

# ASSEMBLY, No. 2339

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

**Sponsored by:**

**Assemblyman PAUL D. MORIARTY**

**District 4 (Camden and Gloucester)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblywoman CAROL A. MURPHY**

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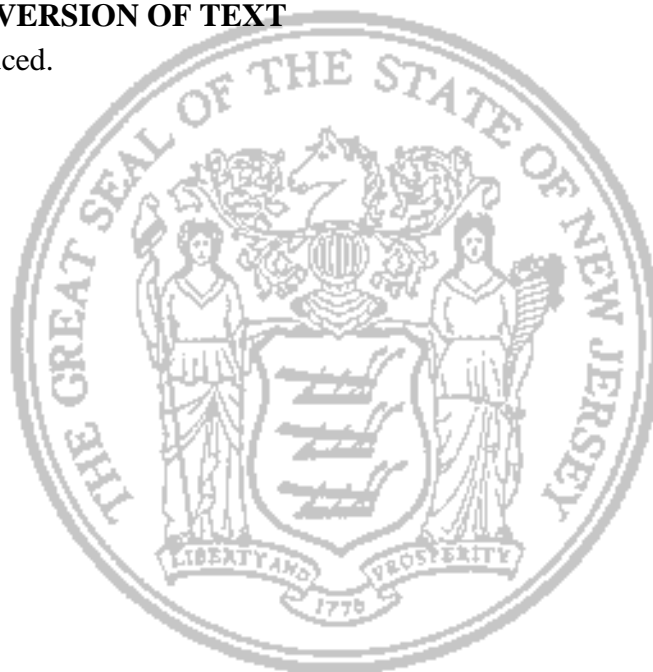
**Assemblywomen Vainieri Huttle and Speight**

**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.



**(Sponsorship Updated As Of: 2/13/2020)**

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

18 b. The provisions of subsection a. of this section shall not  
19 prohibit a CATV company from including in its advertised price for  
20 CATV service to a consumer in this State any tax, fee, or other  
21 charge that, pursuant to federal or State law, the CATV company is  
22 required to charge to a consumer and, pursuant to federal law, may  
23 itemize on a bill for CATV service.

24  
25 2. a. A direct broadcast satellite service company or television  
26 streaming service company doing business in this State shall not  
27 advertise a price for television service to a consumer in this State  
28 unless the advertised price is the total billable amount that the  
29 company will charge to a consumer for the provision of the  
30 television service based on the minimum equipment necessary per  
31 television set to receive and operate the service that is being  
32 advertised. A price advertised to a consumer shall include, but not  
33 be limited to, any broadcast programming fee, administrative and  
34 service fee, or television equipment fee per television set, including  
35 set-top box and remote rental fee, if applicable.

36 b. The provisions of subsection a. of this section shall not  
37 prohibit a direct broadcast satellite service company or a television  
38 streaming service company from including in its advertised price  
39 for television service to a consumer in this State any tax, fee, or  
40 other charge that, pursuant to federal or State law, the company is  
41 required to charge to a consumer and, pursuant to federal law, may  
42 itemize on a bill for service.

43 c. As used in this section:

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

46 "Television streaming service" means a service that transmits  
47 over the Internet video content that is played continuously without

1 download and whose provider charges a fee to consumers in this  
2 State.

3

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

7

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

10

11

12

STATEMENT

13

14 This bill prohibits cable television (CATV), direct broadcast  
15 satellite, and television streaming service companies from  
16 advertising prices for television service to a consumer in this State  
17 unless the advertised price is the total billable amount that the  
18 company will charge to a consumer for the provision of television  
19 service based on the minimum equipment necessary per television  
20 set to receive and operate the television service that is being  
21 advertised. A price advertised to a consumer is to include, but not  
22 be limited to, any broadcast programming fee, administrative and  
23 service fee, and television equipment fee per television set,  
24 including set-top box and remote rental fee, if applicable. The bill  
25 does not prohibit CATV, direct broadcast satellite, or television  
26 streaming service companies from including in advertised prices for  
27 television service to a consumer in this State any tax, fee, or other  
28 charge that, pursuant to federal or State law, the company is  
29 required to charge to a consumer and, pursuant to federal law, a  
30 company may itemize on a bill for television service.

31

32 The bill provides that a violation of section 2 of the bill is to be  
33 an unlawful practice and violation of the New Jersey consumer  
34 fraud act. An unlawful act under the consumer fraud act is  
35 punishable by a monetary penalty of not more than \$10,000 for the  
36 first offense and not more than \$20,000 for any subsequent offense,  
in addition to other penalties.