

# ASSEMBLY, No. 2632

## STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED FEBRUARY 20, 2014

**Sponsored by:**

**Assemblyman BOB ANDRZEJCZAK**

**District 1 (Atlantic, Cape May and Cumberland)**

**SYNOPSIS**

Establishes new crimes concerning killing or injuring service dogs, and upgrades crimes involving killing or injuring certain other animals.

**CURRENT VERSION OF TEXT**

As introduced.



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1 AN ACT concerning crimes against certain animals, supplementing  
2 Title 2C of the New Jersey Statutes and amending P.L.1983,  
3 c.261.

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

7  
8 1. (New section) a. Any person who purposely kills a service  
9 dog shall be guilty of a crime of the second degree.

10 b. Any person who purposely maims or otherwise inflicts harm  
11 upon a service dog shall be guilty of a crime of the third degree.

12 c. Any person who purposely threatens to kill, maim or  
13 otherwise inflict harm upon a service dog, under circumstances  
14 reasonably causing the person to whom the threat is made to believe  
15 that it is likely that it will be carried out, shall be guilty of a crime  
16 of the fourth degree.

17 d. Any person who interferes with a service dog in the  
18 performance of its duties commits a disorderly persons offense.

19 As used in this section, "service dog" means any dog  
20 individually trained by a recognized training agency or school to the  
21 requirements of a person with a disability including, but not limited  
22 to, pulling a wheelchair or retrieving dropped items, guiding blind  
23 persons or assisting deaf persons. This term shall include a "seizure  
24 dog" trained to alert or otherwise assist persons subject to epilepsy  
25 or other seizure disorders.

26  
27 2. Section 1 of P.L.1983, c.261 (C.2C:29-3.1) is amended to  
28 read as follows:

29 1. a. Any person who purposely kills a dog, horse or other  
30 animal owned or used by a law enforcement agency or a search and  
31 rescue dog shall be guilty of a crime of the **third** second degree,  
32 and shall be sentenced by the court to a term of imprisonment. The  
33 term of imprisonment shall include the imposition of a minimum  
34 term **].** The minimum term shall be fixed at five years**],** during  
35 which the defendant shall be ineligible for parole. **[In addition, the**  
36 **court shall impose a fine of \$15,000.]**

37 b. Any person who purposely maims or otherwise inflicts harm  
38 upon a dog, horse or other animal owned or used by a law  
39 enforcement agency or a search and rescue dog shall be guilty of a  
40 crime of the **fourth** third degree.

41 c. Any person who purposely threatens to kill, maim or  
42 otherwise inflict harm upon a dog, horse or other animal owned or  
43 used by a law enforcement agency or a search and rescue dog,  
44 under circumstances reasonably causing the person to whom the

**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 threat is made to believe that it is likely that it will be carried out,  
2 shall be guilty of a crime of the fourth degree.

3 d. Any person who interferes with any law enforcement officer  
4 using an animal in the performance of his official duties commits a  
5 disorderly persons offense, subject to a sentence of six months'  
6 imprisonment, some or all of which may be community service,  
7 restitution and a \$1,000 fine.

8 As used in this section, "search and rescue dog" means any dog  
9 trained or being trained for the purpose of search and rescue that is  
10 owned by an independent handler or member of a search and rescue  
11 team, and used in conjunction with local law enforcement or  
12 emergency services organizations for the purpose of locating  
13 missing persons or evidence of arson.

14 (cf: P.L.2013, c.137, s.1)

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16 3. This act shall take effect immediately.

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#### STATEMENT

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21 This bill would establish new crimes concerning killing or  
22 injuring a service dog, as well as upgrade several existing crimes  
23 involving killing or injuring a search and rescue dog or any animal  
24 owned or used by law enforcement agencies (such as a dog or  
25 horse).

26 Specifically, the new crimes concerning a service dog would be:

27 - Purposely killing a service dog, graded as a crime of the second  
28 degree. A second degree crime is ordinarily punishable by a term of  
29 imprisonment of five to 10 years, a fine of up to \$150,000, or  
30 both;

31 - Purposely maiming or otherwise inflicting harm upon a service  
32 dog, graded as a crime of the third degree. A third degree crime is  
33 ordinarily punishable by a term of imprisonment of three to five  
34 years, a fine of up to \$15,000, or both;

35 - Purposely threatening to kill, maim, or otherwise inflict harm  
36 upon a service dog, graded as a crime of the fourth degree. A  
37 fourth degree crime is ordinarily punishable by a term of  
38 imprisonment of up to 18 months, a fine of up to \$10,000, or both;  
39 and

40 - Interfering with a service dog, graded as a disorderly persons  
41 offense. Such an offense is ordinarily punishable by a term of  
42 imprisonment of up to 6 months, a fine of up to \$1,000, or both.

43 As to the upgrading of existing crimes involving a search and  
44 rescue dog or law enforcement animals, the bill would:

45 - Make the crime of purposely killing such an animal a crime of  
46 the second degree, and requiring, per the existing law, a mandated  
47 term of imprisonment (of five to 10 years) without parole  
48 eligibility; and

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- 1 - Make the crime of purposely maiming or otherwise inflicting
- 2 harm upon such an animal a third degree crime.