” means “commercial
9 mobile service” as “commercial mobile service” is defined in 47
10 U.S.C. s.332(d), but shall not include any paging or messaging
11 services utilizing facilities that are licensed by the Federal
12 Communications Commission including, but not limited to,
13 narrowband personal communications services described in Subpart
14 D (commencing with Section 24.100) of Part 24 of Title 47 of the
15 Code of Federal Regulations, as in effect on October 1, 2004.

16 “Wireless telephone service provider” or “provider” means any
17 person providing wireless telephone service.

18 “Wireless telephone service subscriber” or “subscriber” means
19 any person to whom wireless telephone service is provided or any
20 person who has agreed with a provider to pay obligations arising
21 from the provision of wireless telephone service to another person.
22

23 2. If a wireless telephone service provider charges a fee to any
24 of its subscribers in the event a subscriber cancels an agreement
25 with the provider and thereby terminates service with the provider,
26 the subscriber shall pay a prorated fee based on the portion of the
27 amount of time remaining in the service agreement.
28

29 3. A violation of this act shall be an unlawful practice subject to
30 the penalties applicable pursuant to section 1 of P.L.1966, c.39
31 (C.56:8-13) and section 2 of P.L.1999, c.129 (C.56:8-14.3).
32

33 4. This act shall take effect immediately and shall be applicable
34 to new contracts entered into, or existing contracts renewed, on or
35 after the effective date of this act.
36

37 STATEMENT
38

39 This bill provides that if a wireless telephone service provider
40 charges a fee to any of its subscribers in the event a subscriber
41 cancels an agreement with the provider and thereby terminates
42 service with the provider, the subscriber shall pay a prorated fee to
43 the provider based on the portion of the amount of time remaining
44 in the service agreement.

45 Any violation of the provisions of this bill is to be deemed an
46 unlawful practice subject to the penalties applicable pursuant to
47 section 1 of P.L.1966, c.39 (C.56:8-13) and section 2 of P.L.1999,
48 c.129 (C.56:8-14.3).