

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 1761

# STATE OF NEW JERSEY

DATED: JUNE 1, 2017

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 1761.

This bill creates a specific crime for fencing involving a stolen domestic companion animal. A person would be guilty of “dealing in stolen domestic companion animals,” as the crime is referred to in the bill, if the person “traffics in, or initiates, organizes, plans, finances, directs, manages or supervises trafficking in stolen property consisting of a domestic companion animal.”

Unlike the existing crime of dealing in stolen property, which is graded anywhere from a disorderly persons offense up to a second degree crime depending upon the value of the property involved, fencing involving a stolen domestic companion animal is a crime of the third degree, pursuant to the bill. This grading of the new fencing crime corresponds to the third degree grading of theft of a domestic companion animal under current law. A crime of the third degree is generally punishable by a term of imprisonment of three to five years, a fine of up to \$15,000, or both.

As reported, this bill is identical to Senate Bill No. 332, as also reported by the committee.

#### FISCAL IMPACT:

The bill creates a specific crime for fencing involving a stolen domestic companion animal. The Office of Legislative Services (OLS) states that because this is a new offense, there is no information with which to determine the cost of implementing this bill.

The OLS disagrees with the Administrative Office of the Courts’ (AOC) statement that the crimes enumerated in the bill would carry a mandatory minimum term of imprisonment because crimes of the third degree carry with them the presumption of non-incarceration for first time offenders. The OLS notes that the Judiciary would incur indeterminate costs to bring these cases to trial. In addition, the Department of Corrections (DOC) would incur minimal cost for housing offenders who are convicted for second and subsequent offenses.