

ASSEMBLY, No. 4225

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JUNE 18, 2018

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblyman ANTHONY M. BUCCO

District 25 (Morris and Somerset)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Senator JOSEPH P. CRYAN

District 20 (Union)

Co-Sponsored by:

Assemblyman Rooney

SYNOPSIS

Revises effective dates of various provisions of P.L.2017, c.331 concerning animal cruelty law enforcement.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/26/2018)

1 AN ACT concerning the enforcement of animal cruelty laws,
2 amending the effective date of P.L.2017, c.331, and repealing
3 section 8 of P.L.1997, c.247.

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

7
8 1. Section 35 of P.L.2017, c.331 is amended to read as follows:
9 35. **[Sections 8 and]** Section 9 of P.L.1997, c.247 (**[C.4:19-**
10 **15.16c and]** C.4:19-15.16d), sections 1 through 10 and 13 of
11 P.L.2005, c.372 (C.4:22-11.1 through C.4:22-11.10 and C.4:22-
12 11.13), R.S.4:22-12, and R.S.4:22-13 are repealed.
13 (cf: P.L.2017, c.331, s.35)

14
15 2. Section 36 of P.L.2017, c.331 is amended to read as follows:
16 36. **[This]** Sections 6 and 32 of this act shall take effect on the
17 first day of the **[seventh]** 13th month following the date of
18 enactment, **[except that]** sections 1 through 5 and sections 7 through
19 24, 29, 30, 31, and 35 of this act shall take effect on the first day of
20 the seventh month following the date of enactment, sections 25, 26,
21 27, and 28 of this act shall take effect on the first day of the fourth
22 month following the date of enactment, **[sections 33, 34, and 36]**
23 the remainder of this act shall take effect immediately, and the
24 Attorney General and any county prosecutor or governing body of a
25 municipality may take any administrative action in advance
26 **[thereof]** of those dates as shall be necessary for the
27 implementation of this act.
28 (cf: P.L.2017, c.331, s.36)

29
30 3. Section 8 of P.L.1997, c.247 (C.4:19-15.16c) is repealed.

31
32 4. Section 3 of this act shall take effect on February 1, 2019 and
33 the remainder of this act shall take effect immediately.

34
35
36 STATEMENT

37
38 This bill would clarify the effective date of P.L.2017, c.331
39 (C.4:22-14.1 et al.) and revise the effective date of several sections of
40 that law. That 2017 law revised the way in which animal cruelty law
41 is enforced in the State by, among other things, transferring the power
42 of humane law enforcement from the New Jersey Society for the
43 Prevention of Cruelty to Animals (NJSPCA) to the county prosecutor
44 in each county, and requiring the designation of a municipal humane

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 law enforcement officer in each municipality with an existing police
2 department.

3 Specifically, the bill would delay the effective dates of two
4 sections (6 and 32) of P.L.2017, c.331 from the first day of the seventh
5 month after the date of enactment of P.L.2017, c.331 (i.e., August 1,
6 2018) to the first day of the 13th month after that enactment date (i.e.,
7 February 1, 2019). In addition, the bill would delay the repeal of
8 section 8 of P.L.1997, c.247 (C.4:19-15.16c) from August 1, 2018 to
9 February 1, 2019. The date of enactment of P.L.2017, c.331 was
10 January 16, 2018.

11 In addition, under this bill, sections 25 through 28 of P.L.2017,
12 c.331 would continue to have the effective date of May 1, 2018 (thus,
13 they have already taken effect and would continue to be in effect under
14 the bill). Section 29 (which pertains to applications for designation as
15 a humane law enforcement officer of a county society for the
16 prevention of cruelty to animals) of P.L.2017, c.331 would take effect
17 on the first day of the seventh month after the date of enactment of
18 P.L.2017, c.331 (i.e., August 1, 2018), section 35 (which repeals
19 certain sections of existing law concerning the NJSPCA) would take
20 effect on August 1, 2018, and the remainder of P.L.2017, c.331 would
21 continue to have the existing effective date of January 16, 2018.

22 Thus, to summarize, under the bill, the revised effective dates for
23 the various sections of P.L.2017, c.331 would be as follows, listed in
24 chronological order of when they already took effect or will take effect
25 in the future because of this bill:

26 Section 33 (which prohibits the NJSPCA from taking certain
27 actions with regard to the charters of county societies for the
28 prevention of cruelty to animals, and provides that the act should not
29 be construed to require county societies to surrender any of their
30 assets) took effect on January 16, 2018, and would remain in effect
31 under the bill.

32 Section 34 (which pertains to certain responsibilities of the
33 Attorney General under the act) of P.L.2017, c.331 took effect on
34 January 16, 2018, and would remain in effect under the bill.

35 Sections 25 (which pertains to municipal responsibilities under the
36 act), 26 (which pertains to applications for designation as a municipal
37 humane law enforcement officer), 27 (which pertains to continuing
38 eligibility of former humane law enforcement officers or agents), and
39 28 (which pertains to county prosecutor responsibilities under the act)
40 of P.L.2017, c.331 took effect on May 1, 2018, and would remain in
41 effect under the bill.

42 Section 29 (which pertains to applications for designation as a
43 humane law enforcement officer of a county society for the prevention
44 of cruelty to animals) of P.L.2017, c.331 would take effect on August
45 1, 2018.

46 Section 35 (which repeals certain sections of existing law
47 concerning the NJSPCA) of P.L.2017, c.331 would continue under this
48 bill to take effect on August 1, 2018.

1 Sections 1 through 5 and sections 7 through 24, 30, and 31 of
2 P.L.2017, c.331 would continue under this bill to take effect on August
3 1, 2018.

4 Section 6 (which pertains to the appointment of certified animal
5 control officers) of P.L.2017, c.331 and section 32 (which pertains to
6 county societies for the prevention of cruelty to animals) of P.L.2017,
7 c.331 would take effect on February 1, 2019.

8 Finally, the bill would change the date of the repeal of section 8 of
9 P.L.1997, c.247 (C.4:19-15.16c) from August 1, 2018 to February 1,
10 2019.