

SENATE, No. 1177

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRURY 3, 2020

Sponsored by:

Senator NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

SYNOPSIS

Authorizes placement of involved animal with animal welfare agency or similar entity pending adjudication of alleged animal cruelty violation when not adjudicated in seven days.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning housing and care of animals involved in animal
2 cruelty violations and supplementing Title 4 of the Revised
3 Statutes.

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

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8 1. a. Whenever an animal is confiscated from its owner
9 pursuant to section 1 of P.L.1995, c.255 (C.4:22-26.1) or any other
10 provision of chapter 19 or 22 of Title 4 of the Revised Statutes, and
11 held pending adjudication of an alleged animal cruelty violation
12 under chapter 19 or 22 of Title 4 of the Revised Statutes, the animal
13 shall be placed by the court in the custody of an animal welfare
14 organization, animal rescue organization, or operator of a foster
15 home or shelter on the seventh day after the confiscation of the
16 animal, if the owner has not resumed custody of the animal.

17 b. The animal welfare organization, animal rescue
18 organization, or operator of a foster home or shelter shall properly
19 house and care for the animal until adjudication of the alleged
20 animal cruelty violations and final disposition of the animal by the
21 court. If the animal is placed in the custody of a shelter and
22 remains at the shelter, the shelter may not offer the animal for
23 adoption or euthanize the animal until seven days after the final
24 disposition of the animal by the court.

25 c. The animal welfare organization, animal rescue
26 organization, or operator of a foster home or shelter shall be entitled
27 to reimbursement of all care expenses incurred for the animal
28 pursuant to subsection b. of this section. Upon conviction of the
29 animal cruelty offense or if the owner is found liable for civil
30 penalties therefor, the court shall order the owner to pay the animal
31 welfare organization, animal rescue organization, or operator of a
32 foster home or shelter for all care expenses incurred for the animal.

33 d. As used in this section:

34 "Animal rescue organization" means an animal rescue
35 organization as defined in section 1 of P.L.1941, c.151 (C.4:19-
36 15.1).

37 "Animal rescue organization facility" means an animal rescue
38 organization facility as defined in section 1 of P.L.1941, c.151
39 (C.4:19-15.1).

40 "Animal welfare organization" means a humane society or other
41 group or organization dedicated to the care and protection of
42 animals. "Animal welfare organization" may include, but is not
43 limited to, a group or organization that operates an animal rescue
44 organization facility, foster home, or shelter.

45 "Foster home" means a foster home as defined in section 1 of
46 P.L.1941, c.151 (C.4:19-15.1)

47 "Shelter" means a shelter as defined in section 1 of P.L.1941,
48 c.151 (C.4:19-15.1).

1 2. This act shall take effect immediately.

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STATEMENT

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6 This bill provides for an animal welfare organization, animal
7 rescue organization, or operator of a foster home or shelter to take
8 custody of an animal confiscated from its owner and being held
9 pending adjudication of an alleged animal cruelty violation.

10 Specifically the bill provides that the animal would be placed in
11 the custody of an animal welfare organization, animal rescue
12 organization, or operator of a foster home or shelter on the seventh
13 day after it is confiscated, if the owner has not resumed custody of
14 the animal. The animal welfare organization, animal rescue
15 organization, or operator of a foster home or shelter would properly
16 house and care for the animal until adjudication of the alleged
17 animal cruelty violation and final disposition of the animal by the
18 court. The bill provides that if the animal is placed in the custody of
19 a shelter and remains at the shelter, the shelter would not be able to
20 offer the animal for adoption or euthanize the animal until seven
21 days after the final disposition of the animal by the court.

22 Furthermore, the bill provides that:

23 1) the animal welfare organization, animal rescue organization,
24 or operator of a foster home or shelter is entitled to reimbursement
25 of all care expenses incurred for the animal; and

26 2) upon conviction of the animal cruelty offense or if the owner
27 is found liable for civil penalties therefor, the court is directed to
28 order the owner to pay the animal welfare organization, animal
29 rescue organization, or operator of a foster home or shelter for all
30 care expenses incurred for the animal.