ASSEMBLY, No. 2829

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

Sponsored by:
Assemblywoman CAROL A. MURPHY
District 7 (Burlington)

SYNOPSIS

Upgrades penalties for violating certain veterinary practice licensure laws.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning violations of veterinary practice licensure laws and amending R.S.45:16-9.

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

1. R.S.45:16-9 is amended to read as follows:

45:16-9. a. (1) Except as otherwise provided in paragraph (2) of this subsection, no person shall enter into, or continue, the practice of veterinary medicine, surgery, or dentistry in any of their branches, unless the person has complied with the provisions of this chapter and has been licensed by the board.

(2) Any student in good standing at an accredited veterinary school may, during a school vacation, preceptorship, or intern or extern program, perform duties or actions that otherwise could be considered to constitute the practice of veterinary medicine, surgery, or dentistry, provided that those duties or actions are assigned by a qualified instructor at that accredited veterinary school, and are undertaken by the student under the direct supervision of a licensed veterinarian. A student applicant shall be associated with a licensed veterinarian in the practice and the student applicant's labors shall be limited to the practice of that licensed veterinarian.

b. No person shall use any title or degree appertaining to the veterinary profession or the practicing of veterinary medicine, surgery, or dentistry in any of their branches without being licensed and registered in conformity with the provisions of this chapter.

c. In addition to any penalty that may be imposed pursuant to any other law, rule or regulation, any person who has been found to have violated the provisions of subsections a. or b. of this section shall be guilty of a crime of the fourth degree.

d. A person is guilty of a crime of the third degree if the person commits an aggravated violation of the provisions of subsections a. or b. of this section. A person is guilty of an aggravated violation of subsections a. or b. of this section if the person:

(1) performs surgery or any other serious operation on any animal;

(2) attempts to cause or purposely or knowingly causes a serious injury or harm, or death of any animal;

(3) presents a substantial likelihood of committing another violation; or

(4) is involved in organized criminal activity.

(cf: P.L.2013, c.122, s.2)

2. This act shall take effect immediately.

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.

STATEMENT

This bill amends R.S.45:16-9 to provide that, in addition to any penalty imposed under any law, rule, or regulation, any person who has been found to have practiced veterinary medicine, surgery, or dentistry, or used any title or degree associated with veterinary medicine, surgery, or dentistry without a license is guilty of a crime of the fourth degree. A crime of the fourth degree is ordinarily punishable by a term of imprisonment of up to 18 months or a fine of up to $10,000, or both.

The bill also provides that a person is guilty of a crime of the third degree if the person commits an aggravated violation of R.S.45:16-9. Under the bill, a person will be guilty of an aggravated violation if the person: performs surgery or any other serious operation on any animal; attempts to cause or purposely or knowingly causes a serious injury or harm, or death of any animal; presents a substantial likelihood of committing another violation; or is involved in organized criminal activity. A crime of the third degree is ordinarily punishable by a term of imprisonment of three to five years or a fine of up to $15,000, or both.