

**SENATE, No. 3809**

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

INTRODUCED MAY 11, 2023

**Sponsored by:**  
**Senator JON M. BRAMNICK**  
**District 21 (Morris, Somerset and Union)**

**SYNOPSIS**

Prohibits certain caller identification service manipulation; makes violation fourth degree crime.

**CURRENT VERSION OF TEXT**

As introduced.



1   **AN ACT** concerning caller identification service manipulation and  
2       supplementing Title 2C of the New Jersey 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. a. As used in this section:

8       “Caller identification information” means information provided  
9 by a caller identification service regarding the telephone number,  
10 location, organization, or other information regarding the  
11 origination of a call or text message made using a voice  
12 telecommunications service.

13       “Caller identification service” means any service or device  
14 designed to provide the user of the service or device with the  
15 telephone number, or other information regarding the origination of,  
16 a call or text message made using a voice telecommunications  
17 service, and includes automatic number identification services.

18       “Voice telecommunications service” means the offering of voice  
19 communications service, including Voice over Internet Protocol  
20 service, as defined pursuant to section 3 of P.L.2007, c.195  
21 (C.48:17-34), or commercial mobile service, using a public  
22 switched telephone network or a successor network, directly to the  
23 public or to those classes of users as to be effectively available  
24 directly to the public.

25       b. Except as otherwise provided in this section, a person shall  
26 not knowingly make, place, initiate, or otherwise transmit a call or  
27 text message to a person within this State, and engage in conduct  
28 that results in the display of misleading, false, or inaccurate caller  
29 identification information to the receiving party or otherwise  
30 circumvents the caller identification service of the receiving party,  
31 with the intent to defraud, cause harm, or wrongfully obtain  
32 anything of value.

33       c. Consistent with the provisions of the federal “Truth in Caller  
34 ID Act of 2009” (47 U.S.C. s.227(e)), or any other federal law, rule,  
35 regulation, or order as applicable, nothing in this section shall be  
36 construed to:

37       (1) prevent or restrict a person from blocking the capability of  
38 any caller identification service to transmit caller identification  
39 information, provided that the blocking of such information is not  
40 undertaken with the intent to defraud, cause harm, or wrongfully  
41 obtain anything of value;

42       (2) prohibit the use of caller identification manipulation as  
43 authorized pursuant to a court order or as determined by the Federal  
44 Communications Commission;

45       (3) authorize or prohibit the use of caller identification  
46 manipulation during the course of any investigative, protective, or  
47 intelligence activities performed in connection with official duties,  
48 and in accordance with all applicable laws, by any law enforcement

1 agency or intelligence agency of the United States, a state, or a  
2 political subdivision of a state; or

3 (4) authorize any conduct prohibited pursuant to section 13 of  
4 P.L.2005, c.283 (C.45:17A-30.1) or any other law, rule, regulation,  
5 or order.

6 d. The provisions of subsection b. of this section shall not apply  
7 to:

8 (1) a provider of voice telecommunications service acting solely  
9 as an intermediary for the transmission of voice telecommunications  
10 service between the caller and the recipient of the call; or

11 (2) a caller who, based on the telephone number called,  
12 reasonably believes the recipient of the call is not physically located  
13 within the State.

14 e. A person who violates the provisions of subsection b. of this  
15 section shall be guilty of a crime of the fourth degree.

16 f. The Department of Law and Public Safety shall promulgate  
17 rules and regulations, pursuant to the provisions of the  
18 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
19 seq.), as necessary to implement this section.

20  
21 2. This act shall take effect immediately.

## 22 23 24 STATEMENT

25  
26 This bill prohibits a person from knowingly making, placing,  
27 initiating, or otherwise transmitting a call or text message to a  
28 person within this State, and engaging in conduct that results in the  
29 display of misleading, false, or inaccurate caller identification  
30 information to the receiving party or otherwise circumventing the  
31 caller identification service of the receiving party, with the intent to  
32 defraud, cause harm, or wrongfully obtain anything of value.

33 The bill provides, consistent with federal law, several exceptions  
34 to the bill's prohibition on caller identification manipulation,  
35 including, but not limited to: (1) the use of caller identification  
36 manipulation as authorized pursuant to a court order or as  
37 determined by the Federal Communications Commission; and (2)  
38 the use of caller identification manipulation during the course of  
39 any investigative, protective, or intelligence activities performed in  
40 connection with official duties, and in accordance with all  
41 applicable laws, by any law enforcement agency or intelligence  
42 agency of the United States, a state, or a political subdivision of a  
43 state.

44 A person who violates the bill's provisions is guilty of a crime of  
45 the fourth degree. A crime of the fourth degree is punishable by a  
46 term of imprisonment of up to 18 months, a fine of up to \$10,000,  
47 or both.