

SENATE, No. 654

STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Senator ANDREW R. CIESLA

District 10 (Monmouth and Ocean)

Senator ANTHONY R. BUCCO

District 25 (Morris)

SYNOPSIS

Directs DHSS to adopt regulations prohibiting overcrowding of animals in kennels, pet shops and other retail establishments; establishes penalties.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning the care and housing of animals in kennels, pet
2 shops and other retail establishments selling animals, and
3 supplementing Title 4 of the Revised 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. In addition to any rules and regulations adopted pursuant
9 to any other provision of Title 4 of the Revised Statutes, the
10 Department of Health and Senior Services shall review existing
11 requirements concerning the proper care and housing of animals by
12 kennels, pet shops and any other retail establishments selling
13 animals, determine the proper care and housing for each species of
14 animal sold by kennels, pet shops and any other retail
15 establishments selling animals, and adopt, pursuant to the
16 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
17 seq.), rules and regulations providing for the proper care and
18 housing of animals by kennels, pet shops and other retail
19 establishments selling animals that prohibit the overcrowding of
20 animals.

21 b. Any owner of a kennel, pet shop or other retail establishment
22 selling animals found to be guilty of overcrowding animals under
23 the provisions of the rules and regulations adopted pursuant to
24 subsection a. of this section shall be subject to the following:

- 25 (1) a civil penalty of \$500 for the first violation;
26 (2) a civil penalty of \$1,000 for the second violation;
27 (3) a civil penalty of \$5,000 for the third violation; and,
28 (4) for the fourth violation, revocation of the kennel or pet shop
29 license or certificate of occupancy, if the establishment is not a
30 kennel or a pet shop, pending the appropriate due process for such
31 revocation.

32 c. No provision of this section shall be applied to shelters,
33 pounds or other nonprofit organizations involved in the shelter or
34 rescue of mistreated, stray and abandoned animals.
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36 2. This act shall take effect immediately.
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39 STATEMENT
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41 This bill directs the Department of Health and Senior Services to
42 review current regulations concerning the proper care and housing
43 of animals, determine the proper care and housing for each species
44 of animal sold by kennels, pet shops and any other retail
45 establishments selling animals, and adopt rules and regulations
46 providing for the proper care and housing of animals by kennels,
47 pet shops and other retail establishments selling animals that
48 prohibit the overcrowding of animals.

S654 CIESLA, A.R.BUCCO

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1 The bill also establishes penalties for the owner of a kennel, pet
2 shop or other retail establishment selling animals found guilty of
3 overcrowding animals. The penalties are as follows:
4 1) a civil penalty of \$500 for the first violation;
5 2) a civil penalty of \$1,000 for the second violation;
6 3) a civil penalty of \$5,000 for the third violation; and,
7 4) for the fourth violation, revocation of the kennel or pet shop
8 license or certificate of occupancy, if the establishment is not a
9 kennel or a pet shop, pending the appropriate due process for such
10 revocation.