

ASSEMBLY, No. 592

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman JOHN DIMAIO

District 23 (Hunterdon, Somerset and Warren)

Co-Sponsored by:

Assemblymen Rooney and Bramnick

SYNOPSIS

Requires accountability of NJSPCA and county societies for prevention of cruelty to animals to Attorney General and county prosecutors, respectively.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning societies for the prevention of cruelty to
2 animals and amending P.L.2005, c.372.

3

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

6

7 1. Section 2 of P.L.2005, c.372 (C.4:22-11.2) is amended to
8 read as follows:

9 2. a. (1) The New Jersey Society for the Prevention of Cruelty
10 to Animals is continued as a parent corporation for the purposes of
11 coordinating the functions of county societies for the prevention of
12 cruelty to animals, and of promoting the interests of, protecting and
13 caring for, and doing any and all things to benefit or that tend to
14 benefit animals. The New Jersey Society for the Prevention of
15 Cruelty to Animals shall be governed by a board of trustees
16 consisting of 15 persons, of whom 12 shall be members of the
17 society elected by the membership thereof and three shall be
18 persons appointed by the Governor with the advice and consent of
19 the Senate. Each trustee shall serve a term of six years, except as
20 provided otherwise pursuant to paragraph (2) of this subsection. Of
21 the 12 elected trustees, at least one shall also be a member of a
22 county society for the prevention of cruelty to animals in the
23 northern part of the State, at least one shall also be a member of a
24 county society for the prevention of cruelty to animals in the central
25 part of the State, and at least one shall also be a member of a county
26 society for the prevention of cruelty to animals in the southern part
27 of the State.

28 For the purposes of this paragraph: "northern" means the
29 counties of Bergen, Essex, Hudson, Morris, Passaic, Sussex, or
30 Union; "central" means the counties of Hunterdon, Mercer,
31 Middlesex, Monmouth, Somerset, or Warren; and "southern" means
32 the counties of Atlantic, Burlington, Camden, Cape May,
33 Cumberland, Gloucester, Ocean, or Salem.

34 (2) Notwithstanding any provision of paragraph (1) of this
35 subsection to the contrary, every trustee on the board governing the
36 New Jersey Society for the Prevention of Cruelty to Animals on the
37 day before the date of enactment of P.L.2005, c.372 (C.4:22-11.1 et
38 al.) shall complete the remainder of the trustee's respective assigned
39 term on the board created pursuant to paragraph (1) of this
40 subsection.

41 b. The New Jersey Society for the Prevention of Cruelty to
42 Animals shall be accountable to the Attorney General and shall not
43 undertake an investigation or law enforcement activity or operation
44 in any county without the prior approval of the county prosecutor
45 for that county.

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 c. The board of trustees of the New Jersey Society for the
2 Prevention of Cruelty to Animals shall prepare an annual report
3 concerning the law enforcement activity of the New Jersey Society
4 for the Prevention of Cruelty to Animals and the county societies,
5 and shall submit the report for each calendar year by June 1 of the
6 next following calendar year to the Attorney General and , pursuant
7 to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature,
8 and shall make the report available to the public upon request.

9 **[c.]** d. The New Jersey Society for the Prevention of Cruelty to
10 Animals shall submit quarterly to the Attorney General statistical
11 information concerning its law enforcement activity during that
12 period, on a form developed in conjunction with the Attorney
13 General.

14 (cf: P.L.2005, c.372, s.2)

15
16 2. Section 6 of P.L.2005, c.372 (C.4:22-11.6) is amended to
17 read as follows:

18 6. a. Every county society for the prevention of cruelty to
19 animals that is in existence on the date of enactment of P.L.2005,
20 c.372 (C.4:22-11.1 et al.) shall be continued as a chartered county
21 society.

22 b. A charter for a county society may be granted by the board
23 of trustees of the New Jersey Society for the Prevention of Cruelty
24 to Animals if the county society can demonstrate that it consists of
25 at least 10 members. The requirements of this subsection shall not
26 apply to a county society which is continued as a chartered county
27 society as provided in subsection a. of this section.

28 c. Each county society for the prevention of cruelty to animals
29 shall be accountable to the county prosecutor for the county in
30 which it is located and shall not undertake an investigation or law
31 enforcement activity or operation without the prior approval of the
32 county prosecutor.

33 d. Every county society shall submit quarterly a law
34 enforcement report to the board of trustees of the New Jersey
35 Society for the Prevention of Cruelty to Animals on a form
36 developed in conjunction with the Attorney General. Each county
37 society shall also submit a copy of its quarterly report to the county
38 sheriff and the county prosecutor. The New Jersey Society for the
39 Prevention of Cruelty to Animals shall compile these reports and
40 submit them to the Attorney General.

41 (cf: P.L.2005, c.372, s.6)

42
43 3. This act shall take effect immediately.

1 STATEMENT

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3 This bill would require the New Jersey Society for the
4 Prevention of Cruelty to Animals (NJSPCA) to be accountable to
5 the Attorney General and provide that it would not be authorized to
6 undertake an investigation or law enforcement activity or operation
7 in any county without the prior approval of the county prosecutor
8 for that county. The bill also would provide that each county
9 society for the prevention of cruelty to animals would be
10 accountable to the county prosecutor for the county in which it is
11 located and would not be authorized to undertake an investigation
12 or law enforcement activity or operation without the prior approval
13 of the county prosecutor.