

# 48:5A-36.1

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2004 **CHAPTER:** 106

**NJSA:** 48:5A-36.1 (Residential subscribers—3<sup>rd</sup> party-CATV)

**BILL NO:** A521 (Substituted for S1362)

**SPONSOR(S):** Scalera and Coleman

**DATE INTRODUCED:** Pre-filed

**COMMITTEE:** **ASSEMBLY:** Telecommunications and Utilities  
**SENATE:** Economic Growth

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:** **ASSEMBLY:** February 5, 2004

**SENATE:** June 21, 2004

**DATE OF APPROVAL:** July 14, 2004

### FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) Original version of bill enacted

#### A521

[SPONSOR'S STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

**COMMITTEE STATEMENT:** [ASSEMBLY:](#) [Yes](#)

[SENATE:](#) [Yes](#)

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

#### S1362

[SPONSOR'S STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

**COMMITTEE STATEMENT:** **ASSEMBLY:** No

[SENATE:](#) [Yes](#)

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

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**REPORTS:**

No

**HEARINGS:**

No

**NEWSPAPER ARTICLES:**

No

P.L. 2004, CHAPTER 106, *approved July 14, 2004*  
Assembly, No. 521

1 **AN ACT** concerning cable television service termination notices and  
2 supplementing P.L.1972, c.186 (C.48:5A-1 et seq.).

3

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

6

7 1. a. Every cable television company which provides cable  
8 television reception service shall permit a residential subscriber who  
9 receives such service to designate a third party to whom the cable  
10 television company shall transmit a copy of any notice of termination  
11 of service. The subscriber shall notify the cable television company  
12 that a third party has been so designated. Such notification shall be  
13 authorized on an appropriate form for recording this designation, and  
14 shall be effective not later than 10 business days from the date of  
15 receipt by the cable television company. The notification shall contain,  
16 in writing, an acceptance by the third party designee to receive copies  
17 of any notices of termination of service of the subscriber's cable  
18 television reception service.

19 b. The transmission to the third party designee of a copy of the  
20 termination of service notice shall be in addition to the original  
21 document transmitted to the subscriber. The copy of the termination  
22 of service notice transmitted to the third party shall be governed by the  
23 same law and policy provisions which govern the notice being  
24 transmitted to the subscriber.

25 c. Designation as a third party shall not constitute acceptance of  
26 any liability on the part of the third party for payment of the cable  
27 television bill.

28 d. The cable television company shall notify every residential  
29 subscriber annually in writing of the availability of the third party  
30 designee notice procedures and provide information on how the  
31 subscriber can commence this procedure, except that notice need not  
32 be provided once a subscriber has made a designation. A cable  
33 television company may provide this required annual notice to its  
34 residential subscribers in any manner that the cable television company  
35 determines.

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37 2. The board shall promulgate, in accordance with the  
38 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
39 seq.), such rules and regulations as may be necessary to effectuate the  
40 purposes of this act.

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42 3. This act shall take effect on the 120th day following enactment.

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46 Allows residential subscribers to designate third parties to receive  
47 CATV service termination notices.

# ASSEMBLY, No. 521

## STATE OF NEW JERSEY 211th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2004 SESSION

**Sponsored by:**

**Assemblywoman BONNIE WATSON COLEMAN**

**District 15 (Mercer)**

**Assemblyman FREDERICK SCALERA**

**District 36 (Bergen, Essex and Passaic)**

**SYNOPSIS**

Allows residential subscribers to designate third parties to receive CATV service termination notices.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning cable television service termination notices and  
2 supplementing P.L.1972, c.186 (C.48:5A-1 et seq.).

3

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10 television company shall transmit a copy of any notice of termination  
11 of service. The subscriber shall notify the cable television company  
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14 shall be effective not later than 10 business days from the date of  
15 receipt by the cable television company. The notification shall contain,  
16 in writing, an acceptance by the third party designee to receive copies  
17 of any notices of termination of service of the subscriber's cable  
18 television reception service.

19 b. The transmission to the third party designee of a copy of the  
20 termination of service notice shall be in addition to the original  
21 document transmitted to the subscriber. The copy of the termination  
22 of service notice transmitted to the third party shall be governed by the  
23 same law and policy provisions which govern the notice being  
24 transmitted to the subscriber.

25 c. Designation as a third party shall not constitute acceptance of  
26 any liability on the part of the third party for payment of the cable  
27 television bill.

28 d. The cable television company shall notify every residential  
29 subscriber annually in writing of the availability of the third party  
30 designee notice procedures and provide information on how the  
31 subscriber can commence this procedure, except that notice need not  
32 be provided once a subscriber has made a designation. A cable  
33 television company may provide this required annual notice to its  
34 residential subscribers in any manner that the cable television company  
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38 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
39 seq.), such rules and regulations as may be necessary to effectuate the  
40 purposes of this act.

41

42 3. This act shall take effect on the 120th day following enactment.

1 STATEMENT

2

3 This bill supplements the "Cable Television Act," P.L.1972, c.186  
4 (C.48:5A-1 et seq.) to permit every residential subscriber of a cable  
5 television company which provides cable television reception service  
6 to designate a third party to whom the cable television company shall  
7 transmit a copy of any notice of termination of service.

8 Under the provisions of the bill, a cable television company is  
9 required to notify every residential subscriber annually in writing of the  
10 availability of the third party designee notice procedures and provide  
11 information on how the subscriber can participate in the program.

12 The subscriber is required to notify the cable television company of  
13 any third party designation. The bill specifies that the notice  
14 designating a third party must contain a written agreement on the part  
15 of that third party indicating a willingness to receive a copy of any  
16 termination of service notice the cable television company transmits to  
17 the participating subscriber.

18 Finally, the bill provides that designation as a third party does not  
19 constitute acceptance of any liability on the part of that party for  
20 payment of any amounts due and payable to the cable television  
21 company.

22 The enactment of P.L.2000, c.148 (C.48:2-29.42 et seq.) allowed  
23 all residential ratepayers to designate third parties for electric, gas,  
24 water, wastewater or local telecommunications service. Given that an  
25 increasing number of individuals rely on cable television service for  
26 their local community access, this bill would offer that same consumer  
27 protection to residential subscribers of cable television service.

ASSEMBLY TELECOMMUNICATIONS AND UTILITIES  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 521**

**STATE OF NEW JERSEY**

DATED: JANUARY 22, 2004

The Assembly Telecommunications and Utilities Committee reports favorably Assembly Bill No. 521.

As reported, this bill supplements the "Cable Television Act," P.L.1972, c.186 (C.48:5A-1 et seq.) to permit every residential subscriber of a cable television company which provides cable television reception service to designate a third party to whom the cable television company shall transmit a copy of any notice of termination of service.

Under the provisions of the bill, a cable television company is required to notify every residential subscriber annually in writing of the availability of the third party designee notice procedures and provide information on how the subscriber can participate in the program.

The subscriber is required to notify the cable television company of any third party designation. The bill specifies that the notice designating a third party must contain a written agreement on the part of that third party indicating a willingness to receive a copy of any termination of service notice the cable television company transmits to the participating subscriber.

Finally, the bill provides that designation as a third party does not constitute acceptance of any liability on the part of that party for payment of any amounts due and payable to the cable television company.

The enactment of P.L.2000, c.148 (C.48:2-29.42 et seq.) allowed all residential ratepayers to designate third parties for electric, gas, water, wastewater or local telecommunications service. Given that an increasing number of individuals rely on cable television service for their local community access, this bill would offer that same consumer protection to residential subscribers of cable television service.

This bill was prefiled for introduction in the 2004-2005 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

# SENATE ECONOMIC GROWTH COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 521**

# **STATE OF NEW JERSEY**

DATED: JUNE 14, 2004

The Senate Economic Growth Committee reports favorably Assembly Bill No. 521.

This bill supplements the "Cable Television Act," P.L.1972, c.186 (C.48:5A-1 et seq.) to permit every residential subscriber of a cable television company which provides cable television reception service to designate a third party to whom the cable television company shall transmit a copy of any notice of termination of service.

Under the provisions of the bill, a cable television company is required to notify every residential subscriber annually in writing of the availability of the third party designee notice procedures and provide information on how the subscriber can participate in the program.

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The enactment of P.L.2000, c.148 (C.48:2-29.42 et seq.) allowed all residential ratepayers to designate third parties for electric, gas, water, wastewater or local telecommunications service. Given that an increasing number of individuals rely on cable television service for their local community access, this bill would offer that same consumer protection to residential subscribers of cable television service.

As reported by the committee, Assembly Bill No. 521 is identical to Senate Bill No. 1362 which also was reported on this date.



**SENATE, No. 1362**

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**STATE OF NEW JERSEY**  
**211th LEGISLATURE**

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INTRODUCED MARCH 22, 2004

**Sponsored by:**  
**Senator SHIRLEY K. TURNER**  
**District 15 (Mercer)**

**SYNOPSIS**

Allows residential subscribers to designate third parties to receive CATV service termination notices.

**CURRENT VERSION OF TEXT**

As introduced.



S1362 TURNER

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STATEMENT

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# SENATE ECONOMIC GROWTH COMMITTEE

## STATEMENT TO

### SENATE, No. 1362

# STATE OF NEW JERSEY

DATED: JUNE 14, 2004

The Senate Economic Growth Committee reports favorably Senate Bill No. 1362.

This bill supplements the "Cable Television Act," P.L.1972, c.186 (C.48:5A-1 et seq.) to permit every residential subscriber of a cable television company which provides cable television reception service to designate a third party to whom the cable television company shall transmit a copy of any notice of termination of service.

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As reported by the committee, Senate Bill No. 1362 is identical to Assembly Bill No. 521 which also was reported on this date.