

ASSEMBLY CONSUMER AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2339

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 5, 2020

The Assembly Consumer Affairs Committee reports favorably and with committee amendments Assembly Bill No. 2339.

As amended and reported, this bill prohibits cable television (CATV), direct broadcast satellite, and television streaming service companies from advertising prices for television service to a consumer in this State unless the advertised price is the total billable amount that the company will charge to a consumer for the provision of television service based on the minimum equipment necessary per television set to receive and operate the television service that is being advertised. A price advertised to a consumer is to include, but not be limited to, any broadcast programming fee, administrative and service fee, any regional sports network fee, and television equipment fee per television set, including set-top box and remote rental fee, if applicable. A CATV company, direct broadcast satellite company, or television streaming service company is not required to include in its advertised price for CATV service to a consumer in this State any tax, fee, or other charge that, pursuant to federal or State law, the CATV company is required to charge to a consumer and, pursuant to federal law, may itemize on a bill; however, a CATV company, direct broadcast satellite company, or television streaming service company is to indicate with its advertised price to consumers that federal or State taxes, fees, or other charges may apply.

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

COMMITTEE AMENDMENTS:

The committee amended the bill to include regional sports network fees in the fees required to be included in the advertised price for CATV, satellite, or streaming television service. The committee also amended the bill to clarify that there is no requirement for a CATV

company, direct broadcast satellite company, or television streaming service company to include in its advertised price for CATV, satellite, or streaming television service to a consumer in this State any tax, fee, or other charge that, pursuant to federal or State law, the CATV company, direct broadcast satellite company, or television streaming service company is required to charge to a consumer and, pursuant to federal law, may itemize on a bill; however, the amendments require that a CATV company, direct broadcast satellite company, or television streaming service company is to indicate with its advertised price to consumers that federal or State taxes, fees, or other charges may apply.