ASSEMBLY, No. 3331

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:
Assemblywoman AURA K. DUNN
District 25 (Morris and Somerset)

SYNOPSIS

Exempts certain officers trained in animal cruelty from certain additional Police Training Commission training courses.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning Police Training Commission animal cruelty training and amending P.L.2005, c.372 and P.L.2017, c.331.

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

1. Section 11 of P.L.2005, c.372 (C.4:22-11.11) is amended to read as follows:

11. a. The Police Training Commission, in collaboration with the Attorney General, shall develop or approve a training course for animal protection law enforcement, which shall include but need not be limited to instruction in:

(1) the law, procedures, and enforcement methods and techniques of investigation, arrest, and search and seizure, specifically in connection with violations of State and local animal cruelty laws and ordinances;

(2) information and procedures related to animals, including animal behavior and traits and evaluation of animals at a crime scene;

(3) methods to identify and document animal abuse, neglect, and distress; and

(4) investigation of animal fighting.

b. Every municipal humane law enforcement officer, humane law enforcement officer of a county society for the prevention of cruelty to animals, and chief humane law enforcement officer or other officer designated pursuant to subparagraph (a) of paragraph (2) of subsection a. of section 28 of P.L.2017, c.331 (C.4:22-14.4) shall satisfactorily complete the animal protection law enforcement training course as soon as practicable, but no later than one year after the date of the officer's designation.

c. (1) **[**The chief law enforcement officer of a municipality, or of a county, as applicable, may request from the Police Training Commission an exemption from applicable law enforcement parts of the animal protection law enforcement training course on behalf of a current or prospective municipal humane law enforcement officer, humane law enforcement officer of a county society for the prevention of cruelty to animals, or chief humane law enforcement officer or other officer designated pursuant to subparagraph (a) of paragraph (2) of subsection a. of section 28 of P.L.2017, c.331 (C.4:22-14.4) who demonstrates successful completion of a police training course conducted by a federal, state, or other public or private agency, the requirements of which are substantially equivalent to or which exceed the corresponding requirements**]**

Except as provided pursuant to subsection e. of this section:

(a) any person who, prior to the date of enactment of P.L.2017,

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.

c.331 (C.4:22-14.1 et al.), has successfully completed phase 1 and phase 2 of the Basic Humane Law Enforcement Course of the animal protection law enforcement training course curriculum, or similar course, established through the Police Training Commission shall be exempt from the training required pursuant to subsection a. and b. of this section; and

(b) any active or retired municipal police officer, county investigator, sheriff's officer, correctional police officer, Class Two special law enforcement officer, humane law enforcement officer, or member of the State Police who, prior to the date of enactment of P.L.2017, c.331 (C.4:22-14.1 et al.), has successfully completed phase 1 of the Basic Humane Law Enforcement Course of the animal protection law enforcement training course curriculum, or similar course, established through the Police Training Commission shall be exempt from the training required pursuant to subsections a. and b. of this section.

(2) The chief law enforcement officer of a municipality, or of a county, as applicable, may request from the Police Training Commission an exemption from applicable animal control parts of the animal protection law enforcement training course on behalf of a current or prospective municipal humane law enforcement officer, humane law enforcement officer of a county society for the prevention of cruelty to animals, or chief humane law enforcement officer or other officer designated pursuant to subparagraph (a) of paragraph (2) of subsection a. of section 28 of P.L.2017, c.331 (C.4:22-14.4) who demonstrates successful completion of an animal control course pursuant to section 3 of P.L.1983, c.525 (C.4:19-15.16a). The Police Training Commission may approve the exemption at its discretion, provided that no exemption shall be approved unless the requirement in paragraph (1) of subsection e. of this section has been met and the commission determines the person is not disqualified for an exemption pursuant to paragraph (2) of subsection e. of this section.

d. The Police Training Commission shall provide for the issuance of a certificate to a person who possesses, or acquires, the training and education required to qualify as a municipal humane law enforcement officer, humane law enforcement officer of a county society for the prevention of cruelty to animals, or chief humane law enforcement officer or other officer designated pursuant to subparagraph (a) of paragraph (2) of subsection a. of section 28 of P.L.2017, c.331 (C.4:22-14.4) and shall provide a copy of the certificate to, as applicable, the municipal humane law enforcement officer and the chief law enforcement officer of the municipality or county, or to the humane law enforcement officer and the county society for the prevention of cruelty to animals, or to the chief humane law enforcement officer or other officer designated pursuant to subparagraph (a) of paragraph (2) of

subsection a. of section 28 of P.L.2017, c.331 (C.4:22-14.4) and the county prosecutor.

e. (1) A person eligible for an exemption from the training requirements in subsection a. or b. of this section shall not receive an exemption unless the person submits documentation from the person's primary care physician that the person satisfies standards of health and physical fitness to perform the duties of a municipal police officer, county investigator, sheriff's officer, correctional police officer, Class Two special law enforcement officer, humane law enforcement officer, or member of the State Police, as applicable.

(2) An exemption from the training required pursuant to subsection a. or b. of this section shall not be provided to a person:

(a) convicted of a crime;

(b) found liable for any civil animal cruelty offense pursuant to Title 4 of the Revised Statutes; or

(c) separated from duty as a municipal police officer, county investigator, sheriff's officer, correctional police officer, Class Two special law enforcement officer, humane law enforcement officer, or member of the State Police for seven years or more on the date of enactment of P.L.2017, c.331.

(cf: P.L.2017, c.331, s.8)

2. Section 27 of P.L.2017, c.331 (C.4:22-14.3) is amended to read as follows:

27. Any humane law enforcement officer **[**or agent**]** appointed by a county society for the prevention of cruelty to animals, prior to the date of enactment of P.L.2017, c.331 (C.4:22-14.1 et al.), or the New Jersey Society for the Prevention of Cruelty to Animals shall be eligible for designation as a municipal humane law enforcement officer pursuant to section 26 of P.L.2017, c.331 (C.4:22-14.2) **[**or**]**, as a humane law enforcement officer of a county society for the prevention of cruelty to animals pursuant to section 29 of P.L.2017, c.331 (C.4:22-14.5), or as a chief humane law enforcement officer or any law enforcement officer under the supervision of the chief humane law enforcement officer designated by the county prosecutor pursuant to paragraph (2) of subsection a. of section 28 of P.L.2017 c.331 (C.4:22-14.4).

(cf: P.L.2017, c.331 s.27)

3. This act shall take effect immediately.

STATEMENT

This bill exempts certain persons who have already successfully completed certain Police Training Commission courses from additional animal cruelty training required pursuant to P.L.2017,

c.331. It also prohibits certain persons from receiving an exemption from the training requirements.

The bill provides that any person who, prior to the date of enactment of P.L.2017, c.331, has successfully completed phase 1 and phase 2 of the Police Training Commission Basic Humane Law Enforcement Course or a similar course is exempt from the additional training required pursuant to that law. The bill also authorizes a chief humane law enforcement officer to request an exemption from the training requirements for a current or prospective municipal humane law enforcement officer, humane law enforcement officer of a county society for the prevention of cruelty to animals, or chief humane law enforcement officer or other law enforcement officer who received other animal cruelty training under Title 4 of the Revised Statutes. The bill authorizes the Police Training Commission to grant a request for an exemption from the training requirements at its discretion, provided that certain conditions established in the bill are met.

The bill requires a person obtain, before receiving the exemption, documentation from the person's primary care physician that the person satisfies standards of health and physical fitness to perform the duties of a municipal police officer, county investigator, sheriff's officer, correctional police officer, Class Two special law enforcement officer, humane law enforcement officer, or member of the State Police, as applicable. Finally, the bill prohibits a person from receiving an exemption who has been:

1) convicted of a crime;

2) found liable for any civil animal cruelty offense pursuant to Title 4 of the Revised Statutes; or

3) separated from duty as a municipal police officer, county investigator, sheriff's officer, correctional police officer, Class Two special law enforcement officer, or member of the State Police for seven years or more on the date of enactment of P.L.2017, c.331.

Finally, the bill removes the authorization for agents of a county society for the prevention of cruelty to animals, appointed prior to the date of enactment of P.L.2017, c.331 (C.4:22-14.1 et al.), to be designated as municipal humane law enforcement officer, a humane law enforcement officer of a county society for the prevention of cruelty to animals, or as a chief humane law enforcement officer or a law enforcement officer under the supervision of the chief humane law enforcement officer.