

# SENATE, No. 921

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JANUARY 31, 2022

**Sponsored by:**

**Senator JON M. BRAMNICK**

**District 21 (Morris, Somerset and Union)**

**Senator NELLIE POU**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

**Senator Codey**

**SYNOPSIS**

Requires telemarketers to provide name, mailing address, and telephone number of person on whose behalf call is made.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/26/2023)**

1 AN ACT concerning telemarketers and amending P.L.2003, c.76.

2

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

5

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

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

18 b. A telemarketer making a telemarketing sales call shall, within  
19 the first 30 seconds of the call, accurately identify the telemarketer's  
20 name, the name and telephone number of the person on whose behalf  
21 the call is being made, and the purpose of the call. A violation of this  
22 subsection shall constitute a disorderly persons offense.

23 c. A telemarketer shall be required to disclose the mailing address  
24 of the telemarketer, and any company on whose behalf the company is  
25 telemarketing, on any website owned or operated by the telemarketer  
26 and on any subsequent written communication to a customer.

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

31 **[d.]** e. A telemarketer shall not intentionally use any method  
32 that blocks a caller identification service from displaying caller  
33 identification information or otherwise circumvents a customer's use  
34 of a telephone caller identification service, including, but not limited  
35 to, the use of any technology or method which displays a telephone  
36 number or name not associated with the telemarketer or intentionally  
37 designed to misrepresent the telemarketer's identity.

38 f. The requirements of this section shall not apply to any  
39 telemarketer who makes a residential marketing call in response to a  
40 customer's phone call or contact with the telemarketer's website, in  
41 which the customer affirmatively requests a follow-up telemarketing  
42 sales call or other contact from the telemarketer.

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

44

45 2. This act shall take effect on the first day of the seventh  
46 month following enactment.

**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.

1 STATEMENT

2

3 This bill requires a telemarketer, within 30 seconds of making a  
4 telemarketing sales call, to provide the customer the name and  
5 telephone number of the person on whose behalf the call is being  
6 made. A violation of the bill's provisions is to constitute a  
7 disorderly persons offense.

8 The bill also requires the mailing address of a telemarketer and  
9 any business on whose behalf the telemarketer is telemarketing to  
10 be disclosed on any website owned or operated by the telemarketer  
11 and on any subsequent written communication to customers.

12 The prohibition on unsolicited sales calls and the requirement to  
13 disclose certain telemarketer information required in this bill do not  
14 apply to telemarketing sales calls when a customer contacts the  
15 telemarketer via phone call or website and affirmatively requests a  
16 follow-up telemarketing sales call or other contact from the  
17 telemarketer.