

CHAPTER 2

AN ACT concerning certain unsolicited telemarketing sales calls and amending P.L.2003, c.76.

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

1. Section 12 of P.L.2003, c.76 (C.56:8-130) is amended to read as follows:

C.56:8-130 Prohibited practices; “commercial mobile service,” “commercial mobile service device” defined.

12. a. A telemarketer shall not make or cause to be made any unsolicited telemarketing sales call to a commercial mobile service device of any customer, except that a telemarketer that is a commercial mobile services company may call its customer using its commercial mobile services if its customer will not incur telecommunication charges or a usage allocation deduction as a result of the call and the call is directly related to the commercial mobile services of the commercial mobile services company, unless the customer has stated to the commercial mobile services company that the customer no longer desires to receive these calls.

b. For the purposes of this section, "commercial mobile service" means a type of mobile telecommunications service as defined in subsection (d) of section 332 of the Communications Act of 1934 (47 U.S.C. s.332(d)); and "commercial mobile service device" means any equipment used for the purpose of providing commercial mobile service.

c. The provisions of this section shall apply to those numbers for commercial mobile service devices which the division is able to distinguish from numbers for devices for telecommunications service, as defined in section 2 of P.L.1991, c.428 (C.48:2-21.17), on the 30th day following certification of such to the Governor and the Legislature.

2. This act shall take effect immediately.

Approved January 29, 2015.