

SENATE, No. 2838

STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED MAY 7, 2015

Sponsored by:

Senator ANTHONY R. BUCCO
District 25 (Morris and Somerset)

Co-Sponsored by:

Senator Bateman

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: 6/30/2015)

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

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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. 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.