

[First Reprint]

## ASSEMBLY, No. 2526

# STATE OF NEW JERSEY

## 220th LEGISLATURE

INTRODUCED FEBRUARY 14, 2022

**Sponsored by:**

**Assemblywoman CAROL A. MURPHY**

**District 7 (Burlington)**

**Co-Sponsored by:**

**Assemblywoman Dunn**

### 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 reported by the Assembly Judiciary Committee on March 9, 2023, with amendments.



**(Sponsorship Updated As Of: 3/16/2023)**

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

25 b. The order shall be served on the wireless service provider’s  
26 agent for service of process listed with the <sup>1</sup>**【Secretary of State】** State  
27 Treasurer<sup>1</sup>.

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 of  
34 a device on the network; or  
35 (3) There are geographic or other limitations on network or service  
36 availability.

37 If the wireless service provider cannot operationally or technically  
38 effectuate the order, the provider shall inform the court and the victim  
39 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.

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AJU committee amendments adopted March 9, 2023.

1       b. This section shall not preclude a wireless service provider  
2 from applying any routine and customary requirements for account  
3 establishment to the victim as part of the transfer of billing  
4 responsibility for a wireless telephone number and any devices  
5 attached to that number, including, but not limited to, identification,  
6 financial information, and customer preferences.

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

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

18  
19       6. This act shall take effect <sup>1</sup>**[immediately]**<sup>1</sup> on the first day of  
20 the sixth month next following the date of enactment, but the  
21 Administrative Director of the Administrative Office of the Courts  
22 may take such anticipatory action as is necessary for the  
23 implementation of the act<sup>1</sup>.