

[Second Reprint]

ASSEMBLY, No. 2526

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED FEBRUARY 14, 2022

Sponsored by:

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblyman STERLEY S. STANLEY

District 18 (Middlesex)

Assemblyman ALEX SAUICKIE

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Co-Sponsored by:

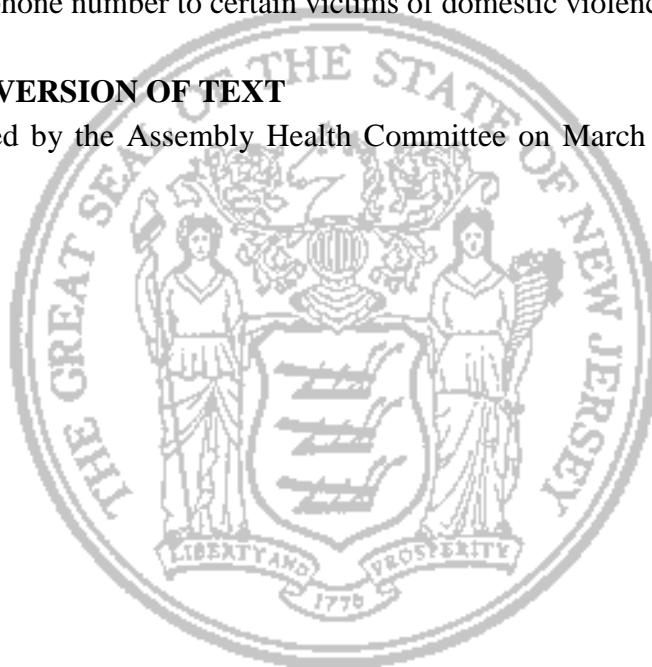
**Assemblywomen Dunn, Jasey, Assemblymen Conaway, Spearman,
Assemblywomen Mosquera and Park**

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 Health Committee on March 20, 2023, with amendments.



(Sponsorship Updated As Of: 3/30/2023)

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 ², and upon the issuance
9 of a final restraining order,² pursuant to the provisions of the
10 “Prevention of Domestic Violence Act of 1991,” P.L.1991, c.261
11 (C.2C:25-17 et al.) or ²a permanent restraining order pursuant to²
12 section 3 of P.L.1996, c.39 (C.2C:12-10.1), the court may ², at the
13 victim’s request,² issue an order directing a wireless telephone service
14 provider to transfer the billing responsibility for ^{2,2} and rights to ^{2,2} a
15 wireless telephone number to the victim, if the victim is not the
16 account holder.

17 ²When issuing an order concerning a wireless telephone number
18 pursuant to this section, upon the victim’s request, the court may also
19 order the defendant to reimburse the victim for any fees associated
20 with the transfer incurred by the victim during the transfer of billing
21 responsibilities.²

22
23 2. a. The order transferring billing responsibility for ^{2,2} and
24 rights to ^{2,2} the wireless telephone number to a victim shall be a
25 separate order that is directed to the wireless telephone service
26 provider. The order shall list the name and the billing telephone
27 number of the account holder, the name and contact information of the
28 person to whom the telephone number will be transferred, and each
29 telephone number to be transferred to that person. The court shall
30 ensure that the contact information of the victim is not provided to the
31 account holder in proceedings held pursuant to P.L.1991, c.261
32 (C.2C:25-17 et al.).

33 b. The order shall be served on the wireless service provider’s
34 agent for service of process listed with the ¹**【Secretary of State】** State
35 Treasurer¹.

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

- 40 (1) The account holder has already terminated the account;
41 (2) Differences in network technology prevent the functionality of
42 a device on the network; or
43 (3) There are geographic or other limitations on network or service
44 availability.

45 If the wireless service provider cannot operationally or technically

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:

¹Assembly AJU committee amendments adopted March 9, 2023.

²Assembly AHE committee amendments adopted March 20, 2023.

1 effectuate the order, the provider shall inform the court and the victim
2 of any reasons for the provider's noncompliance.

3
4 3. a. Upon transfer of billing responsibility for ^{2,2} and rights to
5 ^{2,2} a wireless telephone number to the victim pursuant to this act, the
6 victim shall assume all financial responsibility for the transferred
7 wireless telephone number, monthly service costs, and costs for any
8 mobile device associated with the wireless telephone number.

9 b. This section shall not preclude a wireless service provider from
10 applying any routine and customary requirements for account
11 establishment to the victim as part of the transfer of billing
12 responsibility for a wireless telephone number and any devices
13 attached to that number, including, but not limited to, identification,
14 financial information, and customer preferences.

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

20
21 5. No wireless telephone service provider or its officers,
22 employees, or agents shall be liable for damages for actions taken in
23 accordance with the terms of a court order issued pursuant to this
24 act.

25
26 6. This act shall take effect ¹**[immediately]**¹ on the first day of
27 the sixth month next following the date of enactment, but the
28 Administrative Director of the Administrative Office of the Courts
29 may take such anticipatory action as is necessary for the
30 implementation of the act¹.