

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2039

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 2, 2012

The Assembly Agriculture and Natural Resources Committee reports favorably and with committee amendments Assembly Bill No. 2039.

As amended, the bill revises current animal cruelty offenses concerning abuse, abandonment, neglect, and improper euthanizing of animals in chapter 22 of Title 4 of the Revised Statutes, by creating a new framework of existing and new offenses designated as animal abuse, aggravated animal abuse, animal neglect, aggravated animal neglect, and extreme animal neglect. It also revises the offenses of animal abandonment and improper euthanizing of an animal. The bill, as amended:

- 1) establishes some new offenses;
- 2) increases criminal penalties for a number of existing offenses;
- 3) establishes penalties for new offenses;
- 4) revises current civil penalty provisions to reflect these revisions to criminal animal cruelty offenses; and
- 5) establishes that neither the properly conducted practice of veterinary medicine by a licensed veterinarian, nor the killing of animals other than domesticated animals that are causing damage to agricultural or horticultural crops and property, would be considered animal cruelty.

The bill, as amended, establishes minimum fines for criminal offenses, and additional criminal penalties, including community service, mental health counseling, restitution, confiscation of animals, and prohibitions on future ownership of animals.

Finally, the bill, as amended, repeals sections of law that are superseded by, but provided for under, the bill. R.S.4:22-17 is the current provision of law establishing animal cruelty offenses and penalties for abusing and neglecting animals. R.S.4:22-19 establishes animal cruelty offenses connected with impoundment and improper euthanizing of animals. Section 2 of P.L.1988, c.160 (C.4:22-19.4) provides a penalty for euthanasia violations. R.S.4:22-20 establishes animal cruelty offenses and penalties connected with abandoning an

animal. R.S.4:22-23 establishes animal cruelty offenses and penalties connected with shooting at birds and using them as targets, other than when hunting. The bill updates and provides for all of these offenses and penalties.

COMMITTEE AMENDMENTS

The committee amendments:

- 1) clarify that the animal abandonment provisions would not apply to domestic livestock;
- 2) specify that cruel restraint of a dog would not apply to leads running along lines of 15 feet or more;
- 3) clarify that proper euthanizing of an animal would be in accordance with the American Veterinary Medical Association euthanasia guidelines;
- 4) establish that the killing of animals damaging agricultural or horticultural crops and property would not constitute animal cruelty; and
- 5) make other technical and clarifying corrections to the bill.