

**ASSEMBLY, No. 2526**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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INTRODUCED FEBRUARY 14, 2022

**Sponsored by:**  
**Assemblywoman CAROL A. MURPHY**  
**District 7 (Burlington)**

**SYNOPSIS**

Permits court to order transfer of billing responsibility for, and rights to, wireless telephone number to certain victims of domestic violence or stalking.

**CURRENT VERSION OF TEXT**

As introduced.



1   **AN ACT** concerning protections for certain victims of domestic  
2       violence or stalking and supplementing Title 2C of the New  
3       Jersey Statutes.

4  
5       **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6       *of New Jersey:*

7  
8       1. In addition to any other relief granted pursuant to the  
9       provisions of the “Prevention of Domestic Violence Act of 1991,”  
10      P.L.1991, c.261 (C.2C:25-17 et al.) or section 3 of P.L.1996, c.39  
11      (C.2C:12-10.1), the court may issue an order directing a wireless  
12      telephone service provider to transfer the billing responsibility for  
13      and rights to a wireless telephone number to the victim, if the  
14      victim is not the account holder.

15  
16      2.   a. The order transferring billing responsibility for and rights  
17      to the wireless telephone number to a victim shall be a separate  
18      order that is directed to the wireless telephone service provider. The  
19      order shall list the name and the billing telephone number of the  
20      account holder, the name and contact information of the person to  
21      whom the telephone number will be transferred, and each telephone  
22      number to be transferred to that person. The court shall ensure that  
23      the contact information of the victim is not provided to the account  
24      holder in proceedings held pursuant to P.L.1991, c.261 (C.2C:25-17  
25      et al.).

26      b. The order shall be served on the wireless service provider’s  
27      agent for service of process listed with the Secretary of State.

28      c. The wireless service provider shall notify the victim and the  
29      court within 72 hours of receipt of the order if the provider cannot  
30      operationally or technically effectuate the order due to certain  
31      circumstances, including, but not limited to, any of the following:

- 32          (1) The account holder has already terminated the account;  
33          (2) Differences in network technology prevent the functionality  
34          of a device on the network; or  
35          (3) There are geographic or other limitations on network or  
36          service availability.

37      If the wireless service provider cannot operationally or  
38      technically effectuate the order, the provider shall inform the court  
39      and the victim of any reasons for the provider’s noncompliance.

40  
41      3.   a. Upon transfer of billing responsibility for and rights to a  
42      wireless telephone number to the victim pursuant to this act, the  
43      victim shall assume all financial responsibility for the transferred  
44      wireless telephone number, monthly service costs, and costs for any  
45      mobile device associated with the wireless telephone number.

46      b. This section shall not preclude a wireless service provider  
47      from applying any routine and customary requirements for account  
48      establishment to the victim as part of the transfer of billing

1 responsibility for a wireless telephone number and any devices  
2 attached to that number, including, but not limited to, identification,  
3 financial information, and customer preferences.

4  
5 4. P.L. , c. (C. ) (pending before the Legislature as this  
6 bill) shall not affect the authority of the court to apportion the assets  
7 and debts of the parties pursuant to law, or the authority of the court  
8 to determine the temporary use, possession, and control of personal  
9 property pursuant to section 13 of P.L.1991, c.261 (C.2C:25-29).

10  
11 5. No wireless telephone service provider or its officers,  
12 employees, or agents shall be liable for damages for actions taken in  
13 accordance with the terms of a court order issued pursuant to this  
14 act.

15  
16 6. This act shall take effect immediately.

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19 STATEMENT

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21 This bill would permit the court to issue an order directing a  
22 wireless telephone service provider to transfer a domestic violence  
23 or stalking victim's wireless telephone number to that victim. This  
24 would enable the victim to maintain any existing wireless telephone  
25 numbers. The substitute would apply to victims of domestic violence  
26 as set forth in the "Prevention of Domestic Violence Act of 1991,"  
27 P.L.1991, c.261 (C.2C:25-17 et al.) and victims of stalking who have  
28 obtained a permanent restraining order pursuant to section 3 of  
29 P.L.1996, c.39 (C.2C:12-10.1). The court order would transfer billing  
30 responsibility for, and rights to, any of the victim's wireless  
31 telephone number to that victim, if the victim is not already the  
32 account holder.

33 In a separate order, the court would list the name and billing  
34 telephone number of the account holder, the name and contact  
35 information of the person to whom the telephone number will be  
36 transferred, and each telephone number to be transferred to that  
37 person. The court would ensure that the contact information of the  
38 victim is not provided to the account holder in any domestic  
39 violence proceedings.

40 The order would be served on the wireless service provider's  
41 agent for service of process listed with the Secretary of State. The  
42 wireless service provider would notify the victim and the court  
43 within 72 hours of receipt of the order if the provider cannot  
44 operationally or technically effectuate the order for situations  
45 including, but not limited to, any of the following:

46 (1) The account holder has already terminated the account;

47 (2) Differences in network technology prevent the functionality  
48 of a device on the network; or

1       (3) There are geographic or other limitations on network or  
2 service availability.

3       If the provider cannot operationally or technically effectuate the  
4 order, the provider would inform the court and the victim of any  
5 reasons for the provider's noncompliance.

6       Upon transfer of billing responsibility for and rights to a wireless  
7 telephone number to the victim, the victim would assume all  
8 financial responsibility for the number, monthly service costs, and  
9 costs for any mobile device associated with the wireless telephone  
10 number or numbers.

11       The wireless service provider would not be precluded from  
12 applying any routine and customary requirements for account  
13 establishment to the victim as part of this transfer of billing  
14 responsibility and any devices attached to that number, including,  
15 but not limited to, identification, financial information, and  
16 customer preferences.

17       This bill specifies that it would not affect the authority of the court  
18 to apportion the assets and debts of the parties pursuant to law, or the  
19 authority of the court to determine the temporary use, possession, and  
20 control of personal property pursuant to section 13 of P.L.1991, c.261  
21 (C.2C:25-29).

22       The bill also provides that no wireless telephone service provider  
23 or its officers, employees, or agents would be liable for damages for  
24 actions taken in accordance with the terms of a court order issued  
25 pursuant to this bill.