

ASSEMBLY, No. 319

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman JOE DANIELSEN

District 17 (Middlesex and Somerset)

SYNOPSIS

Requires certain veterinary facilities to obtain signed consent form for unsupervised overnight stays of domestic companion animals.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning supervision of domestic companion animals at
2 certain veterinary facilities and amending P.L.2015, c.110.

3

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

6

7 1. Section 1 of P.L.2015, c.110 (C.45:16-8.3) is amended to
8 read as follows:

9 1. a. Every veterinary facility in the State shall post its normal
10 business hours in a conspicuous location easily visible to the public.

11 b. (1) A veterinarian overseeing the care of a domestic
12 companion animal at a veterinary facility that does not provide
13 domestic companion animals with supervision after normal business
14 hours by a person physically on the premises shall provide written
15 notification to each person bringing a domestic companion animal
16 to the veterinary facility for care or treatment. The written
17 notification may be provided as a sign posted next to the posting
18 required pursuant to subsection a. of this section, as part of a sign
19 used to meet the posting requirement of that subsection, or on an
20 intake form provided to each person bringing a domestic companion
21 animal to the veterinary facility.

22 (2) The written notification provided in accordance with
23 paragraph (1) of this subsection shall include the following specific
24 language:

25 "This veterinary facility does NOT provide supervision for
26 animals after normal business hours by a person physically on these
27 premises."

28 This language shall be printed in no less than 12-point font in an
29 intake form and no less than 24-point font on a posted sign.

30 (3) (a) A veterinarian overseeing the care of a domestic
31 companion animal at a veterinary facility that does not provide
32 domestic companion animals with supervision after normal business
33 hours by a person physically on the premises shall be required to
34 obtain a consent form signed by the owner of the domestic
35 companion animal or the person bringing the animal to the
36 veterinary facility for care or treatment. The form shall include
37 information on the frequency of injuries, both fatal and non-fatal, to
38 domestic companion animals that occur as a result of unsupervised
39 overnight care at the veterinary facility.

40 (b) (i) A veterinarian who fails to collect a consent form from
41 the owner of the animal or the person bringing the animal to the
42 veterinary facility for care or treatment shall not charge for any
43 veterinary services rendered due to an injury to the animal that
44 occurs as a result of unsupervised overnight care.

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 (ii) A veterinarian who fails to collect a consent form from the
2 owner of the animal or the person bringing the animal to the
3 veterinary facility for care or treatment shall be strictly liable for
4 any injuries or death to the animal that occur as a result of
5 unsupervised overnight care.

6 (iii) Nothing in this paragraph (3) shall be deemed to grant
7 immunity to any veterinarian who collects a consent form from the
8 owner of an animal or the person bringing the animal to the
9 veterinary facility for care or treatment.

10 c. As used in this section:

11 "Domestic companion animal" means any animal commonly
12 referred to as a "pet," which has been bought, bred, raised or
13 otherwise acquired, in accordance with local ordinances and State
14 and federal law, for the primary purpose of providing
15 companionship to the owner, rather than for business or agricultural
16 purposes.

17 "Normal business hours" means the times posted at a veterinary
18 facility indicating the hours that the veterinary facility is open for
19 business with supervising staff available.

20 "Veterinarian" means any person engaged in the licensed
21 practice of veterinary medicine as defined by R.S.45:16-8.1.

22 "Veterinary facility" means any place or establishment, operated
23 on a for-profit basis, where a domestic companion animal, which is
24 not owned by either the proprietor or care-giving veterinarian, is
25 treated, temporarily sheltered, fed, and watered for veterinary care
26 purposes. "Veterinary facility" may include an animal or veterinary
27 facility as defined in section 1 of P.L.1983, c. 98 (C.45:16-1.1).

28 d. A veterinarian who fails or refuses to comply with the
29 provisions of this section shall be subject to a public reprimand by
30 the State Board of Veterinary Medical Examiners and any other
31 penalties the board imposes.

32 (cf: P.L. 2015, c.110, s.1)

34 2. This act shall take effect on the 90th day after the date of
35 enactment.

STATEMENT

40 This bill requires for-profit veterinary facilities that board
41 domestic companion animals overnight without having a person
42 physically present at the facility to obtain a signed consent form
43 from the owner of the animal or the person bringing the animal to
44 the veterinary facility for care or treatment. The bill requires the
45 consent form to include information about the frequency of injuries
46 relating to the unsupervised overnight boarding of domestic
47 companion animals at the facility.

1 In addition, the bill provides that, in the event that a veterinary
2 facility fails to collect the signed consent form from the owner of a
3 domestic companion animal staying unsupervised overnight or from
4 the person bringing the animal to the veterinary facility for care or
5 treatment, the veterinarian will be strictly liable for any injury or
6 death occurring as a result of the unsupervised overnight stay. The
7 bill also provides that the veterinarian may not charge for any
8 veterinary services rendered due to an injury occurring from lack of
9 overnight supervision. In addition, the bill provides that nothing in
10 the bill shall be deemed to grant immunity to any veterinarian who
11 collects a consent form from the owner of an animal or the person
12 bringing the animal to the veterinary facility for care or treatment.