

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

## ASSEMBLY, No. 3044

with committee amendments

# STATE OF NEW JERSEY

DATED: OCTOBER 22, 2018

The Assembly Appropriations Committee reports favorably Assembly Bill No. 3044 (1R), with committee amendments.

As amended, Assembly Bill No. 3044 (1R), to be known as the “Pet Groomers Licensing Act” or “Bijou’s Law,” provides for the licensing of pet groomers under the New Jersey State Board of Pet Groomers, established by the bill. The bill defines a “pet groomer” as an individual licensed to bathe, brush, clip, or style a pet.

To be eligible for licensure as a pet groomer, an applicant must: be at least 18 years of age; be of good moral character; and pass an examination prepared by or approved by the board to determine the applicant’s competence to practice pet grooming. A pet groomer license would be issued for a two-year period, for a fee of \$75 for initial licensure and \$50 for renewal.

The bill stipulates that no person may practice, attempt to practice, or hold oneself out as being able to practice pet grooming unless that person is licensed in accordance with the provisions of this bill.

In addition, as specified in the bill, none of the bill’s provisions apply to: a registered student in a school licensed by the board if the student is performing grooming services under appropriate supervision at the school in which they are enrolled; an individual engaged in performing grooming services while not enrolled in a school if the individual is at least 16 years of age and performs those services under the direct supervision of a licensed pet groomer and while training in preparation of the pet groomer’s licensing examination; or an individual who grooms a dog or cat to prepare it for a show or competitive event.

This bill also mandates that no business is to engage in or advertise or hold itself out as offering pet grooming services to consumers unless the business is registered with the board. Furthermore, a business must provide to the board evidence of proof of general liability insurance or an unconditional irrevocable letter of credit of a type and amount required by the board by regulation. In addition, the bill provides that no business may engage in or offer pet grooming services unless the business provides proper sanitary conditions,

sufficient lighting, an adequate water supply, and structurally sound and clean cages for the pets that are being groomed.

The bill also mandates that every pet grooming business must maintain a pet incident report to be submitted to the board within 10 days of any incident, in a form as may be prescribed by the board.

The board may suspend or revoke the registration of any business offering pet grooming upon proof showing by a preponderance of the evidence that the business: made false or misleading statements of a material nature in the application for registration; failed to demonstrate that each employee of the employer who is engaged in the performance of pet grooming is in possession of a license to practice pet grooming; failed to demonstrate proof of having general liability insurance or an unconditional irrevocable letter of credit of a type and amount required by the board; failed to comply with the aforementioned sanitary and facility conditions required of businesses engaging in or offering pet grooming services; or failed to maintain and submit a pet incident report, as required by the bill.

Furthermore, the bill requires the board to establish and undertake a public information campaign to educate and inform New Jersey consumers of the provisions in this bill. The bill also mandates that the board provide a toll-free telephone number for consumers making inquiries or complaints regarding pet groomers or pet grooming businesses.

#### COMMITTEE AMENDMENTS:

The amendments change the nine-member board to include two public members and four pet groomers, rather than three public members and three pet groomers. The amendment also directs the board to develop the pet grooming curriculum to be used in the schools and collaborate with schools to utilize and incorporate industry best practices and standards.

Additionally, the amendments clarify that a business is prohibited from engaging in pet grooming as a business service to consumers unless it is registered and in compliance with the bill's provisions; it does not prohibit a business from engaging in pet grooming of its own animals as part of its normal course of operations.

#### FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that the bill will result in indeterminate increases in annual State revenues and expenditures. The OLS, however, cannot assess the direction of the net effect of the two increases given the absence of information on the future cost of regulating pet grooming and on future license fee and penalty collections.

The State will incur an indeterminate annual increase in operating expenditures associated with the licensure and regulation of pet groomers and pet grooming schools. Operating expenditures will

include the cost of establishing and operating the new nine-member New Jersey State Board of Pet Groomers, undertaking a public information campaign and maintaining a toll-free telephone number for consumers to make inquiries or complaints.

Additional annual State revenue will accrue from indeterminate fee payments for the new pet grooming licenses and indeterminate fine and penalty payments from violators of statutory and regulatory requirements applicable to the newly licensed profession.