

## CHAPTER 488

AN ACT concerning annual report filing services and supplementing P.L.1960, c.39 (C.56:8-1 et seq.).

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

C.56:8-212 Definitions relative to annual report filing services.

1. As used in this act:

“Annual report” means a report filed every year to the Department of the Treasury by a for-profit corporation, a non-profit corporation, limited partnership, limited liability partnership, or limited liability company pursuant to N.J.S.14A:4-5; N.J.S.15A:4-5; section 66 of P.L.1983, c.489 (C.42:2A-69); section 49 of P.L.2000, c.161 (C.42:1A-49); or section 26 of P.L.2012, c.50 (C.42:2C-26).

“Annual report filing services” means the filing of an annual report by a non-governmental entity on behalf of a for-profit corporation, a non-profit corporation, limited partnership, limited liability partnership, or limited liability company for a fee in excess of the amount authorized under the relevant statute.

“Director” means the Director of the Division of Revenue and Enterprise Services in the Department of the Treasury.

C.56:8-213 Unlawful practice, violation.

2. a. It shall be an unlawful practice and a violation of P.L.1960, c.39 (C.56:8-1 et seq.) for any person to:

(1) use a written form of communication to solicit clients for annual report filing services unless the written form of communication displays, in a clear, conspicuous, and prominent manner and makes the information stand out from the rest of the text of the communication, the URL address of the Department of the Treasury’s Internet web site through which the recipient could file an annual report directly, the amount of the fee that the Department of the Treasury’s office assesses for filing annual reports, and any other language that the director may prescribe by regulation; or

(2) create a false impression in a solicitation for annual report filing services that the recipient is in any way legally required to use the person's services in order to file an annual report.

b. Any person who uses a written form of communication to solicit clients for annual report filing services shall, at least 15 days prior to distribution, provide a copy of such written form of communication to the Department of the Treasury.

C.56:8-214 Rules, regulations.

3. The director, pursuant to the provisions of the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), shall promulgate rules and regulations to effectuate the purposes of this act.

4. This act shall take effect immediately.

Approved January 21, 2020.