

# ASSEMBLY, No. 2668

## STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED MAY 12, 2008

**Sponsored by:**

**Assemblyman ANTHONY CHIAPPONE  
District 31 (Hudson)**

**Co-Sponsored by:**

**Assemblywoman Lampitt**

**SYNOPSIS**

Requires veterinarians report animal cruelty and police investigate possible associated domestic violence and child abuse.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 5/23/2008)**

1 AN ACT requiring reporting of animal cruelty and investigation of  
2 animal cruelty, domestic violence, and child abuse, and  
3 supplementing chapter 22 of Title 4 of the Revised Statutes.

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

7  
8 1. a. Any veterinarian, or veterinary or animal care technician,  
9 who knows or has reasonable cause to believe that an animal has  
10 been subjected to animal cruelty, shall report, or cause to be  
11 reported, the alleged animal cruelty to (1) a law enforcement  
12 officer, and (2) a humane law enforcement officer, animal cruelty  
13 investigator, or other person authorized by law to investigate animal  
14 cruelty. If the alleged animal cruelty concerns domestic livestock,  
15 the person shall also report the incident to the Department of  
16 Agriculture and shall comply with the provisions of section 1 of  
17 P.L.1995, c.311 (C.4:22-16.1), and any rules or regulations adopted  
18 pursuant thereto, as applicable.

19 The reporting requirement under this subsection shall not be  
20 construed to prevent the initiation of any investigation, prosecution,  
21 or other action to protect an animal from bodily injury or to remedy  
22 any bodily injury inflicted on an animal.

23 b. Any report submitted pursuant to this section, to the extent  
24 possible, shall contain the name and address of the person suspected  
25 of committing the act of animal cruelty, the time and location of the  
26 alleged act of cruelty and of its discovery by the person reporting it,  
27 the extent of the injury to the animal, the type of animal cruelty  
28 offense committed, if applicable and known, and any other  
29 information that the person reporting the act believes may be  
30 helpful to an investigation of the offense.

31 c. Anyone acting pursuant to this section, in the submitting of a  
32 report of alleged animal cruelty under this act, shall have immunity  
33 from any liability, civil or criminal, that might otherwise be  
34 incurred or imposed. Any such person shall have the same  
35 immunity with respect to testimony given in any judicial proceeding  
36 resulting from such report. A person who reports or causes to  
37 report in good faith an allegation of animal cruelty, and as a result  
38 thereof is discharged from employment or in any manner  
39 discriminated against with respect to compensation, hire, tenure or  
40 terms, conditions or privileges of employment, may file a cause of  
41 action for appropriate relief in the Superior Court in the county in  
42 which the discharge or alleged discrimination occurred or in the  
43 county of the person's primary residence.

44 d. Any person required to make a report pursuant to subsection  
45 a. of this section who fails to make such a report shall be subject to  
46 a civil penalty of up to \$250.

47 e. Any law enforcement officer who receives a report of  
48 alleged animal cruelty pursuant to this section shall investigate the

1 report to determine if domestic violence or child abuse also may  
2 have been committed against a person at the location of the alleged  
3 animal cruelty or by the alleged perpetrator of the animal cruelty.

4 If a law enforcement officer determines domestic violence or  
5 child abuse exists, the law enforcement officer shall report the  
6 findings of the investigation pursuant to section 8 of P.L.1991,  
7 c.261 (C.2C:25-24) or section 3 of P.L. 1971, c.437 (C.9:6-8.10), as  
8 appropriate.

9

10 2. This act shall take effect on the 90th day after the date of  
11 enactment.

12

13

STATEMENT

14

15 This bill would require any veterinarian, or veterinary or animal  
16 care technician, to report to (1) a law enforcement officer, and (2) a  
17 humane law enforcement officer, animal cruelty investigator, or  
18 other person authorized by law to investigate animal cruelty, if  
19 there is reasonable cause to believe that an animal has been  
20 subjected to animal cruelty. If the alleged animal cruelty concerns  
21 domestic livestock, this incident would also be reported to the  
22 Department of Agriculture.

23 The bill would additionally require a law enforcement officer,  
24 following a report of animal cruelty, investigate the report at the  
25 alleged location of the animal cruelty, or investigate the alleged  
26 perpetrator, for domestic violence or child abuse.

27 The animal cruelty reporting requirement under this bill would  
28 not be construed to prevent the initiation of any investigation,  
29 prosecution, or other action to protect an animal from bodily injury  
30 or to remedy any bodily injury inflicted on an animal. Any report  
31 submitted, to the greatest extent possible, would contain the name  
32 and address of the person suspected of committing the act of animal  
33 cruelty, the time and location of the alleged act of cruelty and of its  
34 discovery by the person reporting it, the extent of the injury to the  
35 animal, the type of animal cruelty offense committed, if applicable  
36 and known, and any other information that the person reporting the  
37 act believes may be helpful to an investigation of the offense.

38 Anyone acting pursuant to this bill, in the submitting of a report  
39 of animal cruelty, would have immunity from any liability, civil or  
40 criminal, that might otherwise be incurred or imposed. Any law  
41 enforcement officer, who in good faith, reports a possible incident  
42 of domestic violence or child abuse would have immunity from any  
43 liability, civil or criminal, that might otherwise be incurred or  
44 imposed. Any veterinarian, or veterinary or animal care technician,  
45 required to report animal cruelty, if there is reasonable cause to  
46 believe that an animal has been subjected to animal cruelty, and  
47 who fails to make such a report, would be subject to a civil penalty  
48 of \$250.