

ASSEMBLY, No. 1516

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman KEVIN J. ROONEY

District 40 (Bergen, Essex, Morris and Passaic)

SYNOPSIS

Regulates performance of pet grooming services.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning pet grooming and supplementing P.L.1960,
2 c.39 (C.56:8-1 et seq.).

3

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

6

7 1. As used in this act:

8 “Director” means the Director of the Division of Consumer
9 Affairs in the Department of Law and Public Safety.

10 “Division” means the Division of Consumer Affairs in the
11 Department of Law and Public Safety.

12 “Negligent performance of pet grooming” occurs when a pet
13 experiences any of the following:

14 (1) an injury that required veterinary contact which was
15 sustained while at a pet grooming facility;

16 (2) severe illness reasonably believed to be contracted while
17 receiving pet grooming services;

18 (3) pet escape; or

19 (4) pet death.

20 “Person” means a natural person or an organization, including a
21 corporation, partnership, proprietorship, association, cooperative, or
22 any other business entity.

23 “Pet” means any animal placed in the care of a person who
24 performs pet grooming services.

25 “Pet grooming” means the act of bathing, brushing, clipping, or
26 styling a pet.

27

28 2. a. A person performing pet grooming services who is the
29 subject of three or more complaints alleging the negligent
30 performance of pet grooming and determined to be valid by the
31 director, pursuant to section 3 of this act, within a period of one
32 calendar year shall register on forms to be provided by the division
33 in accordance with the provisions of this act.

34 b. A person who is required to register under the provisions of
35 this act shall remain registered for a period of one calendar year.
36 The registration requirement shall expire at the end of the calendar
37 year, unless extended pursuant to subsection c. of this section.

38 c. For every complaint that is received and determined to be
39 valid by the director while the person is registered pursuant to this
40 section, the person shall be required to remain registered for one
41 additional calendar year.

42

43 3. A pet owner who has been aggrieved by a person performing
44 pet grooming services may file a complaint with the division
45 alleging an incident constituting the negligent performance of pet
46 grooming. A pet owner shall file a complaint no later than 90 days
47 after the alleged incident occurred. The director shall investigate
48 each complaint filed pursuant to this section to determine whether it

1 is valid. The director shall render a final disposition of the inquiry
2 within 90 days of the date the complaint was filed. In order to
3 accomplish the objectives of this section, the director may hold
4 investigative hearings as may be necessary and may issue
5 subpoenas to compel the attendance of any person or the production
6 of books, records, or other evidence.

7
8 4. a. The director shall maintain and publish the registration by
9 means of a list that contains the name, business address,
10 municipality, and any other identifying information the director
11 determines is necessary, of every person required to register
12 pursuant to section 2 of this act. The published registration list
13 shall provide an explanation of every person's registration,
14 including a description of the person's negligent performance of pet
15 grooming, the calendar date the person first appeared on the
16 registration list, and any other information the director determines
17 is necessary. The list shall be made available to the public and
18 prominently displayed on an Internet website maintained by the
19 division.

20 b. The director shall remove a registrant's name, business
21 address, municipality, and any other information from the
22 registration list after the registrant's applicable registration period
23 has expired pursuant to section 2 of this act.

24
25 5. A person who is registered pursuant to section 2 of this act
26 shall provide notification, in a form issued by the director, to every
27 pet owner who engages the person in the performance of pet
28 grooming services. In addition, the person shall conspicuously post
29 the notification in a place or places accessible to all consumers in
30 any facility used by the person to perform pet grooming services.
31 The requirements of this section shall apply only during the period
32 of time which the person is registered.

33
34 6. The director shall establish and undertake a public
35 awareness campaign to ensure that the public, pet owners, and
36 persons who perform pet grooming services in this State are
37 educated and informed of the provisions of this act, including the
38 provisions concerning the registration requirement, complaint
39 process, and penalties. The public awareness campaign shall
40 include, but not be limited to, the preparation, printing and
41 distribution of booklets, pamphlets, or other written and digital
42 pertinent information.

43
44 7. a. It is an unlawful practice and a violation of P.L.1960,
45 c.39 (C.56:8-1 et seq.) to violate any provision of this act.

46 b. In addition to any other penalty provided by law, a person is
47 liable for a penalty of \$1,000 per day for each day that the person
48 continues to perform pet grooming services without registering as

1 required under this act. The penalty shall be collected by the
2 director in a summary proceeding in accordance with the “Penalty
3 Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.).
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5 8. This act shall take effect on the 90th day after the date of
6 enactment.
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9 STATEMENT
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11 This bill requires a person who is found to have negligently
12 performed pet grooming services to register with the Division of
13 Consumer Affairs in the Department of Law and Public Safety.

14 The bill provides that a person performing pet grooming services
15 who is the subject of three or more consumer complaints alleging
16 the negligent performance of pet grooming, and determined to be
17 valid by the Director of the Division of Consumer Affairs, within a
18 period of one calendar year must register in accordance with the
19 provisions of the bill.

20 For the purposes of the bill the negligent performance of pet
21 grooming occurs when a pet experiences any of the following:

22 (1) an injury that required veterinary contact which was
23 sustained while at a pet grooming facility;

24 (2) severe illness reasonably believed to be contracted while
25 receiving pet grooming services;

26 (3) pet escape; or

27 (4) pet death.

28 A person who is required to register under the provisions of this
29 bill will remain registered for a period of one calendar year. The
30 registration requirement expires at the end of the calendar year,
31 unless extended. For every complaint that is received and
32 determined to be valid by the director while the person is registered,
33 the person will be required to remain registered for one additional
34 calendar year.

35 The bill provides that a pet owner who has been aggrieved by a
36 person performing pet grooming services may file a complaint with
37 the division alleging an incident constituting the negligent
38 performance of pet grooming. A pet owner must file a complaint
39 no later than 90 days after the alleged incident occurred. The
40 director will investigate each complaint filed to determine whether
41 it is valid. The director must render a final disposition of the
42 inquiry within 90 days of the date the complaint was filed. The bill
43 also provides that the director may hold investigative hearings as
44 may be necessary and may issue subpoenas to compel the
45 attendance of any person or the production of books, records, or
46 other evidence.

47 The director will maintain and publish the registration required
48 by the bill by means of a list that contains the name, business

1 address, municipality, and any other identifying information the
2 director determines is necessary, of every person required to
3 register. The published registration list will provide an explanation
4 of every person's registration, including a description of the
5 person's negligent performance of pet grooming, the calendar date
6 the person first appeared on the registration list, and any other
7 information the director determines is necessary. The list must be
8 made available to the public and prominently displayed on an
9 Internet website maintained by the division. The director must
10 remove a registrant's name, business address, municipality, and any
11 other information from the registration list after the registrant's
12 applicable registration period has expired.

13 A person who is registered pursuant to the provisions of the bill
14 must provide notification, in a form issued by the director, to every
15 pet owner who engages the person in the performance of pet
16 grooming services. In addition, the person must conspicuously post
17 the notification in a place or places accessible to all consumers in
18 any facility used by the person to perform pet grooming services.

19 The bill requires the director to establish and undertake a public
20 awareness campaign to ensure that the public, pet owners, and
21 persons who perform pet grooming services in this State are
22 educated and informed of the provisions of the bill, including the
23 provisions concerning the registration requirement, complaint
24 process, and penalties. The public awareness campaign must
25 include, but not be limited to, the preparation, printing and
26 distribution of booklets, pamphlets, or other written and digital
27 pertinent information.

28 Finally, the bill provides that it is an unlawful practice and a
29 violation of the New Jersey consumer fraud act, P.L.1960, c.39
30 (C.56:8-1 et seq.), to violate any provision of the bill. In addition, a
31 person is liable for a penalty of \$1,000 per day for each day that the
32 person continues to perform pet grooming services without
33 registering as required under the bill.