

# SENATE, No. 1359

## STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED FEBRUARY 11, 2016

**Sponsored by:**

**Senator ANTHONY R. BUCCO**  
**District 25 (Morris and Somerset)**  
**Senator BRIAN P. STACK**  
**District 33 (Hudson)**

**Co-Sponsored by:**

**Senators Bateman, Beck and Ruiz**

**SYNOPSIS**

Guarantees full and equal access to all housing to disabled persons who retain their retired service or guide dog as a pet, and who also obtain a new service or guide dog.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 8/2/2016)**

1 AN ACT concerning retired service or guide dogs and amending  
2 P.L.1977, c.456.

3

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

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7 1. Section 4 of P.L.1977, c.456 (C.10:5-29.2) is amended to  
8 read as follows:

9 4. A person with a disability is entitled to rent, lease or  
10 purchase, as other members of the general public, all housing  
11 accommodations offered for rent, lease, or compensation in this  
12 State, subject to the rights, conditions and limitations established by  
13 law. Nothing in this section shall require any person renting,  
14 leasing or providing for compensation real property, to modify such  
15 property in any way to provide a higher degree of care for a person  
16 with a disability than for any other person. A person with a  
17 disability who has a service or guide dog, or who obtains a service  
18 or guide dog, or who retains their former service or guide dog as a  
19 pet after its retirement from service, shall be entitled to full and  
20 equal access to all housing accommodations and shall not be  
21 required to pay extra compensation for such service or guide dog or  
22 retired pet, but shall be liable for any damages done to the premises  
23 by such dog. Any provision in any lease or rental agreement  
24 prohibiting maintenance of a pet or pets on or in the premises shall  
25 not be applicable to a working service or guide dog, or a retired  
26 service or guide dog, owned by a tenant who is a person with a  
27 disability.

28 (cf: P.L.2003, c.180, s.20)

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30 2. This act shall take effect immediately.

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#### STATEMENT

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35 This bill would guarantee, under the “Law Against  
36 Discrimination,” full and equal access to all housing to disabled  
37 persons who retain their retired service or guide dog as a pet, and  
38 who also obtain a new service or guide dog to replace the retired  
39 service or guide dog.

40 Once a service or guide dog retires, due to age, infirmity, or  
41 other reason, from its work as a service or guide dog to a disabled  
42 person, it is considered a pet. This “change in status” can be an  
43 obstacle for a disabled person who wants to keep their retired  
44 service or guide dog as a pet, because if that person lives in housing  
45 that does not allow for pets, or allows only one pet (which would be

**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.**

1 the current service or guide dog), then the retired service or guide  
2 dog is returned to the service agency and likely adopted by another  
3 person or family pursuant to the service agency's protocol. This  
4 turn of events is stressful not only for the dog, who would lose its  
5 long-time home and family, but also for the disabled person, who  
6 has developed a love for, and attachment to, their service or guide  
7 dog, and who wants the dog to live out its remaining years with him  
8 or her.

9 The provisions of this bill make absolutely clear under the "Law  
10 Against Discrimination" that a disabled person who uses a service  
11 or guide dog, and who wants to retain their retired service or guide  
12 dog as a pet, shall have full and equal access to all housing.