

SENATE, No. 63

STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Senator RAYMOND J. LESNIAK

District 20 (Union)

Senator JAMES BEACH

District 6 (Burlington and Camden)

Co-Sponsored by:

Senator Scutari

SYNOPSIS

Prohibits sight-unseen sale of cats and dogs; requires pet shops to sell cats and dogs only from specified sources; repeals “Pet Purchase Protection Act.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/9/2016)

1 AN ACT concerning the sale of cats and dogs, amending and
2 repealing various sections of statutory law, and supplementing
3 P.L.1960, c.39 (C.56:8-1 et seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. (New section) The Legislature finds and declares that a
9 significant number of cats and dogs sold at pet shops, over the
10 Internet, and through brokers come from large-scale, commercial
11 breeding facilities where the health and welfare of the animals are
12 not adequately provided for, commonly referred to as “kitten mills”
13 and “puppy mills”; that, according to the Humane Society of the
14 United States, an estimated 10,000 puppy mills produce more than
15 2,400,000 puppies each year in the United States; that the
16 documented abuses endemic to kitten mills and puppy mills include
17 over-breeding, inbreeding, minimal to non-existent veterinary care,
18 and lack of adequate, nutritious food, water, shelter, socialization,
19 space, and exercise; that the inhumane conditions in kitten mill and
20 puppy mill facilities often lead to health and behavioral issues in the
21 animals bred in those facilities; that, due to a lack of education
22 about the kitten mill and puppy mill issue and, in some cases,
23 misleading tactics of the seller, many consumers are unaware of
24 these health and behavioral issues when purchasing a cat or dog;
25 that the problem is exacerbated by consumers buying cats and dogs
26 they have never seen, otherwise known as “sight-unseen
27 purchases”; that, often, a consumer has not seen the conditions in
28 which the cat or dog was born and raised, and the health and
29 behavioral issues caused by these conditions may not present
30 themselves until sometime after the purchase of the cat or dog; and
31 that these health and behavioral issues can impose exorbitant
32 financial and emotional costs on the consumer purchasing the cat or
33 dog.

34 In addition, the Legislature finds and declares that sight-unseen
35 dog sales have increased dramatically in recent years due, in
36 particular, to the Internet providing a new platform through which
37 to sell dogs; that the United States Department of Agriculture
38 (USDA) recently estimated that there are between 8,400 and 15,000
39 breeders selling dogs over the Internet; that breeders selling dogs
40 over the Internet have largely been unregulated and, according to a
41 2010 USDA study, 81 percent of them are unlicensed; that when the
42 USDA began regulating Internet sellers and other sight-unseen sales
43 in 2013, it noted that there was a parallel increase in consumer
44 complaints related to the inhumane treatment of animals and the
45 dramatic rise in sight-unseen sales; that, despite the recently

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 established requirement that people engaging in sight-unseen sales
2 of cats and dogs obtain a USDA license, the majority of these
3 people remain unlicensed and unregulated and only a few hundred
4 new licenses have been issued since the rule took effect in 2013;
5 that, even if all breeders selling cats or dogs sight-unseen were
6 licensed and regulated by the USDA, this alone would not ensure
7 the humane treatment and health of the animals because of under-
8 enforcement of USDA requirements and lax federal regulatory
9 standards of care; that a 2010 audit by the USDA Office of the
10 Inspector General found that the agency's enforcement of the
11 federal Animal Welfare Act was ineffective in ensuring compliance
12 with the minimal standards of care governing the humane treatment
13 of animals in these facilities; and that pet shops remain unregulated
14 by the USDA and current federal and State regulations do not
15 properly address the sale of kitten mill cats or puppy mill dogs in
16 New Jersey pet shops.

17 The Legislature further finds and declares that New Jersey
18 consumers routinely report purchasing sick dogs from pet shops;
19 that hundreds of the dogs sold annually in New Jersey pet shops
20 come from large-scale commercial breeders with significant and
21 multiple USDA violations; that current federal Animal Welfare Act
22 regulations promulgated by the USDA are inadequate to protect the
23 health and welfare of breeding cats and their kittens or breeding
24 dogs and their puppies; that, due in large part to overpopulation,
25 every year approximately 21,000 cats and dogs are euthanized in
26 New Jersey; that restricting the retail sale of kittens and puppies at
27 pet shops to only those that are sourced from shelters, pounds, or
28 rescue organizations is likely to increase demand for animals from
29 these facilities; that this increased demand would decrease the
30 number of animals euthanized and reduce the burden and costs for
31 shelters, pounds, and organizations providing care and euthanasia
32 for these animals as well as any costs to the State and its taxpayers
33 for these services; that across the country, thousands of independent
34 pet shops and large chains operate profitably with a business model
35 focused on the sale of pet services and supplies and not on the sale
36 of cats and dogs; that many of these shops collaborate with local
37 animal shelters and rescue organizations to offer space and support
38 for showcasing adoptable homeless pets on their premises; that the
39 regulation of cat and dog sales as proposed in this act would not
40 affect a consumer's ability to obtain the consumer's choice of a cat
41 or dog directly from a breed-specific rescue organization or a
42 shelter or pound, or from a breeder where the consumer can directly
43 see the conditions in which the cats or dogs are bred or, at a
44 minimum, can confer directly with the breeder concerning those
45 conditions.

46 The Legislature therefore determines that it is in the best
47 interests of the State and its citizens to reduce costs to the State and
48 its taxpayers, including the financial and emotional costs inflicted

1 on the people who own and care for cats and dogs from kitten mills
2 or puppy mills; promote community awareness of animal welfare;
3 and foster a more humane environment in the State by adopting
4 reasonable laws, policies, and regulations to restrict the sources of
5 cats and dogs sold by pet shops and prohibit sight-unseen sales of
6 cats and dogs.

7

8 2. (New section) As used in P.L. , c. (C.) (pending
9 before the Legislature as this bill):

10 “Animal rescue organization” means an animal rescue
11 organization, as defined in section 1 of P.L.1941, c.151 (C. 4:19-
12 15.1), that is also a tax exempt organization under paragraph (3) of
13 subsection (c) of section 501 of the federal Internal Revenue Code
14 (26 U.S.C. s.501), or any subsequent corresponding sections of the
15 federal Internal Revenue Code, as from time to time amended.

16 “Breeder” means a person, firm, corporation, or organization
17 engaged in the business of breeding cats or dogs.

18 “Broker” means a person, firm, corporation, or organization who
19 sells a cat or dog to a pet shop, regardless of whether the broker is
20 also the breeder of the cat or dog.

21 “Consumer” means a person purchasing a cat or dog not for the
22 purpose of resale.

23 “Face-to-face transaction” means a sale, offer for sale, transfer,
24 exchange, barter, or other transaction at which the breeder,
25 consumer, and the cat or dog involved in the sale are all physically
26 present in the same location at the time of the transaction. A “face-
27 to-face transaction” shall not include any transaction conducted by
28 mail order, the Internet, telephone, at a pet shop, through a broker,
29 or any other anonymous transaction method in which the consumer
30 is not in the physical presence of the breeder and the cat or dog at
31 the time of the transaction.

32 “Pet shop” means a pet shop as defined in section 1 of P.L.1941,
33 c.151 (C.4:19-15.1).

34 “Pound” means a pound, as defined in section 1 of P.L.1941,
35 c.151 (C.4:19-15.1), that is maintained by or under contract with
36 any state, county, or municipality.

37 “Shelter” means a shelter, as defined in section 1 of P.L.1941, c.
38 151 (C.4:19-15.1), whose primary mission and practice is the
39 placement of abandoned, unwanted, neglected or abused animals,
40 and that is also a tax exempt organization under paragraph (3) of
41 subsection (c) of section 501 of the federal Internal Revenue Code
42 (26 U.S.C. s.501), or any subsequent corresponding sections of the
43 federal Internal Revenue Code, as from time to time amended.

44

45 3. (New section) Notwithstanding the provisions of any rule or
46 regulation adopted pursuant to P.L.1960, c.39 (C.56:8-1 et seq.) or
47 any other law, and without limiting the prosecution of any other
48 practices which may be unlawful pursuant to P.L.1960, c.39

1 (C.56:8-1 et seq.) or any other law, it shall be a deceptive practice
2 for any person to sell a cat or dog to any consumer in the State
3 without complying with the provisions and requirements of sections
4 4 and 5 of this act.

5
6 4. (New section) a. It shall be unlawful for any person to sell,
7 offer for sale, transfer, exchange, or barter a cat or dog, or
8 otherwise engage in a transaction concerning a cat or dog, unless
9 the transaction is a face-to-face transaction. This subsection shall
10 apply to transactions between a breeder or other seller and a
11 consumer who are both in the State, breeder or other seller in the
12 State and a consumer in another state, and breeder or other seller in
13 another state and a consumer in the State.

14 b. The provisions of subsection a. of this section shall not apply
15 to:

16 (1) any transfer, regardless of payment or compensation, of a cat
17 or dog by, or to, a shelter, pound, or animal rescue organization;

18 (2) the sale, transfer, exchange, or barter of a cat or dog by a pet
19 shop that the pet shop has obtained from, or displays in cooperation
20 with, a shelter, a pound, or animal rescue organization; and

21 (3) the transfer of a cat or dog from the home of an individual pet
22 owner who is not a breeder or broker to the home of another person
23 who is not a breeder or broker, without payment or compensation of
24 any kind, for the purpose of being a household pet and not for
25 resale.

26
27 5. (New section) a. No pet shop may offer a cat or dog for sale,
28 or obtain a cat or dog for the purpose of sale, unless the cat or dog
29 has been obtained, with or without payment or compensation of any
30 kind, from a shelter, pound, kennel operating as a shelter or pound,
31 or an animal rescue organization.

32 b. No pet shop may make any cat or dog available for
33 experimentation. An owner or operator of a pet shop who violates
34 this provision shall be guilty of a crime of the fourth degree, in
35 addition to being liable for any penalties that may be assessed
36 pursuant to section 6 of P.L. , c. (C.) (pending before the
37 Legislature as this bill).

38
39 6. (New section) In addition to any other penalties that may be
40 imposed pursuant to P.L.1960, c.39 (C.56:8-1 et seq.) for a
41 deceptive practice as established in section 3 of P.L. ,c. (C.)
42 (pending before the Legislature as this bill, or imposed pursuant to
43 P.L.1941, c.151 (C.4:19-15.1 et seq.) or Title 2C of the New Jersey
44 Statutes, any person who violates section 4 or 5 of P.L. ,
45 c. (C.) (pending before the Legislature as this bill) shall be
46 subject to a fine of \$500 for each violation, to be collected by the
47 Division of Consumer Affairs in the Department of Law and Public

1 Safety in a civil action by a summary proceeding under the “Penalty
2 Enforcement Law of 1999,” P.L.1999, c. 274 (C.2A:58-10 et seq.).

3
4 7. (New section) Nothing in P.L. , c. (C.) (pending before
5 the Legislature as this bill) shall be construed to limit or restrict any
6 municipality, county, local health agency, or municipal or county
7 board of health from enacting or enforcing, or to interfere with the
8 implementation of, or otherwise invalidate, any local law,
9 ordinance, resolution, rule, or regulation that places additional
10 obligations or restrictions on pet shops or pet shop sales.

11
12 8. (New section) The Director of the Division of Consumer
13 Affairs may adopt, pursuant to the “Administrative Procedure Act,”
14 P.L.1968, c.410 (C.52:14B-1 et seq.), any rules or regulations that
15 the director deems necessary to implement P.L. , c. (C.)
16 (pending before the Legislature as this bill).

17
18 9. Section 8 of P.L. L.1941, c.151 (C.4:19-15.8) is amended to
19 read as follows:

20 8. a. Any person who keeps or operates or proposes to establish a
21 kennel, a pet shop, a shelter, or a pound shall apply to the clerk or
22 other official designated to license dogs in the municipality where
23 such establishment is located, for a license entitling **him** the
24 applicant to keep or operate such establishment.

25 The application shall describe the premises where the
26 establishment is located or is proposed to be located, the purpose or
27 purposes for which it is to be maintained, and shall be accompanied
28 by the written approval of the local municipal and health authorities
29 showing compliance with the local and State rules and regulations
30 governing location of and sanitation at such establishments.

31 b. All licenses issued for a kennel, pet shop, shelter, or pound
32 shall state the purpose for which the establishment is maintained,
33 and all licenses shall expire on the last day of June of each year, and
34 be subject to revocation by the municipality on recommendation of
35 the Department of Health or the local board of health for failure to
36 comply with the rules and regulations of the **State department**
37 Department of Health or local board governing the same, after the
38 owner has been afforded a hearing by either the **State department**
39 Department of Health or local board, except as provided in
40 subsection c. of this section.

41 Any person holding a license shall not be required to secure
42 individual licenses for dogs owned by a licensee and kept at the
43 establishments **;** the licenses **.** The license for a kennel, pet shop,
44 shelter, or pound shall not be transferable to another owner or
45 different premises.

46 c. The license for a pet shop shall be subject to review by the
47 municipality, upon recommendation by the Department of Health or
48 the local health authority for failure by the pet shop to comply with

1 section 4 or 5 of P.L. , c. (C.), the rules and regulations of the
 2 **【State department】** Department of Health or local health authority
 3 governing pet shops **【or if the pet shop meets the criteria for**
 4 recommended suspension or revocation provided under subsection
 5 c. or d. of section 5 of P.L.1999, c.336 (C.56:8-96), after the owner
 6 of the pet shop has been afforded a hearing pursuant to subsection
 7 e. of section 5 of P.L.1999, c.336 (C.56:8-96)】 , or for committing a
 8 deceptive practice as established pursuant to section 3 of P.L. ,
 9 c. (C.) (pending before the Legislature as this bill).

10 **【The】** After affording the owner or operator of the pet shop a
 11 hearing, the municipality, based on the **【criteria for the】**
 12 recommendation of the Department of Health or local health
 13 authority **【provided under subsections c. and d. of section 5 of**
 14 P.L.1999, c.336 (C.56:8-96)】, may suspend the license for 90 days
 15 or may revoke the license if it is determined at the hearing that the
 16 pet shop: (1) failed to maintain proper hygiene and exercise
 17 reasonable care in safeguarding the health of animals in its custody
 18 **【or】** ; (2) **【sold a substantial number of animals that the pet shop**
 19 **knew, or reasonably should have known, to be unfit for purchase】**
 20 committed a deceptive practice as established in section 3 of P.L. ,
 21 c. (C.) (pending before the Legislature as this bill); or (3)
 22 violated section 4 or 5 of P.L. , c. (C.) (pending before the
 23 Legislature as this bill).

24 d. The municipality may issue a license for a pet shop that
 25 permits the pet shop to sell pet supplies for all types of animals,
 26 including cats and dogs, and sell animals other than cats and dogs
 27 but restricts the pet shop from selling cats or dogs, or both.

28 e. Every pet shop licensed in the State shall submit annually
 29 and no later than May 1 of each year records of the total number of
 30 cats and dogs, respectively, sold by the pet shop each year to the
 31 municipality in which it is located, and the municipality shall
 32 provide this information to the local health authority.

33 (cf: P.L.2012, c.17, s.5)

34

35 10. Section 16 of P.L.1941, c.151 (C.4:19-15.16) is amended to
 36 read as follows:

37 16. a. The certified animal control officer appointed by the
 38 governing body of the municipality shall take into custody and
 39 impound any animal, to thereafter be euthanized, transferred, or
 40 offered for adoption, as provided in this section:

41 (1) Any dog off the premises of the owner or of the person
 42 charged with the care of the dog, which is reasonably believed to be
 43 a stray dog;

44 (2) Any dog off the premises of the owner or the person charged
 45 with the care of the dog without a current registration tag on its
 46 collar or elsewhere;

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- 1 (3) Any female dog in season off the premises of the owner or
2 the person charged with the care of the dog;
- 3 (4) Any dog or other animal which is suspected to be rabid; or
- 4 (5) Any dog or other animal off the premises of the owner or the
5 person charged with its care that is reported to, or observed by, a
6 certified animal control officer to be ill, injured, or creating a threat
7 to public health, safety, or welfare, or otherwise interfering with the
8 enjoyment of property.
- 9 b. If an animal taken into custody and impounded pursuant to
10 subsection a. of this section has a collar or harness with
11 identification of the name and address of any person, or has a
12 registration tag, or has a microchip with an identification number
13 that can be traced to the owner or person charged with the care of
14 the animal, or the owner or the person charged with the care of the
15 animal is otherwise known, the certified animal control officer shall
16 ascertain the name and address of the owner or the person charged
17 with the care of the animal, and serve to the identified person as
18 soon as practicable, a notice in writing that the animal has been
19 seized and will be liable to be offered for adoption, transferred, or
20 euthanized if not claimed within seven days after the service of the
21 notice.
- 22 c. A notice required pursuant to this section may be served: (1)
23 by delivering it to the person on whom it is to be served, or by
24 leaving it at the person's usual or last known place of residence or
25 the address given on the collar, harness, or microchip identification;
26 or (2) by mailing the notice to that person at the person's usual or
27 last known place of residence, or to the address given on the collar,
28 harness or microchip identification.
- 29 d. A shelter, pound, or kennel operating as a shelter or pound
30 receiving an animal from a certified animal control officer pursuant
31 to subsection a. of this section, or from any other individual, group,
32 or organization, shall hold the animal for at least seven days before
33 offering it for adoption, or euthanizing, transferring or otherwise
34 relocating, or sterilizing the animal, except if:
- 35 (1) the animal is surrendered voluntarily by its owner to the
36 shelter, pound, or kennel operating as a shelter or pound, in which
37 case the provisions of subsection e. of this section shall apply; or
- 38 (2) the animal is suspected of being rabid, in which case the
39 provisions of subsection j. of this section shall apply.
- 40 e. If a shelter, pound or kennel operating as a shelter or pound
41 is not required to hold an animal for at least seven days pursuant to
42 paragraph (1) of subsection d. of this section, the shelter, pound, or
43 kennel operating as a shelter or pound:
- 44 (1) shall offer the animal for adoption for at least seven days
45 before euthanizing it or transferring it to a pet shop; or
- 46 (2) may transfer the animal to an animal rescue organization
47 facility or a foster home prior to offering it for adoption if such a

1 transfer is determined to be in the best interest of the animal by the
2 shelter, pound, or kennel operating as a shelter or pound.

3 f. Except as otherwise provided for under subsection e. of this
4 section, no shelter, pound, or kennel operating as a shelter or pound
5 receiving an animal from a certified animal control officer may
6 transfer the animal to an animal rescue organization facility, a pet
7 shop, or a foster home until the shelter, pound, or kennel operating
8 as a shelter or pound has held the animal for at least seven days.

9 g. If the owner or the person charged with the care of the
10 animal seeks to claim it within seven days, or after the seven days
11 have elapsed but before the animal has been adopted, transferred to
12 a pet shop, or euthanized, the shelter, pound, or kennel operating as
13 a shelter or pound:

14 (1) shall, in the case of a cat or dog, release it to the owner or
15 person charged with its care, provided the owner or person charged
16 with the care of the animal provides proof of ownership, which may
17 include a valid cat or dog license, registration, rabies inoculation
18 certificate, or documentation from the owner's veterinarian that the
19 cat or dog has received regular care from that veterinarian;

20 (2) may, in the case of a cat or dog, charge the cost of sterilizing
21 the cat or dog, if the owner requests such sterilizing when claiming
22 it; and

23 (3) may require the owner or person charged with the care of the
24 animal to pay all the animal's expenses while in the care of the
25 shelter, pound, or kennel operating as a shelter or pound, not to
26 exceed \$4 per day.

27 h. If the animal remains unclaimed, is not claimed due to the
28 failure of the owner or other person to comply with the
29 requirements of this section, or is not adopted after seven days after
30 the date on which notice is served pursuant to subsection c. of this
31 section or, if no notice can be served, not less than seven days after
32 the date on which the animal was impounded, the impounded
33 animal may be placed in a foster home, transferred to another
34 shelter, pound, kennel operating as a shelter or pound, **[or]** animal
35 rescue organization facility, or pet shop, or euthanized in a manner
36 causing as little pain as possible and consistent with the provisions
37 of R.S.4:22-19.

38 i. At the time of adoption, the right of ownership in the animal
39 shall transfer to the new owner. No dog or other animal taken into
40 custody, impounded, sent or otherwise brought to a shelter, pound,
41 or kennel operating as a shelter or pound, or transferred to a pet
42 shop from a shelter, pound, or kennel operating as a shelter or
43 pound, shall be sold or otherwise be made available for the purpose
44 of experimentation. Any person who sells or otherwise makes
45 available any such dog or other animal for the purpose of
46 experimentation shall be guilty of a crime of the fourth degree.

47 j. Any animal seized under this section suspected of being
48 rabid shall be immediately reported to the executive officer of the

1 local board of health and to the Department of Health, and shall be
2 quarantined, observed, and otherwise handled and dealt with as
3 appropriate for an animal suspected of being rabid or as required by
4 the Department of Health for the animals.

5 k. When a certified animal control officer takes into custody
6 and impounds, or causes to be taken into custody and impounded,
7 an animal, the certified animal control officer may place the animal
8 in the custody of, or cause the animal to be placed in the custody of,
9 only a licensed shelter, pound, or kennel operating as a shelter or
10 pound. The certified animal control officer may not place the
11 animal in the custody of, or cause the animal to be placed in the
12 custody of, any animal rescue organization facility, foster home, or
13 other unlicensed facility. However, the licensed shelter, pound, or
14 kennel operating as a shelter or pound may place the animal in an
15 animal rescue organization facility, foster home, or other unlicensed
16 facility if necessary pursuant to subsection e. or h. of this section.

17 l. Notwithstanding the provisions of this section and sections 3
18 and 4 of P.L.2011, c.142 (C.4:19-15.30 and C.4:19-15.31) to the
19 contrary, no cat or dog being transferred between shelters, pounds,
20 or kennels operating as shelters or pounds, or being transferred to a
21 pet shop or an animal rescue organization facility, or placed in a
22 foster home, shall be required to be sterilized prior to that transfer.

23 (cf: P.L.2012, c.17, s.7)

24

25 11. Section 5 of P.L.2011, c.142 (C.4:19-15.32) is amended to
26 read as follows:

27 5. a. When a cat or dog is put in the custody of and impounded
28 with a shelter, pound, or kennel operating as a shelter or pound, or
29 an animal rescue organization facility receives a cat or dog, the
30 shelter, pound, kennel operating as a shelter or pound, or animal
31 rescue organization facility shall, if the identity of the owner is not
32 known, scan the animal for microchip identification, provided the
33 shelter, pound, kennel operating as a shelter or pound, or animal
34 rescue organization facility has such technology available.

35 b. Prior to release of any cat or dog for adoption, transfer to a
36 pet shop, another facility or foster home, or euthanasia of the cat or
37 dog, the shelter, pound, kennel operating as a shelter or pound, or
38 animal rescue organization facility shall, if the identity of the owner
39 is not known, scan the cat or dog for microchip identification,
40 provided the shelter, pound, kennel operating as a shelter or pound,
41 or animal rescue organization facility has such technology
42 available.

43 c. If either scan required pursuant to subsection a. or b. of this
44 section reveals information concerning the owner of the cat or dog,
45 the shelter, pound, kennel operating as a shelter or pound, or animal
46 rescue organization facility shall immediately seek to contact and
47 notify the owner of the whereabouts of the cat or dog. Furthermore,
48 if microchip identification is found, the shelter, pound, kennel

1 operating as a shelter or pound, or animal rescue organization
2 facility shall hold the animal for at least seven days after the
3 notification to the owner.

4 (cf: P.L.2011, c.142, s.5)

5

6 12. Sections 1 through 5 of P.L.1999, c.336 (C.56:8-92 through
7 C.56:8-96), section 7 of P.L.1999, c.336 (C.56:8-97) and sections 3,
8 4, and 5 of P.L.2015, c.7 (C.56:8-95.1 through C.56:8-95.3) are
9 repealed.

10

11 13. This act shall take effect immediately.

12

13

14

STATEMENT

15

16 This bill prohibits any person from selling, offering for sale,
17 transferring, exchanging, or bartering a cat or dog, or otherwise
18 engaging in a transaction concerning a cat or dog, unless the
19 transaction is a face-to-face transaction. This prohibition would
20 apply to transactions between a breeder or other seller and a
21 consumer who are both in the State, a breeder or other seller in the
22 State and a consumer in another state, and a breeder or other seller
23 in another state and a consumer in the State.

24 The bill also prohibits a pet shop from offering a cat or dog for
25 sale, or obtaining a cat or dog for that purpose, unless the cat or dog
26 comes from with or without payment or compensation of any kind,
27 from a shelter, pound, kennel operating as a shelter or pound, or an
28 animal rescue organization. The bill establishes a penalty of \$500
29 for each violation, in addition to other penalties that may be
30 imposed pursuant to the State consumer fraud law (P.L.1960, c.39
31 (C.56:8-1 et seq.)), State animal control, dog licensing, and kennel,
32 pet shop, shelter, and pound laws (P.L.1941, c.151 (C.4:19-15.1 et
33 seq.)), or the State criminal code (Title 2C of the New Jersey
34 Statutes).