SENATE, No. 1735

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:
Senator JAMES BEACH
District 6 (Burlington and Camden)

SYNOPSIS

Requires telemarketers making sales calls to display their name and telephone number on any caller identification service.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning telemarketing sales calls and amending P.L.2003, c.76.

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

1. Section 10 of P.L.2003, c.76 (C.56:8-128) is amended to read as follows:

10. a. **[**No**]** A telemarketer shall not make or cause to be made any unsolicited telemarketing sales call to any customer whose telephone number is included on the no telemarketing call list established pursuant to section 9 of **[**this act**]** P.L.2003, c.76 (C.56:8-127), except for a call made within three months of the date the customer's telephone number was first included on the no call list, but only if the telemarketer had at the time of the call not yet obtained a no call list which included the customer's telephone number and the no call list used by the telemarketer was issued less than three months prior to the time the call was made.

b. A telemarketer making a telemarketing sales call shall, within the first 30 seconds of the call, accurately identify the telemarketer's name, the person on whose behalf the call is being made, and the purpose of the call.

c. A telemarketer shall not make or cause to be made any unsolicited telemarketing sales call to any customer between the hours of **[**9**]** 9:00 p.m. and **[**8**]** 8:00 a.m., local time, at the customer's location.

d. (1) When making or causing to be made any telemarketing sales call, a telemarketer shall not fail to transmit or cause to be transmitted the telephone number and, when made available by the telemarketer's telephone company, the name of the telemarketer, to any caller identification service in use by a recipient of a telemarketing sales call; provided, however, that it shall not be a violation of this paragraph to substitute, for the name and telephone number used in or billed for making the call, the name of the seller on behalf of which a telemarketing sales call is placed and the seller's customer service telephone number that is answered during regular business hours.

(2) A telemarketer shall not intentionally use any method that blocks a caller identification service from displaying caller identification information or otherwise circumvents a customer's use of a telephone caller identification service, including, but not limited to, the use of any technology or method which displays a telephone number or name not associated with the telemarketer or intentionally designed to misrepresent the telemarketer's identity.

(cf: P.L.2005, c.289, s.1)

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

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

STATEMENT

This bill prohibits a telemarketer, when making or causing to be made any telemarketing sales call, from failing to transmit or cause to be transmitted the telephone number, and, when made available by the telemarketer's telephone company, the name of the telemarketer, to any caller identification service in use by a recipient of a telemarketing sales call. The bill permits the telemarketer to substitute, for the name and telephone number used in or billed for making the call, the name of the seller on behalf of which the call is placed and the seller's customer service telephone number that is answered during regular business hours.