

ASSEMBLY, No. 4428

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JULY 20, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

SYNOPSIS

Prohibits use of certain technology for unauthorized electronic surveillance of cellular telephones.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 7/20/2020)

1 AN ACT prohibiting the unauthorized electronic surveillance of
2 cellular telephones and supplementing Title 2A of the Revised
3 Statutes.

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

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

10 “Cellular telephone” means a wireless mobile communication
11 device that transmits both oral and electronic communication,
12 location information, and other electronic storage data, in whole or
13 in part, through the aid of a radio, electromagnetic, photoelectric, or
14 photo-optical system.

15 “Notification” means an electronic alert designed to notify the
16 user when a software application is being accessed or activated
17 within a cellular telephone, computer, or other personal
18 communication or computing device.

19 “Software application” means a set of programs, procedures, or
20 related technology used to operate a cellular telephone, computer,
21 or other personal communication or computing device.

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23 2. Except as specifically provided for in section 4 of
24 P.L.1968, 409 (C.2A:156A-4) and section 1 of P.L.2009, c.142
25 (C.2A:156A-4.1), it shall be unlawful for any person to:

26 a. Purposely use or attempt to use any software application or
27 other technology that disables or hides notifications, within the
28 cellular telephone of another person, that are designed to alert the
29 user that the global positioning system or other location enabling
30 system of the cellular telephone is being accessed or activated; or

31 b. Purposely use or attempt to use any software application or
32 other technology to intercept or disclose the contents of any
33 electronic or oral communication, location information, or other
34 information, not readily accessible to the general public, of the
35 cellular telephone of another person without the consent of the
36 person whose communications, location information, or cellular
37 telephone information is being intercepted or disclosed.

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39 3. Except as specifically provided for in section 6 of
40 P.L.1968, c.409 (C.2A:156A-6), it shall be unlawful for any person
41 to:

42 a. Purposely possess, sell, distribute, manufacture, assemble, or
43 advertise the sale or distribution of any software application or
44 other technology that is primarily used for the purpose of disabling
45 or hiding notifications, within the cellular telephone of another
46 person, that are designed to alert the user that the global positioning
47 system or other location enabling system of the cellular telephone is
48 being accessed or activated; or

