

ASSEMBLY, No. 2338

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED FEBRUARY 4, 2016

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman TIM EUSTACE

District 38 (Bergen and Passaic)

Assemblyman REED GUSCIORA

District 15 (Hunterdon and Mercer)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Co-Sponsored by:

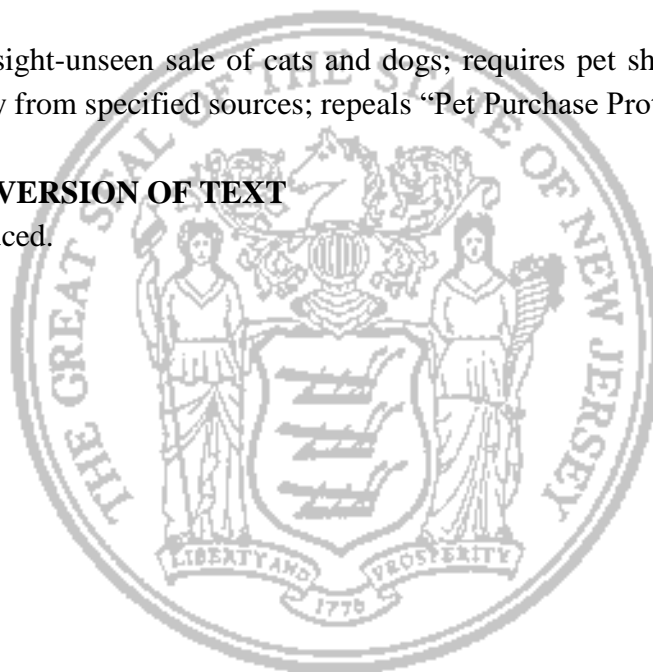
Assemblymen DeAngelo, Singleton, Diegnan, Assemblywomen McKnight, Caride, Jasey and Assemblyman Wisniewski

SYNOPSIS

Prohibits sight-unseen sale of cats and dogs; requires pet shops to sell cats and dogs only from specified sources; repeals "Pet Purchase Protection Act."

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/21/2016)

A2338 BENSON, VAINIERI HUTTLE

2

1 AN ACT concerning the sale of cats and dogs, amending and
2 repealing various sections of statutory law, and supplementing
3 P.L.1960, c.39 (C.56:8-1 et seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. (New section) The Legislature finds and declares that a
9 significant number of cats and dogs sold at pet shops, over the
10 Internet, and through brokers come from large-scale, commercial
11 breeding facilities where the health and welfare of the animals are
12 not adequately provided for, commonly referred to as “kitten mills”
13 and “puppy mills”; that, according to the Humane Society of the
14 United States, an estimated 10,000 puppy mills produce more than
15 2,400,000 puppies each year in the United States; that the
16 documented abuses endemic to kitten mills and puppy mills include
17 over-breeding, inbreeding, minimal to non-existent veterinary care,
18 and lack of adequate, nutritious food, water, shelter, socialization,
19 space, and exercise; that the inhumane conditions in kitten mill and
20 puppy mill facilities often lead to health and behavioral issues in the
21 animals bred in those facilities; that, due to a lack of education
22 about the kitten mill and puppy mill issue and, in some cases,
23 misleading tactics of the seller, many consumers are unaware of
24 these health and behavioral issues when purchasing a cat or dog;
25 that the problem is exacerbated by consumers buying cats and dogs
26 they have never seen, otherwise known as “sight-unseen
27 purchases”; that, often, a consumer has not seen the conditions in
28 which the cat or dog was born and raised, and the health and
29 behavioral issues caused by these conditions may not present
30 themselves until sometime after the purchase of the cat or dog; and
31 that these health and behavioral issues can impose exorbitant
32 financial and emotional costs on the consumer purchasing the cat or
33 dog.

34 In addition, the Legislature finds and declares that sight-unseen
35 dog sales have increased dramatically in recent years due, in
36 particular, to the Internet providing a new platform through which
37 to sell dogs; that the United States Department of Agriculture
38 (USDA) recently estimated that there are between 8,400 and 15,000
39 breeders selling dogs over the Internet; that breeders selling dogs
40 over the Internet have largely been unregulated and, according to a
41 2010 USDA study, 81 percent of them are unlicensed; that when the
42 USDA began regulating Internet sellers and other sight-unseen sales
43 in 2013, it noted that there was a parallel increase in consumer
44 complaints related to the inhumane treatment of animals and the
45 dramatic rise in sight-unseen sales; that, despite the recently

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.

1 established requirement that people engaging in sight-unseen sales
2 of cats and dogs obtain a USDA license, the majority of these
3 people remain unlicensed and unregulated and only a few hundred
4 new licenses have been issued since the rule took effect in 2013;
5 that, even if all breeders selling cats or dogs sight-unseen were
6 licensed and regulated by the USDA, this alone would not ensure
7 the humane treatment and health of the animals because of under-
8 enforcement of USDA requirements and lax federal regulatory
9 standards of care; that a 2010 audit by the USDA Office of the
10 Inspector General found that the agency's enforcement of the
11 federal Animal Welfare Act was ineffective in ensuring compliance
12 with the minimal standards of care governing the humane treatment
13 of animals in these facilities; and that pet shops remain unregulated
14 by the USDA and current federal and State regulations do not
15 properly address the sale of kitten mill cats or puppy mill dogs in
16 New Jersey pet shops.

17 The Legislature further finds and declares that New Jersey
18 consumers routinely report purchasing sick dogs from pet shops;
19 that hundreds of the dogs sold annually in New Jersey pet shops
20 come from large-scale commercial breeders with significant and
21 multiple USDA violations; that current federal Animal Welfare Act
22 regulations promulgated by the USDA are inadequate to protect the
23 health and welfare of breeding cats and their kittens or breeding
24 dogs and their puppies; that, due in large part to overpopulation,
25 every year approximately 21,000 cats and dogs are euthanized in
26 New Jersey; that restricting the retail sale of kittens and puppies at
27 pet shops to only those that are sourced from shelters, pounds, or
28 rescue organizations is likely to increase demand for animals from
29 these facilities; that this increased demand would decrease the
30 number of animals euthanized and reduce the burden and costs for
31 shelters, pounds, and organizations providing care and euthanasia
32 for these animals as well as any costs to the State and its taxpayers
33 for these services; that across the country, thousands of independent
34 pet shops and large chains operate profitably with a business model
35 focused on the sale of pet services and supplies and not on the sale
36 of cats and dogs; that many of these shops collaborate with local
37 animal shelters and rescue organizations to offer space and support
38 for showcasing adoptable homeless pets on their premises; that the
39 regulation of cat and dog sales as proposed in this act would not
40 affect a consumer's ability to obtain the consumer's choice of a cat
41 or dog directly from a breed-specific rescue organization or a
42 shelter or pound, or from a breeder where the consumer can directly
43 see the conditions in which the cats or dogs are bred or, at a
44 minimum, can confer directly with the breeder concerning those
45 conditions.

46 The Legislature therefore determines that it is in the best
47 interests of the State and its citizens to reduce costs to the State and
48 its taxpayers, including the financial and emotional costs inflicted

1 on the people who own and care for cats and dogs from kitten mills
2 or puppy mills; promote community awareness of animal welfare;
3 and foster a more humane environment in the State by adopting
4 reasonable laws, policies, and regulations to restrict the sources of
5 cats and dogs sold by pet shops and prohibit sight-unseen sales of
6 cats and dogs.

7

8 2. (New section) As used in P.L. , c. (C.) (pending
9 before the Legislature as this bill):

10 “Animal rescue organization” means an animal rescue
11 organization, as defined in section 1 of P.L.1941, c.151 (C. 4:19-
12 15.1), that is also a tax exempt organization under paragraph (3) of
13 subsection (c) of section 501 of the federal Internal Revenue Code
14 (26 U.S.C. s.501), or any subsequent corresponding sections of the
15 federal Internal Revenue Code, as from time to time amended.

16 “Breeder” means a person, firm, corporation, or organization
17 engaged in the business of breeding cats or dogs.

18 “Broker” means a person, firm, corporation, or organization who
19 sells a cat or dog to a pet shop, regardless of whether the broker is
20 also the breeder of the cat or dog.

21 “Consumer” means a person purchasing a cat or dog not for the
22 purpose of resale.

23 “Face-to-face transaction” means a sale, offer for sale, transfer,
24 exchange, barter, or other transaction at which the breeder,
25 consumer, and the cat or dog involved in the sale are all physically
26 present in the same location at the time of the transaction. A “face-
27 to-face transaction” shall not include any transaction conducted by
28 mail order, the Internet, telephone, at a pet shop, through a broker,
29 or any other anonymous transaction method in which the consumer
30 is not in the physical presence of the breeder and the cat or dog at
31 the time of the transaction.

32 “Pet shop” means a pet shop as defined in section 1 of P.L.1941,
33 c.151 (C.4:19-15.1).

34 “Pound” means a pound, as defined in section 1 of P.L.1941,
35 c.151 (C.4:19-15.1), that is maintained by or under contract with
36 any state, county, or municipality.

37 “Shelter” means a shelter, as defined in section 1 of P.L.1941, c.
38 151 (C.4:19-15.1), whose primary mission and practice is the
39 placement of abandoned, unwanted, neglected or abused animals,
40 and that is also a tax exempt organization under paragraph (3) of
41 subsection (c) of section 501 of the federal Internal Revenue Code
42 (26 U.S.C. s.501), or any subsequent corresponding sections of the
43 federal Internal Revenue Code, as from time to time amended.

44

45 3. (New section) Without limiting the prosecution of any other
46 practices which may be unlawful pursuant to P.L.1960, c.39
47 (C.56:8-1 et seq.) or any other law, it shall be an unlawful practice
48 and a violation of P.L.1960, c.39 (C.56:8.1 et seq.) for any person

1 to sell a cat or dog to any consumer in the State in violation of the
2 provisions and requirements of sections 4 and 5 of P.L. , c. (C.)
3 (pending before the Legislature as this bill).

4
5 4. (New section) a. No person shall sell, offer for sale, transfer,
6 exchange, or barter a cat or dog, or otherwise engage in a
7 transaction concerning a cat or dog, unless the transaction is a face-
8 to-face transaction. This subsection shall apply to transactions
9 between a breeder or other seller and a consumer who are both in
10 the State, breeder or other seller in the State and a consumer in
11 another state, and breeder or other seller in another state and a
12 consumer in the State.

13 b. The provisions of subsection a. of this section shall not apply
14 to:

15 (1) any transfer, regardless of payment or compensation, of a cat
16 or dog by, or to, a shelter, pound, or animal rescue organization;

17 (2) the sale, transfer, exchange, or barter of a cat or dog by a pet
18 shop that the pet shop has obtained from, or displays in cooperation
19 with, a shelter, a pound, or animal rescue organization; and

20 (3) the transfer of a cat or dog from the home of an individual pet
21 owner who is not a breeder or broker to the home of another person
22 who is not a breeder or broker, without payment or compensation of
23 any kind, for the purpose of being a household pet and not for
24 resale.

25
26 5. (New section) a. No pet shop may offer a cat or dog for sale,
27 or obtain a cat or dog for the purpose of sale, unless the cat or dog
28 has been obtained, with or without payment or compensation of any
29 kind, from a shelter, pound, kennel operating as a shelter or pound,
30 or an animal rescue organization.

31 b. No pet shop may make any cat or dog available for
32 experimentation. An owner or operator of a pet shop who violates
33 this provision shall be guilty of a crime of the fourth degree, in
34 addition to being liable for any penalties that may be assessed
35 pursuant to section 6 of P.L. , c. (C.) (pending before the
36 Legislature as this bill).

37
38 6. (New section) In addition to any other penalties that may be
39 imposed pursuant to P.L.1960, c.39 (C.56:8-1 et seq.), P.L.1941,
40 c.151 (C.4:19-15.1 et seq.), or Title 2C of the New Jersey Statutes,
41 any person who violates section 4 or 5 of P.L. , c. (C.)
42 (pending before the Legislature as this bill) shall be subject to a fine
43 of \$500 for each violation, to be collected by the Division of
44 Consumer Affairs in the Department of Law and Public Safety in a
45 civil action by a summary proceeding under the "Penalty
46 Enforcement Law of 1999," P.L.1999, c. 274 (C.2A:58-10 et seq.).

1 7. (New section) Nothing in P.L. , c. (C.) (pending
2 before the Legislature as this bill) shall be construed to limit or
3 restrict any municipality, county, local health agency, or municipal
4 or county board of health from enacting or enforcing, or to interfere
5 with the implementation of, or otherwise invalidate, any local law,
6 ordinance, resolution, rule, or regulation that places additional
7 obligations or restrictions on pet shops or pet shop sales.

8
9 8. (New section) The Director of the Division of Consumer
10 Affairs may adopt, pursuant to the “Administrative Procedure Act,”
11 P.L.1968, c.410 (C.52:14B-1 et seq.), any rules or regulations that
12 the director deems necessary to implement P.L. , c. (C.)
13 (pending before the Legislature as this bill).

14
15 9. Section 8 of P.L.1941, c.151 (C.4:19-15.8) is amended to read
16 as follows:

17 8. a. Any person who keeps or operates or proposes to establish
18 a kennel, a pet shop, a shelter, or a pound shall apply to the clerk or
19 other official designated to license dogs in the municipality where
20 such establishment is located, for a license entitling **him** the
21 applicant to keep or operate such establishment.

22 The application shall describe the premises where the
23 establishment is located or is proposed to be located, the purpose or
24 purposes for which it is to be maintained, and shall be accompanied
25 by the written approval of the local municipal and health authorities
26 showing compliance with the local and State rules and regulations
27 governing location of and sanitation at such establishments.

28 b. All licenses issued for a kennel, pet shop, shelter, or pound
29 shall state the purpose for which the establishment is maintained,
30 and all licenses shall expire on the last day of June of each year, and
31 be subject to revocation by the municipality on recommendation of
32 the Department of Health or the local board of health for failure to
33 comply with the rules and regulations of the **State department**
34 Department of Health or local board governing the same, after the
35 owner has been afforded a hearing by either the **State department**
36 Department of Health or local board, except as provided in
37 subsection c. of this section.

38 Any person holding a license shall not be required to secure
39 individual licenses for dogs owned by a licensee and kept at the
40 establishments **;** the licenses **].** The license for a kennel, pet shop,
41 shelter, or pound shall not be transferable to another owner or
42 different premises.

43 c. The license for a pet shop shall be subject to review by the
44 municipality, upon recommendation by the Department of Health or
45 the local health authority for failure by the pet shop to comply with
46 the rules and regulations of the **State department** Department of
47 Health or local health authority governing pet shops **[**or if the pet
48 shop meets the criteria for recommended suspension or revocation

1 provided under subsection c. or d. of section 5 of P.L.1999, c.336
2 (C.56:8-96), after the owner of the pet shop has been afforded a
3 hearing pursuant to subsection e. of section 5 of P.L.1999, c.336
4 (C.56:8-96) **or for committing an unlawful practice pursuant to**
5 **P.L.1960, c.39 (C.56:8-1 et seq.) as provided by section 3 of P.L. ,**
6 **c. (C.) (pending before the Legislature as this bill).**

7 **【The】 After affording the owner or operator of the pet shop a**
8 **hearing, the municipality, based on the 【criteria for the】**
9 **recommendation of the Department of Health or local health**
10 **authority 【provided under subsections c. and d. of section 5 of**
11 **P.L.1999, c.336 (C.56:8-96)】, may suspend the license for 90 days**
12 **or may revoke the license if it is determined at the hearing that the**
13 **pet shop: (1) failed to maintain proper hygiene and exercise**
14 **reasonable care in safeguarding the health of animals in its custody**
15 **or (2) 【sold a substantial number of animals that the pet shop knew,**
16 **or reasonably should have known, to be unfit for purchase】**
17 **committed an unlawful practice pursuant to P.L.1960, c.39 (C.56:8-**
18 **1 et seq.) as provided by section 3 of P.L. , c. (C.) (pending**
19 **before the Legislature as this bill).**

20 d. The municipality may issue a license for a pet shop that
21 permits the pet shop to sell pet supplies for all types of animals,
22 including cats and dogs, and sell animals other than cats and dogs
23 but restricts the pet shop from selling cats or dogs, or both.

24 e. Every pet shop licensed in the State shall submit annually
25 and no later than May 1 of each year records of the total number of
26 cats and dogs, respectively, sold by the pet shop each year to the
27 municipality in which it is located, and the municipality shall
28 provide this information to the local health authority.

29 (cf: P.L.2012, c.17, s.5)

30

31 10. Section 16 of P.L.1941, c.151 (C.4:19-15.16) is amended to
32 read as follows:

33 16. a. The certified animal control officer appointed by the
34 governing body of the municipality shall take into custody and
35 impound any animal, to thereafter be euthanized, transferred,
36 offered for adoption, as provided in this section:

37 (1) Any dog off the premises of the owner or of the person
38 charged with the care of the dog, which is reasonably believed to be
39 a stray dog;

40 (2) Any dog off the premises of the owner or the person charged
41 with the care of the dog without a current registration tag on its
42 collar or elsewhere;

43 (3) Any female dog in season off the premises of the owner or
44 the person charged with the care of the dog;

45 (4) Any dog or other animal which is suspected to be rabid; or

46 (5) Any dog or other animal off the premises of the owner or the
47 person charged with its care that is reported to, or observed by, a
48 certified animal control officer to be ill, injured, or creating a threat

1 to public health, safety, or welfare, or otherwise interfering with the
2 enjoyment of property.

3 b. If an animal taken into custody and impounded pursuant to
4 subsection a. of this section has a collar or harness with
5 identification of the name and address of any person, or has a
6 registration tag, or has a microchip with an identification number
7 that can be traced to the owner or person charged with the care of
8 the animal, or the owner or the person charged with the care of the
9 animal is otherwise known, the certified animal control officer shall
10 ascertain the name and address of the owner or the person charged
11 with the care of the animal, and serve to the identified person as
12 soon as practicable, a notice in writing that the animal has been
13 seized and will be liable to be offered for adoption, transferred, or
14 euthanized if not claimed within seven days after the service of the
15 notice.

16 c. A notice required pursuant to this section may be served: (1)
17 by delivering it to the person on whom it is to be served, or by
18 leaving it at the person's usual or last known place of residence or
19 the address given on the collar, harness, or microchip identification;
20 or (2) by mailing the notice to that person at the person's usual or
21 last known place of residence, or to the address given on the collar,
22 harness or microchip identification.

23 d. A shelter, pound, or kennel operating as a shelter or pound
24 receiving an animal from a certified animal control officer pursuant
25 to subsection a. of this section, or from any other individual, group,
26 or organization, shall hold the animal for at least seven days before
27 offering it for adoption, or euthanizing, transferring or otherwise
28 relocating, or sterilizing the animal, except if:

29 (1) the animal is surrendered voluntarily by its owner to the
30 shelter, pound, or kennel operating as a shelter or pound, in which
31 case the provisions of subsection e. of this section shall apply; or

32 (2) the animal is suspected of being rabid, in which case the
33 provisions of subsection j. of this section shall apply.

34 e. If a shelter, pound or kennel operating as a shelter or pound
35 is not required to hold an animal for at least seven days pursuant to
36 paragraph (1) of subsection d. of this section, the shelter, pound, or
37 kennel operating as a shelter or pound:

38 (1) shall offer the animal for adoption for at least seven days
39 before euthanizing it or transferring it to a pet shop; or

40 (2) may transfer the animal to an animal rescue organization
41 facility or a foster home prior to offering it for adoption if such a
42 transfer is determined to be in the best interest of the animal by the
43 shelter, pound, or kennel operating as a shelter or pound.

44 f. Except as otherwise provided for under subsection e. of this
45 section, no shelter, pound, or kennel operating as a shelter or pound
46 receiving an animal from a certified animal control officer may
47 transfer the animal to an animal rescue organization facility, a pet

1 shop, or a foster home until the shelter, pound, or kennel operating
2 as a shelter or pound has held the animal for at least seven days.

3 g. If the owner or the person charged with the care of the
4 animal seeks to claim it within seven days, or after the seven days
5 have elapsed but before the animal has been adopted, transferred to
6 a pet shop, or euthanized, the shelter, pound, or kennel operating as
7 a shelter or pound:

8 (1) shall, in the case of a cat or dog, release it to the owner or
9 person charged with its care, provided the owner or person charged
10 with the care of the animal provides proof of ownership, which may
11 include a valid cat or dog license, registration, rabies inoculation
12 certificate, or documentation from the owner's veterinarian that the
13 cat or dog has received regular care from that veterinarian;

14 (2) may, in the case of a cat or dog, charge the cost of sterilizing
15 the cat or dog, if the owner requests such sterilizing when claiming
16 it; and

17 (3) may require the owner or person charged with the care of the
18 animal to pay all the animal's expenses while in the care of the
19 shelter, pound, or kennel operating as a shelter or pound, not to
20 exceed \$4 per day.

21 h. If the animal remains unclaimed, is not claimed due to the
22 failure of the owner or other person to comply with the
23 requirements of this section, or is not adopted after seven days after
24 the date on which notice is served pursuant to subsection c. of this
25 section or, if no notice can be served, not less than seven days after
26 the date on which the animal was impounded, the impounded
27 animal may be placed in a foster home, transferred to another
28 shelter, pound, kennel operating as a shelter or pound, **[or]** animal
29 rescue organization facility, or pet shop, or euthanized in a manner
30 causing as little pain as possible and consistent with the provisions
31 of R.S.4:22-19.

32 i. At the time of adoption, the right of ownership in the animal
33 shall transfer to the new owner. No dog or other animal taken into
34 custody, impounded, sent or otherwise brought to a shelter, pound,
35 or kennel operating as a shelter or pound, or transferred to a pet
36 shop from a shelter, pound, or kennel operating as a shelter or
37 pound, shall be sold or otherwise be made available for the purpose
38 of experimentation. Any person who sells or otherwise makes
39 available any such dog or other animal for the purpose of
40 experimentation shall be guilty of a crime of the fourth degree.

41 j. Any animal seized under this section suspected of being
42 rabid shall be immediately reported to the executive officer of the
43 local board of health and to the Department of Health, and shall be
44 quarantined, observed, and otherwise handled and dealt with as
45 appropriate for an animal suspected of being rabid or as required by
46 the Department of Health for the animals.

47 k. When a certified animal control officer takes into custody
48 and impounds, or causes to be taken into custody and impounded,

1 an animal, the certified animal control officer may place the animal
2 in the custody of, or cause the animal to be placed in the custody of,
3 only a licensed shelter, pound, or kennel operating as a shelter or
4 pound. The certified animal control officer may not place the
5 animal in the custody of, or cause the animal to be placed in the
6 custody of, any animal rescue organization facility, foster home, or
7 other unlicensed facility. However, the licensed shelter, pound, or
8 kennel operating as a shelter or pound may place the animal in an
9 animal rescue organization facility, foster home, or other unlicensed
10 facility if necessary pursuant to subsection e. or h. of this section.

11 1. Notwithstanding the provisions of this section and sections 3
12 and 4 of P.L.2011, c.142 (C.4:19-15.30 and C.4:19-15.31) to the
13 contrary, no cat or dog being transferred between shelters, pounds,
14 or kennels operating as shelters or pounds, or being transferred to a
15 pet shop or an animal rescue organization facility, or placed in a
16 foster home, shall be required to be sterilized prior to that transfer.

17 (cf: P.L.2012, c.17, s.7)

18

19 11. Section 5 of P.L.2011, c.142 (C.4:19-15.32) is amended to
20 read as follows:

21 5. a. When a cat or dog is put in the custody of and impounded
22 with a shelter, pound, or kennel operating as a shelter or pound, or
23 an animal rescue organization facility receives a cat or dog, the
24 shelter, pound, kennel operating as a shelter or pound, or animal
25 rescue organization facility shall, if the identity of the owner is not
26 known, scan the animal for microchip identification, provided the
27 shelter, pound, kennel operating as a shelter or pound, or animal
28 rescue organization facility has such technology available.

29 b. Prior to release of any cat or dog for adoption, transfer to a
30 pet shop, another facility or foster home, or euthanasia of the cat or
31 dog, the shelter, pound, kennel operating as a shelter or pound, or
32 animal rescue organization facility shall, if the identity of the owner
33 is not known, scan the cat or dog for microchip identification,
34 provided the shelter, pound, kennel operating as a shelter or pound,
35 or animal rescue organization facility has such technology
36 available.

37 c. If either scan required pursuant to subsection a. or b. of this
38 section reveals information concerning the owner of the cat or dog,
39 the shelter, pound, kennel operating as a shelter or pound, or animal
40 rescue organization facility shall immediately seek to contact and
41 notify the owner of the whereabouts of the cat or dog. Furthermore,
42 if microchip identification is found, the shelter, pound, kennel
43 operating as a shelter or pound, or animal rescue organization
44 facility shall hold the animal for at least seven days after the
45 notification to the owner.

46 (cf: P.L.2011, c.142, s.5)

1 12. Sections 1 through 5 of P.L.1999, c.336 (C.56:8-92 through
2 C.56:8-96), section 7 of P.L.1999, c.336 (C.56:8-97) and sections 3,
3 4, and 5 of P.L.2015, c.7 (C.56:8-95.1 through C.56:8-95.3) are
4 repealed.

5

6 13. This act shall take effect immediately.

7

8

9

STATEMENT

10

11 This bill prohibits any person from selling, offering for sale,
12 transferring, exchanging, or bartering a cat or dog, or otherwise
13 engaging in a transaction concerning a cat or dog, unless the
14 transaction is a face-to-face transaction. This prohibition would
15 apply to transactions between a breeder or other seller and a
16 consumer who are both in the State, a breeder or other seller in the
17 State and a consumer in another state, and a breeder or other seller
18 in another state and a consumer in the State.

19 The bill also prohibits a pet shop from offering a cat or dog for
20 sale, or obtaining a cat or dog for that purpose, unless the cat or dog
21 comes from with or without payment or compensation of any kind,
22 from a shelter, pound, kennel operating as a shelter or pound, or an
23 animal rescue organization. The bill establishes a penalty of \$500
24 for each violation, in addition to other penalties that may be
25 imposed pursuant to the State consumer fraud law (P.L.1960, c.39
26 (C.56:8-1 et seq.)), State animal control, dog licensing, and kennel,
27 pet shop, shelter, and pound laws (P.L.1941, c.151 (C.4:19-15.1 et
28 seq.)), or the State criminal code (Title 2C of the New Jersey
29 Statutes).