

ASSEMBLY, No. 2171

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

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SYNOPSIS

Requires Internet service providers to keep confidential subscriber's personally identifiable information unless subscriber authorizes Internet service provider in writing or email to disclose information; prohibits subscriber penalty.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning Internet service providers and personally
2 identifiable information and supplementing P.L.1960, c.39
3 (C.56:8-1 et seq.).
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 “Internet service provider” means a person, business, or
11 organization qualified to do business in this State that provides
12 individuals, businesses, or other entities with the ability to connect
13 by wireline or radio frequency to the Internet through equipment
14 that is located in this State.

15 “Ordinary course of business” means debt-collection activities,
16 order fulfillment, request processing, or the transfer of ownership,
17 and advertising services to the subscriber by the Internet service
18 provider.

19 “Personally identifiable information” means any information that
20 personally identifies, describes, or is able to be associated with a
21 subscriber or users of a subscriber’s account, including, but not
22 limited to:

23 an individuals’s name, address, or telephone number;
24 information pertaining to creditworthiness, assets, income, or
25 liabilities;
26 age or date of birth;
27 names of children;
28 the age or gender of children;
29 height or weight;
30 race, religion, or occupation;
31 educational history;
32 political party affiliation;
33 medical conditions;
34 drugs, therapies, or medical products or equipment used;
35 product information concerning what the subscriber purchased,
36 leased, or rented;
37 real property purchased, leased, or rented;
38 social security number;
39 bank or investment account number or balances;
40 credit or debit card number or balance;
41 debt payment history;
42 Internet searches; or
43 Web browser cache.

44 “Subscriber” means a residential or business subscriber located
45 in this State that subscribes with an Internet service provider to
46 receive access to the Internet on equipment located in the State.

1 undertaken pursuant to the “New Jersey Wiretapping and Electronic
2 Surveillance Control Act.”

3 This bill provides that a violation of this bill is to be an unlawful
4 practice in accordance with the State’s Consumer Fraud Act.

5 In this bill, “personally identifiable information” means any
6 information that personally identifies, describes, or is able to be
7 associated with a subscriber or users of a subscriber’s account,
8 including, but not limited to, several examples listed in this bill.

9 This bill also provides that “subscriber” means a residential or
10 business subscriber located in this State that subscribes with an
11 Internet service provider to receive access to the Internet on
12 equipment located in the State.