

STATEMENT TO

[First Reprint]

SENATE, No. 3877

with Senate Floor Amendments
(Proposed by Senator JOHNSON)

ADOPTED: FEBRUARY 25, 2025

Senate Bill No. 3877 (1R) requires a cancellation option for any subscription service and establishes certain standards pertaining to the use of negative option features.

These Senate amendments clarify that a subscription service provider utilizing a negative option feature as part of the offer or agreement of a subscription service is required to provide a simple mechanism to cancel the negative option feature, and the amendments remove the requirement to “immediately halt charges.”

Additionally, these Senate amendments allow the Attorney General or the Director of the Division of Consumer Affairs to seek a temporary or permanent injunction to stop any practices that violate the provisions of this bill, and to secure restitution for New Jersey residents who have suffered financial losses due to such violations.

Further, these Senate amendments clarify that individuals cannot pursue a private right of action for violations under this bill, and that these violations cannot serve as the basis for a private right of action under any other law.

Finally, these Senate amendments make other clarifying and technical changes.