

48:5A-49

LEGISLATIVE HISTORY CHECKLIST

NJSA: 48:5A-49

(Owner of building - defines to include condominium associations, housing, cooperatives and mobile home parks)

LAW S OF: 1983

CHAPTER: 166

Bill No: A272

Sponsor(s): Kern

Date Introduced: Pre-filed

Committee: Assembly: Transportation and Communications

Senate: Transportation and Communications

Amended during passage: Yes // Amendments during passage denoted by asterisks

Date of Passage: Assembly: June 17, 1982

Senate: Jan. 27, 1983

Date of Approval: May 3, 1983

Following statements are attached if available:

Sponsor statement: Yes // Also attached: Senate amendments, adopted 12-6-82 (with statement)

Committee statement: Assembly Yes //

Senate Yes //

Fiscal Note: /// No

Veto Message: /// No

Message on Signing: /// No

Following were printed:

Reports: /// No

Hearings: /// No

5-3-83

[OFFICIAL COPY REPRINT]
ASSEMBLY, No. 272

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1982 SESSION

By Assemblyman KERN

AN ACT to amend "An act concerning cable television, supplementing Title 48 of the Revised Statutes, and repealing P. L. 1971, c. 221," approved December 15, 1972 (P. L. 1972, c. 186).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
 2 *of New Jersey:*

1 1. Section 49 of P. L. 1972, c. 186 (C. 48:5A-49) is amended to
 2 read as follows:

3 49. *a.* No owner of any dwelling or his agent shall forbid or
 4 prevent any tenant of such dwelling from receiving cable television
 5 service, nor demand or accept payment in any form as a condition of
 6 permitting the installation of such service in the dwelling or portion
 7 thereof occupied by such tenant as his place of residence, nor shall
 8 discriminate in rental charges or otherwise against any such tenant
 9 receiving cable television service; provided, however, that such
 10 owner or his agent may require that the installation of cable tele-
 11 vision facilities conform to all reasonable conditions necessary to
 12 protect the safety, functioning, appearance and value of the
 13 premises and the convenience, safety and well-being of other
 14 tenants; and further provided, that a cable television company
 15 installing any such facilities for the benefit of a tenant in any
 16 dwelling shall agree to indemnify the owner thereof for any damage
 17 cause by the installation, operation or removal of such facilities
 18 and for any liability which may arise out of such installation,
 19 operation or removal.

19A *b. For purposes of this section:*

20 (1) "Owner" *includes, but is not limited to, a condominium*

Matter printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Senate amendments adopted December 6, 1982.**

21 *association and housing cooperative**, and *“owner of any dwelling*
21A *or his agent” includes, but is not limited to, a mobile home park*
21B *owner or operator**.

22 (2) *“Condominium association” means an entity, either incor-*
23 *porated or unincorporated, responsible for the administration of*
24 *the form of real property which, under a master deed, provides*
25 *for ownership by one or more owners of individual units together*
26 *with an undivided interest in common elements appurtenant to*
27 *each unit.*

28 (3) *“Housing cooperative” means a housing corporation or asso-*
29 *ciation which entitles the holder of a share or membership interest*
30 *thereof to possess and occupy for dwelling purposes a house, apart-*
31 *ment or other structure owned or leased by the corporation or*
32 *association, or to lease or purchase a dwelling constructed by the*
33 *corporation or association.*

34 *(4) *“Tenant” includes, but is not limited to, a resident of a mo-*
35 *bile home in a mobile home park.**

1 2. This act shall take effect immediately.

26 *with an undivided interest in common elements appurtenant to*
27 *each unit.*

28 (3) *"Housing cooperative" means a housing corporation or asso-*
29 *ciation which entitles the holder of a share or membership interest*
30 *thereof to possess and occupy for dwelling purposes a house, apart-*
31 *ment or other structure owned or leased by the corporation or*
32 *association, or to lease or purchase a dwelling constructed by the*
33 *corporation or association.*

1 2. This act shall take effect immediately.

STATEMENT

Currently the Cable Television Act provides specific guidelines regarding the installation of cable television service on rental property. The "owner" of a dwelling may not refuse to permit the installation of such service in his building. Moreover, an owner may not impose rent increases or unreasonable conditions for allowing the installations. This bill defines owner to include condominium associations and housing cooperatives so as to apply the prohibition against refusing or unreasonably inhibiting installation of cable television service to those entities.

A272 (1982)

ASSEMBLY TRANSPORTATION AND COMMUNICATIONS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 272

STATE OF NEW JERSEY

DATED: MAY 24, 1982

Currently the Cable Television Act provides specific guidelines regarding the installation of cable television service on rental property. The "owner" of a dwelling may not refuse to permit the installation of such service in his building. Moreover, an owner may not impose rent increases or unreasonable conditions for allowing the installations. This bill defines owner to include condominium associations and housing cooperatives so as to apply the prohibition against refusing or unreasonably inhibiting installation of cable television service to those entities.

This bill is supported by the cable television industry.

SENATE TRANSPORTATION AND COMMUNICATIONS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 272

STATE OF NEW JERSEY

DATED: OCTOBER 18, 1982

Currently the Cable Television Act provides specific guidelines regarding the installation of cable television service on rental property. The "owner" of a dwelling may not refuse to permit the installation of such service in his building. Moreover, an owner may not impose rent increases or unreasonable conditions for allowing the installations. This bill defines owner to include condominium associations and housing cooperatives so as to apply the prohibition against refusing or unreasonably inhibiting installation of cable television service to those entities.

This bill is supported by the New Jersey Cable Television Association.

ADOPTED

DEC 6 1982

Senate Amendments

to

Assembly Bill No. 272

Amend:

Page	Sec.	Line
1	1	21
2	1	33

After "cooperative" insert ", and 'owner of any dwelling or his agent' includes, but is not limited to, a mobile home park owner or operator.

Insert :

"(4) 'Tenant' includes, but is not limited to, a resident of a mobile home in a mobile home park."

STATEMENT

These amendments conform P.L. 1972, c. 186, s. 49 (C.48:5A-49) contained in Assembly Bill No. 272 to changes made in that section by Assembly Bill No. 1090 (now awaiting action by the Governor).