SENATE, No. 448

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Senator MICHAEL J. DOHERTY
District 23 (Hunterdon, Somerset and Warren)

SYNOPSIS

Requires accountability of NJSPCA and county societies for prevention of cruelty to animals to Attorney General and county prosecutors, respectively.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT concerning societies for the prevention of cruelty to animals and amending P.L.2005, c.372.

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

1. Section 2 of P.L.2005, c.372 (C.4:22-11.2) is amended to read as follows:

2. a. (1) The New Jersey Society for the Prevention of Cruelty to Animals is continued as a parent corporation for the purposes of coordinating the functions of county societies for the prevention of cruelty to animals, and of promoting the interests of, protecting and caring for, and doing any and all things to benefit or that tend to benefit animals. The New Jersey Society for the Prevention of Cruelty to Animals shall be governed by a board of trustees consisting of 15 persons, of whom 12 shall be members of the society elected by the membership thereof and three shall be persons appointed by the Governor with the advice and consent of the Senate. Each trustee shall serve a term of six years, except as provided otherwise pursuant to paragraph (2) of this subsection. Of the 12 elected trustees, at least one shall also be a member of a county society for the prevention of cruelty to animals in the northern part of the State, at least one shall also be a member of a county society for the prevention of cruelty to animals in the central part of the State, and at least one shall also be a member of a county society for the prevention of cruelty to animals in the southern part of the State.

For the purposes of this paragraph: "northern" means the counties of Bergen, Essex, Hudson, Morris, Passaic, Sussex, or Union; "central" means the counties of Hunterdon, Mercer, Middlesex, Monmouth, Somerset, or Warren; and "southern" means the counties of Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean, or Salem.

(2) Notwithstanding any provision of paragraph (1) of this subsection to the contrary, every trustee on the board governing the New Jersey Society for the Prevention of Cruelty to Animals on the day before the date of enactment of P.L.2005, c.372 (C.4:22-11.1 et al.) shall complete the remainder of the trustee's respective assigned term on the board created pursuant to paragraph (1) of this subsection.

b. <u>The New Jersey Society for the Prevention of Cruelty to Animals shall be accountable to the Attorney General and shall not undertake an investigation or law enforcement activity or operation in any county without the prior approval of the county prosecutor for that county.</u>

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 <u>thus</u> is new matter.

c. The board of trustees of the New Jersey Society for the Prevention of Cruelty to Animals shall prepare an annual report concerning the law enforcement activity of the New Jersey Society for the Prevention of Cruelty to Animals and the county societies, and shall submit the report for each calendar year by June 1 of the next following calendar year to the Attorney General and , pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature, and shall make the report available to the public upon request.

[c.**]** d. The New Jersey Society for the Prevention of Cruelty to Animals shall submit quarterly to the Attorney General statistical information concerning its law enforcement activity during that period, on a form developed in conjunction with the Attorney General.

(cf: P.L.2005, c.372, s.2)

2. Section 6 of P.L.2005, c.372 (C.4:22-11.6) is amended to read as follows:

6. a. Every county society for the prevention of cruelty to animals that is in existence on the date of enactment of P.L.2005, c.372 (C.4:22-11.1 et al.) shall be continued as a chartered county society.

b. A charter for a county society may be granted by the board of trustees of the New Jersey Society for the Prevention of Cruelty to Animals if the county society can demonstrate that it consists of at least 10 members. The requirements of this subsection shall not apply to a county society which is continued as a chartered county society as provided in subsection a. of this section.

c. Each county society for the prevention of cruelty to animals shall be accountable to the county prosecutor for the county in which it is located and shall not undertake an investigation or law enforcement activity or operation without the prior approval of the county prosecutor.

d. Every county society shall submit quarterly a law enforcement report to the board of trustees of the New Jersey Society for the Prevention of Cruelty to Animals on a form developed in conjunction with the Attorney General. Each county society shall also submit a copy of its quarterly report to the county sheriff and the county prosecutor. The New Jersey Society for the Prevention of Cruelty to Animals shall compile these reports and submit them to the Attorney General.

(cf: P.L.2005, c.372, s.6)

3. This act shall take effect immediately.

STATEMENT

This bill would require the New Jersey Society for the Prevention of Cruelty to Animals (NJSPCA) to be accountable to the Attorney General and provide that it would not be authorized to undertake an investigation or law enforcement activity or operation in any county without the prior approval of the county prosecutor for that county. The bill also would provide that each county society for the prevention of cruelty to animals would be accountable to the county prosecutor for the county in which it is located and would not be authorized to undertake an investigation or law enforcement activity or operation without the prior approval of the county prosecutor.