

**SENATE, No. 2223**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED MARCH 16, 2020

**Sponsored by:**

**Senator VIN GOPAL**

**District 11 (Monmouth)**

**SYNOPSIS**

Prohibits certain pet dealers from selling dogs or cats obtained from certain breeders and brokers; requires submission of annual report.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the sale of dogs and cats by pet dealers,  
2 supplementing P.L.1999, c.336 (C.56:8-92 et seq.), and  
3 amending P.L.2015, c.7.

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

7  
8 1. (New section) a. Any pet dealer who sells, transfers  
9 ownership of, or brokers the sale or transfer of ownership of 15 or  
10 more animals in the State in a calendar year shall be prohibited  
11 from selling, transferring ownership of, or brokering the sale or  
12 transfer of ownership of any animal to a consumer in the State if the  
13 animal was bred or raised by, or obtained from, a breeder or broker  
14 described in paragraphs (1) through (6) of subsection a. of section 3  
15 of P.L.2015, c.7 (C.56:8-95.1).

16 b. Any pet dealer who sells, transfers ownership of, or brokers  
17 the sale or transfer of ownership of 15 or more animals in the State  
18 in a calendar year shall submit, annually and no later than May 1 of  
19 each year, a report to the director providing the following  
20 information for each breeder of an animal sold by the pet dealer to a  
21 consumer in the State, and each breeder or broker from which the  
22 pet dealer obtained or arranged the transfer of an animal:

23 (1) the name, full street address, and email address, if available,  
24 of the breeder or broker;

25 (2) if the breeder or broker is required to be licensed in the state  
26 in which the breeder or broker is located, the breeder or broker's  
27 state license number;

28 (3) if the breeder or broker is required to have a USDA license,  
29 the breeder or broker's USDA license number and USDA  
30 inspection reports for the three-year period immediately prior to  
31 submission of the report required pursuant to this subsection; and

32 (4) the total number of animals sold in the previous year by the  
33 pet dealer to consumers in the State that were bred or raised by, or  
34 obtained from, the breeder or broker.

35 c. This section shall not apply to:

36 (1) any publicly operated animal control facility; animal rescue  
37 organization, shelter, or pound as defined in section 1 of P.L.1941,  
38 c.151 (C.4:19-15.1); or pet shop subject to the requirements of  
39 section 3 of P.L.2015, c.7 (C.56:8-95.1);

40 (2) any breeder with four or fewer intact female animals who is  
41 not required to obtain a Class A or Class B license from the USDA  
42 pursuant to the federal "Animal Welfare Act," 7 U.S.C. s.2131 et  
43 seq., or any rules or regulations adopted pursuant thereto, provided  
44 the breeder certifies to the director that the breeder is exempt from  
45 USDA licensing;

**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.**

(3) any person who sells any guide dog or service dog as defined in section 5 of P.L.1945, c.169 (C.10:5-5), search and rescue dog as defined in section 1 of P.L.1983, c.261 (C.2C:29-3.1), or dog owned or used by a law enforcement agency or used for law enforcement activities; or

(4) any person who sells, transfers, exchanges, or barter an animal for purposes related to the conduct of biomedical research at a facility licensed by the USDA pursuant to the federal "Animal Welfare Act," 7 U.S.C. s.2131 et seq., or at a facility conducting biomedical research in compliance with the "Public Health Service Policy on Humane Care and Use of Laboratory Animals" issued by the National Institutes of Health.

2. Section 5 of P.L.2015, c.7 (C.56:8-95.3) is amended to read as follows:

5. Any person who violates subsection c. of section 4 of P.L.1999, c.336 (C.56:8-95) **【or】**, section 3 of P.L.2015, c.7 (C.56:8-95.1), or section 1 of P.L. , c. (C. ) (pending before the Legislature as this bill), and any owner or operator who fails to provide information or provides false information pursuant to the requirements of subsection f. of section 4 of P.L.1999, c.336 (C.56:8-95), shall be subject to a fine of \$500 for each violation, to be collected by the division in a civil action by a summary proceeding under the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).  
(cf: P.L.2015, c.7, s.5)

3. This act shall take effect immediately.

#### STATEMENT

This bill would supplement the "Pet Purchase Protection Act" to prohibit certain pet dealers from selling dogs or cats obtained from certain breeders and brokers and require those pet dealers to submit an annual report.

Specifically, under the bill, any pet dealer who sells, transfers, or brokers the sale or transfer of 15 or more dogs or cats in the State in a calendar year would be prohibited from selling, transferring, or brokering the sale or transfer of any dog or cat to a consumer in the State if it was bred or raised by, or obtained from, a breeder or broker who does not meet certain licensing and animal welfare requirements in existing law. The bill would also require such pet dealers to submit, annually by May 1 of each year, a report to the Director of the Division of Consumer Affairs in the Department of Law and Public Safety providing information about each breeder of a dog or cat sold by the pet dealer to a consumer in the State, and

1 each breeder or broker from which the pet dealer obtained or  
2 arranged the transfer of a dog or cat.

3 The bill's requirements would not apply to: (1) any publicly  
4 operated animal control facility; animal rescue organization, shelter,  
5 or pound; or pet shop; (2) any breeder with four or fewer intact  
6 female dogs or cats who is not required to obtain a Class A or Class  
7 B licensed from the U.S. Department of Agriculture (USDA),  
8 provided the breeder certifies to the Director of the Division of  
9 Consumer Affairs that the breeder is exempt from USDA licensing;  
10 (3) any person who sells any guide dog or service dog, search and  
11 rescue dog, or dog owned or used by a law enforcement agency or  
12 used for law enforcement activities; or (4) any person who sells,  
13 transfers, exchanges, or barter a dog or cat for purposes related to  
14 the conduct of biomedical research.

15 Any person who violates the provisions in the bill would be  
16 subject to a fine of \$500 for each violation.