

ASSEMBLY MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 3981

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 8, 2020

The Assembly Military and Veterans' Affairs Committee reports favorably and with committee amendments Assembly Bill No. 3981.

This bill permits veterans to have dogs as service and emotional support animals at a State veterans' residential facility.

Under federal law, service animals are permitted on federal Department of Veterans Affairs (VA) property with some restrictions. The federal regulation defines service animals as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal are required to be directly related to the individual's disability. The federal regulation does not include emotional support animals in its definition of service animals; therefore, emotional support animals are not permitted on VA property.

Under the bill, the State law is aligned with federal standards by permitting dogs as service animals at State veterans' residential facilities. The bill further expands beyond federal law to permit dogs as emotional support animals at State veterans' residential facilities. As veterans become increasingly diagnosed with post-traumatic stress disorder (PTSD), health care providers are recommending an emotional support animal to many veterans. Under the bill, those veterans with emotional support needs will not be excluded from having a dog on State veterans' residential facility property.

The bill prohibits animals other than service animals or emotional support animals on a State veterans' residential facility property unless the animal is present for law enforcement purposes or under the control of the Office of Research and Development in the Department of Veterans Affairs. The bill also requires a veteran accompanied by a service animal or emotional support animal to provide documentation with the following information:

(1) the animal has been certified, trained, or licensed as a service animal or emotional support animal, that lists the work or tasks the animal has been trained to perform; and

(2) confirms the service animal or emotional support animal has had a current rabies vaccine as determined by State and local public health requirements, and current core canine vaccines and immunizations as dictated by local veterinary practice standards, which at minimum includes distemper, parvovirus, and adenovirus-2.

Under the bill, State veterans' residential facility" means any State veterans' memorial home or Veterans Haven facility.

COMMITTEE AMENDMENTS

There are proposed committee amendments to the bill to:

(1) make the use of service and emotional support animals permissive and not a requirement at certain State veterans' residential facilities;

(2) require the Department of Military and Veterans Affairs to take into account the health and respiratory needs of all the residents when considering the use of service and emotional support animals; and

(3) provide the Department of Military and Veterans Affairs the ability to create rules and regulations to effectuate the purposes of the bill.