

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5236

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 9, 2021

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 5236.

This bill prohibits the confinement of breeding pigs and calves raised for veal in a manner that unduly restricts movement or provides inadequate space. A violation of the bill's prohibitions would constitute a disorderly persons offense. The bill also provides that a violation of the bill's provisions would be a civil violation of the animal cruelty laws and a violator would be subject to a civil penalty of not less than \$250 or more than \$1,000.

The bill prohibits a farm owner or operator from knowingly confining a breeding pig or a calf raised for veal:

- 1) in a manner that prevents the animal from lying down, standing up, fully extending the animal's limbs, or turning around freely;
- 2) in the case of a breeding pig, within an enclosure with less than 24 square feet of useable floor space per breeding pig; or
- 3) in the case of a calf raised for veal, within an enclosure with less than 43 square feet of useable floor space per calf.

The committee amended the bill to revise the definition of a "farm owner or operator" to mean any person who owns or "controls the operations" of a farm in the State.

In addition to any other penalties applicable pursuant to Title 2C of the New Jersey Statutes, section 1 of the bill provides that a violator would be fined for each offense not less than \$250 nor more than \$1,000, or be imprisoned for a term of not more than six months, or both, and that each breeding pig or calf raised for veal that is confined in violation of the provisions of the bill would be a separate and distinct offense.

The bill exempts from the bill's provisions confinement during:

- 1) the conduct of medical research;
- 2) the conduct of an examination, testing, individual treatment, or surgery for veterinary purposes;
- 3) transportation of the animal;
- 4) a State or county fair exhibition, 4-H program, or similar exhibition;

5) temporary periods for animal husbandry purposes, provided the confinement is for no more than six hours in any 24-hour period and no more than a total of 24 hours in any 30-day period;

6) humane slaughtering of the animal in accordance with all applicable laws, and rules and regulations adopted pursuant thereto, concerning the slaughter of animals; or

7) for a breeding pig, the five-day period prior to the expected date of the breeding pig giving birth or any day the breeding pig is nursing piglets.

These amendments make this bill identical to Senate No. 3401(1R).

COMMITTEE AMENDMENTS:

The committee amendments revise the definition of a “farm owner or operator” to mean any person who owns or “controls the operations” of a farm in the State, instead of any person who owns or operates a farm in the State.