

**ASSEMBLY, No. 1782**

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**STATE OF NEW JERSEY**  
**220th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Assemblyman WAYNE P. DEANGELO**

**District 14 (Mercer and Middlesex)**

**SYNOPSIS**

Provides consumer protections under certain telecommunications service provider contracts.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning certain telecommunications service provider  
2 contracts and supplementing Title 56 of the Revised Statutes.

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 P.L. , c. (C. ) (pending before the  
8 Legislature as this bill):

9 “Telecommunications service” or “service” means the provision  
10 of cable television service, telephone service using any telephony  
11 other than wireless telephone service, or Internet access service,  
12 when provided individually or, in combination with any of the  
13 aforementioned services, through the means of a service contract or  
14 other similar agreement with a telecommunications service provider  
15 and a telecommunications service subscriber.

16 “Telecommunications service provider” or “provider” means any  
17 person providing telecommunications service.

18 “Telecommunications service subscriber” or “subscriber” means  
19 any person to whom telecommunications service is provided or any  
20 person who has agreed with a provider to pay obligations arising  
21 from the provision of telecommunications service to another person.

22

23 2. Notwithstanding any law, rule, regulation, or order to the  
24 contrary, if a telecommunications service subscriber experiences  
25 and reports to the subscriber’s telecommunications service provider  
26 a telecommunications service outage occurring more than three  
27 times in any 30-day period, the provider:

28 a. shall not impose upon the subscriber any early termination,  
29 cancellation, or any otherwise applicable fee or charge in  
30 connection with the subscriber’s election to terminate service with  
31 the provider prior to the expiration of the service contract or other  
32 similar agreement;

33 b. shall refund to the subscriber any applicable fee or charge  
34 paid by the subscriber for establishing or activating service with the  
35 provider; and

36 c. shall refund to the subscriber an amount equal to the amount  
37 of any early termination, cancellation, or any otherwise applicable  
38 fee or charge paid by the subscriber for terminating service with the  
39 subscriber’s previous provider prior to the expiration of the service  
40 contract or other similar agreement with the subscriber’s previous  
41 provider. A subscriber requesting a refund under this subsection  
42 shall submit to the provider a copy of the statement of payment to  
43 the subscriber’s previous provider as acceptable evidence that the  
44 early termination or cancellation fee or charge was paid.

45

46 3. A telecommunications service provider shall keep a record  
47 of the dates of all telecommunications service outages experienced  
48 and reported to the provider by each of its subscribers and shall

1 transmit to each subscriber that has experienced a service outage  
2 occurring more than three times in any 30-day period a notice of  
3 that situation as an acknowledgement that the subscriber is eligible  
4 for the relief provided for in section 2 of P.L. , c. (C. )  
5 (pending before the Legislature as this bill).  
6

7 4. A violation of P.L. , c. (C. ) (pending before the  
8 Legislature as this bill) shall be an unlawful practice subject to the  
9 penalties applicable pursuant to section 1 of P.L.1966, c.39 (C.56:8-  
10 13) and section 2 of P.L.1999, c.129 (C.56:8-14.3).  
11

12 5. This act shall take effect immediately and shall be applicable  
13 to new service contracts or other similar agreements entered into, or  
14 existing service contracts or other similar agreements renewed, on  
15 or after the effective date of this act.  
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17  
18 STATEMENT  
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20 This bill imposes certain obligations on a provider of cable  
21 television service, telephone service using any telephony other than  
22 wireless telephone service, or Internet access service, that provides  
23 these services individually or, in combination with any of the  
24 aforementioned services, via a contract or service agreement with a  
25 subscriber.

26 Specifically, if a subscriber of the aforementioned service or  
27 services (subscriber) experiences and reports to the provider of the  
28 service or services (provider) a service outage occurring more than  
29 three times in any 30-day period, the provider: 1) is prohibited from  
30 imposing any early termination, cancellation, or any otherwise  
31 applicable fee or charge on the subscriber for terminating service  
32 with the provider prior to the expiration of the service contract; 2) is  
33 to refund to the subscriber any applicable fee or charge paid by the  
34 subscriber for establishing or activating service with the provider;  
35 and 3) is to refund to the subscriber the amount of any early  
36 termination, cancellation, or any otherwise applicable fee or charge  
37 that the subscriber paid for terminating service with the subscriber's  
38 previous provider. A subscriber requesting a refund of the charge  
39 for terminating service with the subscriber's previous provider is  
40 required to submit to the provider a copy of the statement of  
41 payment to the subscriber's previous provider as acceptable  
42 evidence that the fee or charge was paid.

43 The bill requires providers to keep a record of the dates of all  
44 telecommunications service outages that its subscribers have  
45 reported to the provider and to notify each subscriber that has  
46 experienced a service outage occurring more than three times in any  
47 30-day period of that situation.

**A1782 DEANGELO**

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1       Any violation of the provisions of this bill is to be deemed an  
2 unlawful practice subject to the penalties applicable pursuant to  
3 section 1 of P.L.1966, c.39 (C.56:8-13) and section 2 of P.L.1999,  
4 c.129 (C.56:8-14.3).