

SENATE, No. 2558

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED MAY 14, 2018

Sponsored by:

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex, Morris and Passaic)

SYNOPSIS

Prohibits leasing of domestic companion animals.

CURRENT VERSION OF TEXT

As introduced.



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1 AN ACT concerning the leasing of domestic companion animals and
2 supplementing P.L.1960, c.39 (C.56:8-1 et seq.).

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

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7 1. a. It shall be an unlawful practice and a violation of P.L.1960,
8 c.39 (C.56:8-1 et seq.) to lease a domestic companion animal or enter
9 into a contract or any other type of agreement or transaction to lease a
10 domestic companion animal.

11 b. In addition to any other remedies provided by P.L.1960, c.39
12 (C.56:8-1 et seq.) or any other applicable law, a consumer taking
13 possession of a domestic companion animal leased to the consumer
14 pursuant to a contract or other type of agreement or transaction
15 shall be deemed the owner of the domestic companion animal and
16 shall be entitled to the return of all moneys paid by the consumer.

17 c. As used in this section:

18 “Domestic companion animal” means any animal commonly
19 referred to as a pet or one that has been bought, bred, raised or
20 otherwise acquired, in accordance with local ordinances and State
21 and federal law for the primary purpose of providing
22 companionship to the owner, rather than for business or agricultural
23 purposes.

24 “Lease a domestic companion animal” means the transfer of
25 ownership of a domestic companion animal contingent on the
26 making of payments over a period of time subsequent to the transfer
27 of possession of the domestic companion animal, unless those
28 payments are on an unsecured loan for the purchase of the animal.

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30 2. This act shall take effect immediately and shall apply to any
31 lease, contract, agreement, or transaction entered into on or after the
32 effective date.

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STATEMENT

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37 This bill establishes leasing a domestic companion animal or
38 entering into a contract or any other type of agreement or transaction
39 to lease a domestic companion animal as an unlawful practice and a
40 violation of the State consumer fraud law. The bill defines “lease a
41 domestic companion animal” as the transfer of ownership of a
42 domestic companion animal contingent on the making of payments
43 over a period of time subsequent to the transfer of possession of the
44 domestic companion animal, unless those payments are on an
45 unsecured loan for the purchase of the animal.

46 Any violation of the bill’s provisions is a violation of the State
47 consumer fraud law, punishable by a monetary penalty of up to
48 \$10,000 for a first offense and up to \$20,000 for any subsequent

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1 offense. In addition, such violations can result in cease and desist
2 orders issued by the Attorney General, the assessment of punitive
3 damages, and the awarding of treble damages and costs to an injured
4 party. In addition to those remedies and any others pursuant to any
5 other law, the bill provides that a consumer made party to this kind
6 of unlawful contract, agreement, or other type of transaction would
7 be deemed the owner of the domestic companion animal and
8 entitled to the return of all moneys paid by the consumer.