

ASSEMBLY, No. 2608

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

SYNOPSIS

Requires cell phone warranties to last throughout initial service contract.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning cell phone warranties and supplementing
2 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:

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7 1. As used in this act:

8 “Subscriber” means any person to whom wireless telephone
9 service is provided.

10 “Wireless telephone service” means commercial mobile radio
11 service as defined in 47 U.S.C. s.332 (d).

12 “Wireless telephone service provider” means any person
13 providing wireless telephone service, or any sales person employed
14 by a wireless telephone service provider, or any direct or indirect
15 affiliate or agent of a wireless telephone service provider who sells
16 a wireless communication device to a subscriber.

17

18 2. a. A wireless telephone service provider shall not sell a
19 wireless communication device to a subscriber unless that wireless
20 communication device is covered by a warranty that obligates the
21 wireless telephone service provider, upon failure or malfunction of
22 the wireless communication device, to correct the malfunction or
23 defect or replace the wireless communication device with a similar
24 one of equal or greater value.

25 b. Any warranty required pursuant to the provisions of
26 subsection a. of this section and provided after the effective date of
27 P.L. , c. (C.) (pending before the Legislature as this bill)
28 shall remain in effect for a period of time at least as long as the
29 initial contract for wireless telephone service between the
30 subscriber and the wireless telephone service provider is valid, but
31 in no case for a period of time less than one year.

32 c. A violation of this section is an unlawful practice.

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34 3. This act shall take effect of the first day of the seventh
35 month next following enactment.

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38 STATEMENT

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40 This bill would require cell phone warranties to last throughout
41 the length of an initial service contract. Under the bill, wireless
42 telephone service providers would be required to offer warranties
43 on wireless communication devices. These warranties would have
44 to last at least as long as the initial wireless telephone service
45 contract, or for one year, whichever is longer.

46 The bill specifies that violations would be unlawful practices
47 under the consumer fraud act. An unlawful practice is punishable
48 by a monetary penalty of not more than \$10,000 for a first offense

1 and not more than \$20,000 for any subsequent offense.
2 Additionally, violations can result in cease and desist orders issued
3 by the Attorney General, the assessment of punitive damages, and
4 the awarding of treble damages and costs to the injured party.