

S2092

INTRODUCED BILL (S2092) (Sponsors' statement begins on page 2): Yes

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Gov. signs law aimed at baby monitors - New state law requires safeguards against hacking for baby Monitors," The Press of Atlantic City, May 13, 2017

RWH/JA

P.L.2017, CHAPTER 81, *approved May 11, 2017*
Assembly, No. 3581 (*Fourth Reprint*)

1 AN ACT concerning baby ⁴**[monitors]** monitor security features⁴ and
2 supplementing P.L.1960, c.39 (C.56:8-1 et seq.).
3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
6

7 ³**[1. a. ²**[A] No** baby monitor that broadcasts audio or video
8 through an Internet connection ²**[and is manufactured, sold, offered**
9 **for sale, or distributed in this State shall include]** shall be sold or
10 offered for sale in the State unless it includes²: (1) security features
11 to prevent unauthorized users from hearing or viewing activity; and
12 (2) a label or notice warning consumers of the risks associated with
13 an unsecured baby monitor connection, and the importance of
14 accessing the baby monitor securely and using its security features.
15 The label or notice shall be displayed in a written, printed, or
16 graphic manner on the box, container, or package of a baby
17 monitor, or shall otherwise accompany the baby monitor at the time
18 of its distribution or sale. The information on the label shall be
19 conspicuous and easily understandable to consumers and be
20 substantially similar to the following:**

21 “WARNING! THIS BABY MONITOR ALLOWS INTERNET
22 USERS TO HEAR OR VIEW ACTIVITY. USE THE SECURITY
23 FEATURES INCLUDED WITH THIS DEVICE TO RESTRICT
24 INTERNET VIEWERSHIP.”

25 b. It shall be an unlawful practice and a violation of P.L.1960,
26 c.39 (C.56:8-1 et seq.) to ²**[manufacture, sell, offer for sale, or**
27 **distribute]** sell or offer for sale² any baby monitor without security
28 features and a corresponding warning label, as required pursuant to
29 subsection a. of this section.

30 ¹c. As used in this section, “baby monitor” means a device that
31 is marketed exclusively for the purpose of broadcasting audio or
32 video of an infant or child. The term shall not ²include² a multi-
33 functional device such as a smart phone, digital video camera,
34 security camera, or other similar device.¹

35 ¹**[c.] d.**¹ The Director of the Division of Consumer Affairs in
36 the Department of Law and Public Safety, in consultation with the

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 AWC committee amendments adopted June 6, 2016.

²Assembly floor amendments adopted June 16, 2016.

³Senate SLP committee amendments adopted February 6, 2017.

⁴Senate floor amendments adopted March 13, 2017.

1 Commissioner of the Department of Children and Families, shall
2 adopt, pursuant to the “Administrative Procedure Act,” P.L.1968,
3 c.410 (C.52:14B-1 et seq.), rules and regulations necessary to
4 effectuate the purposes of this act.】³

5 ³1. a. A baby monitor that broadcasts audio or video through an
6 Internet connection and is manufactured, sold, offered for sale, or
7 distributed in this State shall:

8 (1) provide end-to-end encryption;

9 (2) provide Certificate-based Authentication for manufacturer
10 access when obtaining updates, registering, or relaying audio or
11 video between Internet servers;

12 (3) prohibit unauthenticated access, including prohibiting
13 implied third-party trusted access;

14 (4) prevent a consumer from disabling security measures; and

15 (5) include conspicuous and easily understandable instructions
16 supplied by the manufacturer notifying consumers about the proper
17 use of the baby monitor and its security enhancement.

18 b. It shall be an unlawful practice and a violation of P.L.1960,
19 c.39 (C.56:8-1 et seq.) to manufacture, sell, offer for sale, or
20 distribute any baby monitor that does not meet the requirements of
21 subsection a. of this section.

22 c. The Director of the Division of Consumer Affairs in the
23 Department of Law and Public Safety, in consultation with the
24 Commissioner of Children and Families, shall adopt, pursuant to the
25 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
26 seq.), rules and regulations necessary to effectuate the purposes of
27 this act.

28 d. For the purposes of this section, “baby monitor” means a
29 device that is marketed exclusively for the purpose of broadcasting
30 audio or video of an infant or child. The term shall not include a
31 multi-functional device such as a smart phone, digital video camera,
32 security camera, or other similar device.³

33
34 2. This act shall take effect on the first day of the ³【third】
35 19th³ month next following the date of enactment.

36
37
38
39
40 Requires Internet-connected baby monitors to include security
41 features.

ASSEMBLY, No. 3581

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED APRIL 4, 2016

Sponsored by:

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

Assemblywoman L. GRACE SPENCER

District 29 (Essex)

SYNOPSIS

Requires baby monitors with Internet connection to include security features and warning.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning baby monitors and supplementing P.L.1960,
2 c.39 (C.56:8-1 et seq.).

3

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

6

7 1. a. A baby monitor that broadcasts audio or video through
8 an Internet connection and is manufactured, sold, offered for sale,
9 or distributed in this State shall include: (1) security features to
10 prevent unauthorized users from hearing or viewing activity; and
11 (2) a label or notice warning consumers of the risks associated with
12 an unsecured baby monitor connection, and the importance of
13 accessing the baby monitor securely and using its security features.
14 The label or notice shall be displayed in a written, printed, or
15 graphic manner on the box, container, or package of a baby
16 monitor, or shall otherwise accompany the baby monitor at the time
17 of its distribution or sale. The information on the label shall be
18 conspicuous and easily understandable to consumers and be
19 substantially similar to the following:

20 “WARNING! THIS BABY MONITOR ALLOWS INTERNET
21 USERS TO HEAR OR VIEW ACTIVITY. USE THE SECURITY
22 FEATURES INCLUDED WITH THIS DEVICE TO RESTRICT
23 INTERNET VIEWERSHIP.”

24 b. It shall be an unlawful practice and a violation of P.L.1960,
25 c.39 (C.56:8-1 et seq.) to manufacture, sell, offer for sale, or
26 distribute any baby monitor without security features and a
27 corresponding warning label, as required pursuant to subsection a.
28 of this section.

29 c. The Director of the Division of Consumer Affairs in the
30 Department of Law and Public Safety, in consultation with the
31 Commissioner of the Department of Children and Families, shall
32 adopt, pursuant to the “Administrative Procedure Act,” P.L.1968,
33 c.410 (C.52:14B-1 et seq.), rules and regulations necessary to
34 effectuate the purposes of this act.

35

36 2. This act shall take effect on the first day of the third month
37 next following the date of enactment.

38

39

40

STATEMENT

41

42 This bill requires any baby monitor that broadcasts audio or
43 video online and is manufactured, sold, or offered for sale in this
44 State, to include: (1) security features to prevent unauthorized users
45 from hearing or viewing activity; and (2) a label or notice warning
46 consumers of the risks of an unsecured baby monitor connection
47 and the importance of using the device’s security features (e.g.,
48 keeping the monitor’s software current, choosing a strong password,
49 and enabling security features to encrypt transmitted information).

1 Under the bill, the warning would appear on the box, container,
2 or package of a baby monitor, or otherwise accompany the baby
3 monitor at the time of sale. The information on the label would be
4 displayed conspicuously, easily understandable, and be
5 substantially similar to the following:

6 “WARNING! THIS BABY MONITOR ALLOWS INTERNET
7 USERS TO HEAR OR VIEW ACTIVITY. USE THE SECURITY
8 FEATURES INCLUDED WITH THIS DEVICE TO RESTRICT
9 INTERNET VIEWERSHIP.”

10 The bill provides that it would be an unlawful practice under the
11 consumer fraud act, P.L.1960, c.39 (C.56:8-1 et seq.), to sell, offer
12 for sale, or distribute any baby monitor without security features
13 and a proper warning label. An unlawful practice is punishable by
14 a monetary penalty of not more than \$10,000 for a first offense and
15 not more than \$20,000 for any subsequent offense. Additionally, a
16 violation can result in cease and desist orders issued by the
17 Attorney General, the assessment of punitive damages and the
18 awarding of treble damages and costs to the injured.

19 Baby monitors that broadcast live audio and video feeds over the
20 Internet can be viewed on a computer, cellular telephone, tablet, or
21 other Internet-connected device. The possibility of an unknown
22 individual watching a person’s baby is frightening for many parents
23 who have come to rely on these devices. Recent news articles
24 highlight the vulnerabilities of Internet-connected baby monitors
25 that lack basic security features, making them prone to even simple
26 hacking attempts. In addition, a hacked camera could provide
27 access to other Wi-Fi-enabled devices in a person’s home, such as a
28 personal computer or security system.

29 The Office of Technology, Research and Investigation, in the
30 Federal Trade Commission (FTC), studied five baby monitors that
31 broadcast live audio and video feeds over the Internet and found
32 that some of them have minimal security protections. Only one
33 required a complex password while the others allowed users access
34 with simple passwords, such as “password,” making them
35 vulnerable to hackers. To prevent hackers from guessing a
36 password, basic security procedures lock down an account in
37 response to multiple password failures; however, three of the five
38 monitors allowed repeated entry of incorrect password attempts.

39 An Internet-connected baby monitor sends its feed to a person’s
40 home wireless router, then sends it over the Internet so it can be
41 viewed remotely. Two of the five baby monitors the FTC studied
42 did not encrypt the feed between the monitor and the home router,
43 and one didn’t encrypt the feed between the router and Internet,
44 resulting in additional vulnerabilities.

45 Warning consumers of the risks associated with an unsecured
46 baby monitor will protect families by (1) urging them to use the
47 monitor’s security features to allow only selected, trusted people to
48 view a baby through a secure Internet connection, and (2)
49 preventing a stranger from hacking the connection to watch a baby.

ASSEMBLY WOMEN AND CHILDREN COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3581

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 6, 2016

The Assembly Woman and Children Committee reports favorably and with committee amendments, Assembly Bill No.3581.

As amended by the committee, this bill requires any baby monitor that broadcasts audio or video online and is manufactured, sold, or offered for sale in this State, to include: (1) security features to prevent unauthorized users from hearing or viewing activity; and (2) a label or notice warning consumers of the risks of an unsecured baby monitor connection and the importance of using the device's security features (e.g., keeping the monitor's software current, choosing a strong password, and enabling security features to encrypt transmitted information).

As used in the bill "baby monitor" means a device that is marketed exclusively for the purpose of broadcasting audio or video of an infant or child, but would not include a multi-functional device such as a smart phone, digital video camera, security camera, or other similar device.

Under the bill, the warning would appear on the box, container, or package of a baby monitor, or otherwise accompany the baby monitor at the time of sale. The information on the label would be displayed conspicuously, easily understandable, and be substantially similar to the following:

"WARNING! THIS BABY MONITOR ALLOWS INTERNET USERS TO HEAR OR VIEW ACTIVITY. USE THE SECURITY FEATURES INCLUDED WITH THIS DEVICE TO RESTRICT INTERNET VIEWERSHIP."

The bill provides that it would be an unlawful practice under the consumer fraud act, P.L.1960, c.39 (C.56:8-1 et seq.), to sell, offer for sale, or distribute any baby monitor without security features and a proper warning label. An unlawful practice is punishable by a monetary penalty of not more than \$10,000 for a first offense and not more than \$20,000 for any subsequent offense. Additionally, a violation can result in cease and desist orders issued by the Attorney General, the assessment of punitive damages and the awarding of treble damages and costs to the injured.

Baby monitors that broadcast live audio and video feeds over the Internet can be viewed on a computer, cellular telephone, tablet, or other Internet-connected device. The possibility of an unknown individual watching a person's baby is frightening for many parents who have come to rely on these devices. Recent news articles highlight the vulnerabilities of Internet-connected baby monitors that lack basic security features, making them prone to even simple hacking attempts. In addition, a hacked camera could provide access to other Wi-Fi-enabled devices in a person's home, such as a personal computer or security system.

The Office of Technology, Research and Investigation, in the Federal Trade Commission (FTC), studied five baby monitors that broadcast live audio and video feeds over the Internet and found that some of them have minimal security protections. Only one required a complex password while the others allowed users access with simple passwords, such as "password," making them vulnerable to hackers. To prevent hackers from guessing a password, basic security procedures lock down an account in response to multiple password failures; however, three of the five monitors allowed repeated entry of incorrect password attempts.

An Internet-connected baby monitor sends its feed to a person's home wireless router, then sends it over the Internet so it can be viewed remotely. Two of the five baby monitors the FTC studied did not encrypt the feed between the monitor and the home router, and one didn't encrypt the feed between the router and Internet, resulting in additional vulnerabilities.

Warning consumers of the risks associated with an unsecured baby monitor will protect families by (1) urging them to use the monitor's security features to allow only selected, trusted people to view a baby through a secure Internet connection, and (2) preventing a stranger from hacking the connection to watch a baby.

COMMITTEE AMENDMENTS

The committee amended the bill to include a definition of "baby monitor." Specifically, "baby monitor" would mean a device that is marketed exclusively for the purpose of broadcasting audio or video of an infant or child, but would not include a multi-functional device such as a smart phone, digital video camera, security camera, or other similar device.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[Second Reprint]

ASSEMBLY, No. 3581

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 6, 2017

The Senate Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 3581 (2R).

As amended and reported by the committee, this bill requires any baby monitor that broadcasts audio or video online and is manufactured, sold, or offered for sale in this State to:

- (1) provide end-to-end encryption;
- (2) provide Certificate-based Authentication for manufacturer access when obtaining updates, registering, or relaying audio or video between Internet servers;
- (3) prohibit unauthenticated access, including prohibiting implied third-party trusted access;
- (4) prevent a consumer from disabling security measures; and
- (5) include conspicuous and easily understandable instructions supplied by the manufacturer notifying consumers about the proper use of the baby monitor and its security enhancement.

The amended bill provides that it would be an unlawful practice under the consumer fraud act, P.L.1960, c.39 (C.56:8-1 et seq.), to sell, offer for sale, or distribute any baby monitor that does not meet the requirements set forth in the substitute. An unlawful practice is punishable by a monetary penalty of not more than \$10,000 for a first offense and not more than \$20,000 for any subsequent offense. Additionally, a violation can result in cease and desist orders issued by the Attorney General, the assessment of punitive damages, and the awarding of treble damages and costs to the injured.

The amended bill defines a “baby monitor” as a device that is marketed exclusively for the purpose of broadcasting audio or video of an infant or child, and excludes from the definition multi-functional devices such as smart phones, digital video cameras, security cameras, and other similar devices.

The bill’s effective date is delayed for 18 months to allow manufacturers of baby monitors sufficient time to deplete their current inventories of those baby monitors that do not conform to the requirements of the bill.

According to the sponsor, baby monitors that broadcast live audio and video feeds over the Internet can be viewed on a computer, cellular telephone, tablet, or other Internet-connected device. The possibility of an unknown individual watching a person's baby is frightening for many parents who have come to rely on these devices. Recent news articles highlight the vulnerabilities of Internet-connected baby monitors that lack basic security features, making them vulnerable to even simple hacking attempts. In addition, a hacked camera could provide access to other Wi-Fi-enabled devices in a person's home, such as a personal computer or security system.

As amended and reported by the committee, Assembly Bill No. 3581 (2R) is identical to the Senate Committee Substitute for Senate Bill Nos. 2582 and 2092, which also was reported by the committee on this same date.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 3581

With Assembly Floor Amendments
(Proposed by Assemblywoman DOWNEY)

ADOPTED: JUNE 16, 2016

This floor amendment prohibits the sale or the offering for sale of baby monitors that broadcast audio or video through an Internet connection in the State unless they include security features and warning labels or notices as provided for in the bill, and stipulates that the sale of or offering for sale of baby monitors without such security features and warning labels or notices would be unlawful.

As introduced, the bill required that baby monitors that broadcast audio or video through an Internet connection and are manufactured, sold, offered for sale, or distributed in the State include certain security features and warning labels or notices, and if the baby monitors did not include the security features and warning labels or notices, the manufacture, sale, offering for sale, or distribution of such baby monitors would be unlawful. This amendment removes those provisions from the bill.

STATEMENT TO
[Third Reprint]
ASSEMBLY, No. 3581

with Senate Floor Amendments
(Proposed by Senator VAN DREW)

ADOPTED: MARCH 13, 2017

Assembly Bill No. 3581 (3R) requires Internet-connected baby monitors to include security features. This Senate amendment makes a technical change to the bill's title to make this bill identical to the Senate Committee Substitute for Senate Bill Nos. 2582 and 2092.

SENATE, No. 2582

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED SEPTEMBER 26, 2016

Sponsored by:

Senator JEFF VAN DREW

District 1 (Atlantic, Cape May and Cumberland)

SYNOPSIS

Requires Internet-connected baby monitors to include security features.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning baby monitor security features and
2 supplementing P.L.1960, c.39 (C.56:8-1 et seq.).
3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
6

7 1. a. A baby monitor that broadcasts audio or video through
8 an Internet connection and is manufactured, sold, offered for sale,
9 or distributed in this State shall:

10 (1) provide end-to-end encryption;

11 (2) provide Certificate-based Authentication for manufacturer
12 access when obtaining updates, registering, or relaying audio or
13 video between Internet servers;

14 (3) prohibit unauthenticated access, including prohibiting
15 implied third-party trusted access;

16 (4) prevent a consumer from disabling security measures; and

17 (5) include instructions notifying consumers about the proper
18 use of the baby monitor and its security enhancement. The
19 instructions shall be conspicuous and easily understandable to
20 consumers.

21 b. It shall be an unlawful practice and a violation of P.L.1960,
22 c.39 (C.56:8-1 et seq.) to manufacture, sell, offer for sale, or
23 distribute any baby monitor that does not meet the requirements of
24 subsection a. of this section.

25 c. The Director of the Division of Consumer Affairs in the
26 Department of Law and Public Safety, in consultation with the
27 Commissioner of the Department of Children and Families, shall
28 adopt, pursuant to the "Administrative Procedure Act," P.L.1968,
29 c.410 (C.52:14B-1 et seq.), rules and regulations necessary to
30 effectuate the purposes of this act.
31

32 2. This act shall take effect on the first day of the seventh
33 month next following the date of enactment.
34
35

36 STATEMENT
37

38 This bill requires any baby monitor that broadcasts audio or
39 video online and is manufactured, sold, or offered for sale in this
40 State to:

41 (1) provide end-to-end encryption;

42 (2) provide Certificate-based Authentication for manufacturer
43 access when obtaining updates, registering, or relaying audio or
44 video between Internet servers;

45 (3) prohibit unauthenticated access, including prohibiting
46 implied third-party trusted access;

47 (4) prevent a consumer from disabling security measures; and

1 (5) include instructions notifying consumers about the proper
2 use of the baby monitor and its security enhancement, which are to
3 be conspicuous and easily understandable to consumers.

4 The bill provides that it would be an unlawful practice under the
5 consumer fraud act, P.L.1960, c.39 (C.56:8-1 et seq.), to sell, offer
6 for sale, or distribute any baby monitor that does not meet the
7 requirements set forth in the bill. An unlawful practice is
8 punishable by a monetary penalty of not more than \$10,000 for a
9 first offense and not more than \$20,000 for any subsequent offense.
10 Additionally, a violation can result in cease and desist orders issued
11 by the Attorney General, the assessment of punitive damages, and
12 the awarding of treble damages and costs to the injured.

13 Baby monitors that broadcast live audio and video feeds over the
14 Internet can be viewed on a computer, cellular telephone, tablet, or
15 other Internet-connected device. The possibility of an unknown
16 individual watching a person's baby is frightening for many parents
17 who have come to rely on these devices. Recent news articles
18 highlight the vulnerabilities of Internet-connected baby monitors
19 that lack basic security features, making them vulnerable to even
20 simple hacking attempts. In addition, a hacked camera could
21 provide access to other Wi-Fi-enabled devices in a person's home,
22 such as a personal computer or security system.

23 The Office of Technology, Research and Investigation in the
24 Federal Trade Commission (FTC) studied five baby monitors that
25 broadcast live audio and video feeds over the Internet and found
26 that some have minimal security protections. Only one required a
27 complex password while the others allowed users access with
28 simple passwords, such as "password," making them vulnerable to
29 hackers. To prevent hackers from guessing a password, basic
30 security procedures lock down an account in response to multiple
31 password failures; however, three of the five monitors allowed
32 repeated entry of incorrect password attempts.

33 An Internet-connected baby monitor first sends its feed to a
34 home wireless router, and then over the Internet so the feed can be
35 viewed remotely. Two of the five baby monitors the FTC studied
36 did not encrypt the feed between the monitor and the home router,
37 while another did not encrypt the feed between the router and
38 Internet, resulting in additional vulnerabilities.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, Nos. 2582 and 2092**

STATE OF NEW JERSEY

DATED: FEBRUARY 6, 2017

The Senate Law and Public Safety Committee reports favorably a Senate Committee Substitute for Senate Bill Nos. 2582 and 2092.

As reported by the committee, this Senate Committee Substitute for Senate Bill Nos. 2582 and 2092 requires any baby monitor that broadcasts audio or video online and is manufactured, sold, or offered for sale in this State to:

- (1) provide end-to-end encryption;
- (2) provide Certificate-based Authentication for manufacturer access when obtaining updates, registering, or relaying audio or video between Internet servers;
- (3) prohibit unauthenticated access, including prohibiting implied third-party trusted access;
- (4) prevent a consumer from disabling security measures; and
- (5) include conspicuous and easily understandable instructions supplied by the manufacturer notifying consumers about the proper use of the baby monitor and its security enhancement.

The committee substitute provides that it would be an unlawful practice under the consumer fraud act, P.L.1960, c.39 (C.56:8-1 et seq.), to sell, offer for sale, or distribute any baby monitor that does not meet the requirements set forth in the substitute. An unlawful practice is punishable by a monetary penalty of not more than \$10,000 for a first offense and not more than \$20,000 for any subsequent offense. Additionally, a violation can result in cease and desist orders issued by the Attorney General, the assessment of punitive damages, and the awarding of treble damages and costs to the injured.

The substitute defines a “baby monitor” as a device that is marketed exclusively for the purpose of broadcasting audio or video of an infant or child, and excludes from the definition multi-functional devices such as smart phones, digital video cameras, security cameras, and other similar devices.

The substitute’s effective date is delayed for 18 months to allow manufacturers of baby monitors sufficient time to deplete their current inventories of those baby monitors that do not conform to the requirements of the substitute.

According to the sponsor, baby monitors that broadcast live audio and video feeds over the Internet can be viewed on a computer, cellular telephone, tablet, or other Internet-connected device. The possibility of an unknown individual watching a person's baby is frightening for many parents who have come to rely on these devices. Recent news articles highlight the vulnerabilities of Internet-connected baby monitors that lack basic security features, making them vulnerable to even simple hacking attempts. In addition, a hacked camera could provide access to other Wi-Fi-enabled devices in a person's home, such as a personal computer or security system.

As reported, this Senate committee substitute is identical to Assembly Bill No. 3581 (2R), as amended and reported by the committee on this same date.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, Nos. 2582 and 2092

STATE OF NEW JERSEY
217th LEGISLATURE

ADOPTED FEBRUARY 6, 2017

Sponsored by:

Senator JEFF VAN DREW

District 1 (Atlantic, Cape May and Cumberland)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Senator Ruiz

SYNOPSIS

Requires Internet-connected baby monitors to include security features.

CURRENT VERSION OF TEXT

Substitute as adopted by the Senate Law and Public Safety Committee.



(Sponsorship Updated As Of: 3/15/2017)

1 AN ACT concerning baby monitor security features and
2 supplementing P.L.1960, c.39 (C.56:8-1 et seq.).

3

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

6

7 1. a. A baby monitor that broadcasts audio or video through an
8 Internet connection and is manufactured, sold, offered for sale, or
9 distributed in this State shall:

10 (1) provide end-to-end encryption;

11 (2) provide Certificate-based Authentication for manufacturer
12 access when obtaining updates, registering, or relaying audio or
13 video between Internet servers;

14 (3) prohibit unauthenticated access, including prohibiting
15 implied third-party trusted access;

16 (4) prevent a consumer from disabling security measures; and

17 (5) include conspicuous and easily understandable instructions
18 supplied by the manufacturer notifying consumers about the proper
19 use of the baby monitor and its security enhancement.

20 b. It shall be an unlawful practice and a violation of P.L.1960,
21 c.39 (C.56:8-1 et seq.) to manufacture, sell, offer for sale, or
22 distribute any baby monitor that does not meet the requirements of
23 subsection a. of this section.

24 c. The Director of the Division of Consumer Affairs in the
25 Department of Law and Public Safety, in consultation with the
26 Commissioner of Children and Families, shall adopt, pursuant to the
27 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
28 seq.), rules and regulations necessary to effectuate the purposes of
29 this act.

30 d. For the purposes of this section, “baby monitor” means a
31 device that is marketed exclusively for the purpose of broadcasting
32 audio or video of an infant or child. The term shall not include a
33 multi-functional device such as a smart phone, digital video camera,
34 security camera, or other similar device.

35

36 2. This act shall take effect on the first day of the 19th month
37 next following the date of enactment.

Governor Christie Takes Action On Pending Legislation

Thursday, May 11, 2017 Tags: [Bill Action](#)



Trenton, NJ - Governor Chris Christie today signed into law additional bills to support New Jersey's military members, veterans, and their families and show pride in the state's military history. On May 1, he signed a number of bills impacting veterans and the military, including a law creating a program to divert certain veterans accused of non-violent offenses from the criminal justice system and into appropriate mental health and substance use services.

Today, Governor Christie signed A450/S750 (Mazzeo, Andrzejczak, Mukherji, Moriarty, Benson, Daniels, Houghtaling/Beach, Van Drew) creating the Wounded Warrior Caregivers Relief Act, which provides a gross income tax credit of up to \$675 to family caregivers of totally disabled veterans whose injuries occurred as a result of serving on active duty on or after September 11, 2001.

"We must do all we can do to make it easier for military members who have been left with debilitating injuries in the line of duty and their family members who now care for them," said Governor Christie. "This compassionate new law provides a tax credit to ease some of the financial burden on those families and show our appreciation for the many sacrifices they have made to keep their loved ones safe and at home."

Other military and veterans bills signed by Governor Christie allow active duty members of the U.S. Armed Forces who have completed basic training to wear their dress uniform at their high school graduation and require the Department of Military and Veterans' Affairs to work with the Division of Travel and Tourism and the New Jersey Historical Commission to develop an online list with a historic tour of war battles fought and places of historical military significance in New Jersey and its State waters.

Governor Christie also took action on the following bills:

BILL SIGNINGS:

ACS for A-815/ACS for S-1088 (Land, Andrzejczak, Mosquera, Vainieri Huttle, Bramnick/Van Drew, T. Kean) - Concerns Code Blue alert plans to shelter at-risk individuals

A-837/S-468 (Jimenez, Green, Mukherji, Sumter, Munoz/Sacco, Greenstein) - Establishes "Hazardous Drug Safe Handling Act;" requires promulgation of standards and regulations concerning safe handling of hazardous drugs by certain health care personnel

A-1256/S-1381 (Caride, Singleton, Jasey, Wimberly/Bateman) - Requires State Board of Education regulations regarding school nurse certification to include certain minimum eligibility requirements

A-1649/S-853 (Schaer, Pintor Marin, Wimberly, Mukherji/Stack) - Requires local governments and authorities to obtain financing cost estimate from NJ Environmental Infrastructure Trust for certain projects

ACS for A-1973/SCS for S-2401 (Prieto, Handlin/Diegnan, Stack) - "Appraisal Management Company Registration and Regulation Act"

A-1991/S-2722 (Prieto, Jimenez, Oliver/Stack, Cunningham) - Provides two elected members of pension commission of closed Hudson County Employees' Pension Fund may be active or retired county employees

ACS for A-2004/SCS for S-731 (Green, Benson, Moriarty, Mukherji, Pintor Marin/Cruz-Perez, Beach) - Establishes certain penalties for operating or participating in pyramid promotional schemes

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A-2087/SCS for S-2792 (Mukherji, Schaer, Downey, Quijano/Greenstein, Turner) - Grants drivers additional time to resolve parking violations prior to license or registration suspension

A-2340/S-2108 (Benson, Muoio, Gusciora/Greenstein, Diegnan) - Authorizes students in Marie H. Katzenbach school for the deaf to operate State vehicle for driver education and provides protection for such activity under tort claims act

A-2512/S-1899 (DeAngelo, Pintor Marin, Houghtaling/Whelan, Turner) - Requires BPU to render decision on case within 12 months of final public hearing or hold another public hearing prior to deciding case

A-2805/S-2726 (Caputo, Houghtaling, McKeon, Chiaravalloti/Codey, Pou) - Requires DMVA to develop online historic tour identifying locations of war battles and places of significance to war efforts in State

A-3011/S-2796 (Conaway, Singleton/Allen) - Modifies charter of Board of Island Managers of Burlington Island to move elections to November

AS for A-3351/S-2570 (Lampitt, Andrzejczak, Quijano, Holley, Jones, Space/Cruz-Perez, Oroho) - Creates license to manufacturer and sell hard cider and mead

A-3581/SCS for S-2582, 2092 (Downey, Mosquera, Danielsens, Houghtaling, Van Drew, Turner, Moriarty) - Requires Internet-connected baby monitors to include security features

A-3601/S-2209 (Schaer/Vitale, Gill) - Concerns regulation of guaranteed asset protection waivers by DOBI

A-3785/S-2396 (Downey, Houghtaling, Jasey, Singleton, Holley, Caride, Wimberly/Ruiz, Turner) - Requires State to pay educational costs of students who reside in homeless shelter outside district of residence for more than one year

A-4019/S-2491 (Mazzeo, Mukherji, Andrzejczak, Land, DeCroce, McKnight, Danielsens/Cruz-Perez, Madden) - Permits eligible students who are members of United States Armed Forces to wear military uniform at high school graduation

A-4146/S-2521 (Vainieri Huttie, Benson, Lampitt, Johnson, McKnight, Sumter/Vitale, Gordon) – STATEMENT UPON SIGNING - Provides for monitoring and evaluation of transition of mental health and substance use disorder treatment service system and developmental disability system to fee-for-service reimbursement model; makes appropriation

A-4284/S-2675 (Quijano, Benson, Muoio, Caride, Vainieri Huttie, McKnight, Wimberly, Sumter/Diegnan, Beach) - Provides that school districts and nonpublic schools may receive reimbursement for costs incurred on or after January 1, 2016 for testing school drinking water for lead

A-4344/S-2729 (Karabinchak, Pinkin, Coughlin, Wisniewski/Diegnan, Vitale) - Designates portion of Route 18 in East Brunswick as "State Trooper Werner Foerster Memorial Interchange"

AJR-76/SJR-16 (Vainieri Huttie, Holley, McKnight, Jasey/Gill) - Designates September "Affordable Housing Awareness Month"

AJR-130/SJR-92 (Vainieri Huttie, Lampitt/Vitale, Singer) - Designates January 23 of each year as "Maternal Health Awareness Day" in New Jersey

BILLS VETOED:

A-1850/S-2606 (Giblin, DeAngelo, Mukherji, Holley/Diegnan) – ABSOLUTE - Extends by two months seasonal retail consumption alcoholic beverage license

A-1869/S-668 (Wimberly, Vainieri Huttie, Oliver, Tucker, Quijano, Johnson/Rice, Cruz-Perez) - CONDITIONAL - Establishes Division of Minority and Women Business Development and State Chief Disparity Officer to monitor efforts to promote participation by minority-owned and women-owned businesses in State contracting

A-2353/S-367 (Vainieri Huttie, Jasey, Mukherji, Benson, Quijano/Codey, Turner) – CONDITIONAL - Establishes measures to deter steroid use among students; appropriates \$45,000 to DOE for New Jersey State Interscholastic Athletic Association testing of student-athletes for steroids and other performance enhancing substances

A-3091/S-2528 (Munoz, Gusciora, O'Scanlon, Oliver, Lagana, Lampitt, Mukherji, Sumter/Pou, Weinberg, Cunningham) - CONDITIONAL - Bars persons under age 18 from marrying or entering into a civil union

###

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