

ASSEMBLY, No. 4083

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MAY 7, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Requires certified animal control officers and animal cruelty investigators to engage in continuing education.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning training of certified animal control officers and
2 animal cruelty investigators, and amending P.L.1941, c.151 and
3 P.L.1983, c.525.

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

7
8 1. Section 11 of P.L.1941, c.151 (C.4:19-15.11) is amended to
9 read as follows:

10 11. a. License fees and other moneys collected or received
11 under the provisions of sections 3, 8, 9 and 16 of P.L.1941, c.151
12 (C.4:19-15.3, C.4:19-15.8, C.4:19-15.9, and C.4:19-15.16), except
13 registration tag fees, shall be forwarded to the treasurer of the
14 municipality within 30 days after collection or receipt and shall be
15 placed in a special account separate from any of the other accounts
16 of the municipality and **【shall be】** used for the following purposes
17 only: **【for】** (1) collecting, keeping and disposing of dogs liable to
18 seizure under P.L.1941, c.151 (C.4:19-15.1 et seq.) or under local
19 dog control ordinances; **【for】** (2) local rabies prevention and
20 control **【of rabies】**; **【for providing】** (3) the provision of antirabic
21 treatment , under the direction of the local board of health **【for】** , to
22 any person known or suspected to have been exposed to rabies;
23 **【for】** (4) payment **【of】** for damage to , or **【losses】** the loss of ,
24 poultry and domestic animals, except dogs and cats, caused by a
25 dog or dogs; **【for】** (5) the provision of initial training, and the
26 annual provision of continuing education courses necessary for the
27 active certification of animal control officers, including those
28 certified animal control officers who have been authorized by a
29 municipality, pursuant to section 4 of P.L.1983, c.525 (C.4:19-
30 15.16b), to act as officers for the detection, apprehension, and arrest
31 of offenders against the animal control, animal welfare, and animal
32 cruelty laws of the State and ordinances of the municipality; (6)
33 ensuring compliance with the requirements of subsection b. of
34 section 6 of P.L.2017, c.189 (C.4:22-17.6); and **【for】** (7) otherwise
35 administering the provisions of P.L.1941, c.151 (C.4:19-
36 15.1 et seq.). Any unexpended balance remaining in the special
37 account shall be retained therein until the end of the third fiscal year
38 following and may be used for any of the purposes set forth in this
39 section. At the end of the third fiscal year following, and at the end
40 of each fiscal year thereafter, there shall be transferred from the
41 special account to the general funds of the municipality any amount
42 then in the account which is in excess of the total amount paid into
43 the special account during the last two fiscal years next preceding.
44 b. The registration tag fee for each dog shall be forwarded
45 **【within 30 days after collection】** by the clerk or other official

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 designated to license dogs , within 30 days after collection thereof,
2 to the State Department of Health , which department shall forward
3 **【the】** this sum to the State Treasurer **【who】** . The State Treasurer
4 shall place all such moneys in a special account for use only by the
5 State Department of Health in administering P.L.1941, c.151
6 (C.4:19-15.1 et seq.) and **【for the prevention】** in undertaking
7 actions to prevent and control the spread of rabies throughout the
8 State **【, and such】** . This special account is hereby declared to be a
9 trust fund not subject to legislative appropriation. At the end of the
10 third fiscal year following the adoption of P.L.1941, c.151 (C.4:19-
11 15.1 et seq.) and at the end of each fiscal year thereafter, there shall
12 be withdrawn from this trust fund and transferred to the **【general**
13 **funds】** General Fund of the State any amount then in the trust fund
14 which is in excess of the total amount paid into the trust fund during
15 the last two fiscal years next preceding.
16 (cf: P.L.2017, c.189, s.10)

17
18 2. Section 3 of P.L.1983, c.525 (C.4:19-15.16a) is amended to
19 read as follows:

20 3. a. The Commissioner of Health shall, within 120 days after
21 the effective date of P.L.1983, c.525, and pursuant to the
22 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
23 1 et seq.), adopt rules and regulations concerning the training and
24 educational qualifications for the initial certification of animal
25 control officers, including, but not limited to, a course of study
26 approved by the commissioner and the Police Training
27 Commission, in consultation with the New Jersey Certified Animal
28 Control Officers Association, which acquaints a person with:

29 (1) The law as it affects animal control, animal welfare, and
30 animal cruelty;

31 (2) Animal behavior and the handling of stray or diseased
32 animals; and

33 (3) Community safety as it relates to animal control.

34 (4) (Deleted by amendment, P.L.2017, c.331)

35 Any person 18 years of age or older may satisfy the courses of
36 study established pursuant to this subsection at that person's own
37 time and expense; however, nothing in this section shall be
38 construed as authorizing a person to exercise the powers and duties
39 of an animal control officer absent municipal appointment or
40 authorization pursuant to section 4 of P.L.1983, c.525 (C.4:19-
41 15.16b).

42 b. (1) The commissioner shall provide for the issuance of a
43 certificate to a person who possesses, or acquires, the training and
44 education required to qualify as a certified animal control officer
45 pursuant to paragraphs (1) through (3) of subsection a. of this
46 section and to a person who has been employed in the State of New
47 Jersey in the capacity of, and with similar responsibilities to those

1 required of, a certified animal control officer pursuant to the
2 provisions of P.L.1983, c.525, for a period of three years before
3 January 17, 1987. The commissioner shall not issue a certificate to
4 any person convicted of, or found civilly liable for, a violation of
5 any provision of chapter 22 of Title 4 of the Revised Statutes.

6 (2) (a) A certificate issued pursuant to this subsection shall
7 remain in active status only if the officer complies with the
8 continuing education requirements established pursuant to this
9 paragraph.

10 (b) The commissioner, in consultation with the New Jersey
11 Certified Animal Control Officers Association, shall approve
12 continuing education courses for all certified animal control
13 officers, including those certified animal control officers who have
14 been authorized by a municipality, pursuant to section 4 of
15 P.L.1983, c.525 (C.4:19-15.16b), to act as officers for the detection,
16 apprehension, and arrest of offenders against the animal control,
17 animal welfare, and animal cruelty laws of the State and ordinances
18 of the municipality. Each such officer shall be required to annually
19 complete 15 contact hours of continuing education courses, which
20 have been approved pursuant to this paragraph, and any such officer
21 who fails to comply with this requirement shall have their
22 certificate inactivated by the commissioner. Any person whose
23 certificate is so inactivated shall be prohibited, during the term of
24 inactivation, from engaging in activities as a certified animal
25 control officer, or as an officer for the detection, apprehension, and
26 arrest of offenders against the animal control, animal welfare, and
27 animal cruelty laws of the State and ordinances of the municipality.
28 Any certificate so inactivated shall be reactivated by the
29 commissioner only if the non-compliant individual successfully
30 completes 15 contact hours of continuing education courses within
31 a 12-month period, in accordance with the requirements of this
32 paragraph.

33 (c) The commissioner shall adopt rules and regulations,
34 pursuant to the "Administrative Procedure Act," P.L.1968,
35 c.410 (C.52:14B-1 et seq.), as necessary to implement the
36 provisions of this paragraph.

37 (3) The commissioner shall revoke the certificate of any person
38 convicted of, or found civilly liable for, a violation of any provision
39 of chapter 22 of Title 4 of the Revised Statutes, and shall place the
40 name of the person on the list established pursuant to subsection c.
41 of this section.

42 c. (1) The commissioner shall establish a list of all persons
43 issued a certificate pursuant to subsection b. of this section (a) for
44 whom that certificate has been revoked, or (b) who have been
45 convicted of, or found civilly liable for, a violation of any provision
46 of chapter 22 of Title 4 of the Revised Statutes. The commissioner
47 shall provide each municipality in the State with a copy of this list
48 within 30 days after the list is established and not less often than

1 annually thereafter if no revised list required pursuant to paragraph
2 (2) of this subsection has been issued in the interim.

3 (2) Upon receipt of a notice required pursuant to section 3 or 4
4 of P.L.2003, c.67 (C.4:22-57 or C.2B:12-17.1) involving a person
5 who has been issued a certificate pursuant to subsection b. of this
6 section, the commissioner shall add to the list the name of the
7 person convicted of, or found civilly liable for, a violation of any
8 provision of chapter 22 of Title 4 of the Revised Statutes according
9 to the notice, and shall issue a copy of the revised list to each
10 municipality within 30 days after receipt of any notice.

11 (cf: P.L.2017, c.331, s.5)

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13 3. This act shall take effect immediately.

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STATEMENT

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18 This bill would provide for the establishment of continuing
19 education course requirements for certified animal control officers,
20 including those certified animal control officers – commonly
21 referred to as “animal cruelty investigators” – who have been
22 authorized by a municipality, pursuant to section 4 of P.L.1983,
23 c.525 (C.4:19-15.16b), to act as officers for the detection,
24 apprehension, and arrest of offenders against the animal control,
25 animal welfare, and animal cruelty laws of the State and ordinances
26 of the municipality.

27 The continuing education requirements provided by the bill
28 would help to ensure that the State’s certified animal control
29 officers and animal cruelty investigators remain up-to-date on
30 current laws and cases concerning animal welfare, animal control,
31 and animal cruelty, and continue to employ up-to-date techniques
32 and technology in the execution of their work.

33 In particular, the bill would require:

34 1) the Commissioner of Health, in consultation with the New
35 Jersey Certified Animal Control Officers Association, to approve
36 continuing education courses for all such officers;

37 2) each such officer to annually complete 15 contact hours of
38 approved continuing education courses;

39 3) the commissioner to inactivate the certificate issued to any
40 officer who fails to annually comply with the bill’s continuing
41 education requirements; and

42 4) the commissioner to reactivate an inactive certificate if the
43 officer, during any 12-month period, successfully completes the 15
44 contact hours of continuing education courses required by the bill.

45 Any person whose certificate is inactivated for failure to comply
46 with the bill’s continuing education requirements would be
47 prohibited, during the term of inactivation, from engaging in work
48 as a certified animal control officer or animal cruelty investigator.

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1 The bill would authorize a municipality to use dog licensing fees
2 to pay for the provision of initial training and the annual provision
3 of continuing education courses necessary for the active
4 certification of animal control officers and animal cruelty
5 investigators in the municipality.