SYNOPSIS
Establishes animal abuser registry.

CURRENT VERSION OF TEXT
As introduced.
AN ACT concerning the establishment of an animal abuser registry, supplementing Title 4 of the Revised Statutes, and amending various sections of the statutory law.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. (New section) a. The Department of Health shall establish on its website an animal abuser registry. The animal abuser registry shall provide:
   (1) the full legal name of any person who has been convicted of a criminal animal cruelty violation of any applicable provision of chapter 22 of Title 4 of the Revised Statutes, P.L.2002, c.102 (C.4:19-38 et seq.), section 1 of P.L.1983, c.261 (C.2C:29-3.1); section 1 of P.L.2013, c.205 (C.2C:29-3.2), P.L.2015, c.85 (C.2C:33-31 et seq.), or R.S.39:4-23;
   (2) if the person was photographed as part of a booking process, the photograph taken at that time; and
   (3) any other information permitted by law and determined by the department to properly identify the animal abuser and exclude innocent persons.
   b. The animal abuser registry shall not include the Social Security number, driver’s license number, or any other state or federal identification number of any person.

2. Section 4 of P.L.2003, c.67 (C.2B:12-17.1) is amended to read as follows:
   4. As required pursuant to section 3 of P.L.2003, c.67 (C.4:22-57), a court adjudging guilt or liability for an animal cruelty violation of any provision of chapter 22 of Title 4 of the Revised Statutes, P.L.2002, c.102 (C.4:19-38 et seq.), section 1 of P.L.1983, c.261 (C.2C:29-3.1), section 1 of P.L.2013, c.205 (C.2C:29-3.2), P.L.2015, c.85 (C.2C:33-31 et seq.), or R.S.39:4-23, shall charge the prosecutor or other appropriate person, other than a certified animal control officer, with the responsibility to notify within 30 days the Commissioner of Health, in writing, of the full name of the person found guilty of, or liable for, the applicable violation, and the violation for which or of which that person was found guilty or liable, and the person charged with the responsibility shall provide such notice. Any other information available to properly identify the animal abuser and exclude innocent persons shall also be provided.
   b. As required pursuant to section 5 of P.L. , c. (C. ) (pending before the Legislature as this bill), a court adjudging guilt for a criminal animal cruelty violation of any provision of chapter

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.
22 of Title 4 of the Revised Statutes, P.L.2002, c.102 (C.4:19-38 et seq.), section 1 of P.L.1983, c.261 (C.2C:29-3.1), section 1 of P.L.2013, c.205 (C.2C:29-3.2), P.L.2015, c.85 (C.2C:33-31 et seq.), or R.S.39:4-23, shall charge the prosecutor or other appropriate person with the responsibility to notify within 30 days the Commissioner of Health, in writing, of the full name of the person found guilty of the applicable criminal violation, and the criminal violation for which or of which that person was found guilty, and the person charged with the responsibility shall provide such notice. Any other information available to properly identify the animal abuser and exclude innocent persons shall also be provided. (cf: P.L.2017, c.331, s.1)

3. Section 3 of P.L.1983, c.525 (C.4:19-15.16a) is amended to read as follows:

   a. The Commissioner of Health shall, within 120 days after the effective date of P.L.1983, c.525, and pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules and regulations concerning the training and educational qualifications for the certification of animal control officers, including, but not limited to, a course of study approved by the commissioner and the Police Training Commission, in consultation with the New Jersey Certified Animal Control Officers Association, which acquaints a person with:

   (1) The law as it affects animal control, animal welfare, and animal cruelty;

   (2) Animal behavior and the handling of stray or diseased animals; and

   (3) Community safety as it relates to animal control.

   (4) (Deleted by amendment, P.L.2017, c.331)

   Any person 18 years of age or older may satisfy the courses of study established pursuant to this subsection at that person's own time and expense; however, nothing in this section shall be construed as authorizing a person to exercise the powers and duties of an animal control officer absent municipal appointment or authorization pursuant to section 4 of P.L.1983, c.525 (C.4:19-15.16b).

   b. (1) The commissioner shall provide for the issuance of a certificate to a person who possesses, or acquires, the training and education required to qualify as a certified animal control officer pursuant to paragraphs (1) through (3) of subsection a. of this section and to a person who has been employed in the State of New Jersey in the capacity of, and with similar responsibilities to those required of, a certified animal control officer pursuant to the provisions of P.L.1983, c.525, for a period of three years before January 17, 1987. The commissioner shall not issue a certificate to any person convicted of, or found civilly liable for, an animal cruelty violation of any provision of chapter 22 of Title 4 of the

(2) The commissioner shall revoke the certificate of any person convicted of, or found civilly liable for, an animal cruelty violation of any provision of chapter 22 of Title 4 of the Revised Statutes, P.L.2002, c.102 (C.4:19-38 et seq.), section 1 of P.L.1983, c.261 (C.2C:29-3.1), section 1 of P.L.2013, c.205 (C.2C:29-3.2), P.L.2015, c.85 (C.2C:33-31 et seq.), or R.S.39:4-23, and shall place the name of the person on the list established pursuant to subsection c. of this section.

c. (1) The commissioner shall establish a list of all persons issued a certificate pursuant to subsection b. of this section (a) for whom that certificate has been revoked, or (b) who have been convicted of, or found civilly liable for, an animal cruelty violation of any provision of chapter 22 of Title 4 of the Revised Statutes, P.L.2002, c.102 (C.4:19-38 et seq.), section 1 of P.L.1983, c.261 (C.2C:29-3.1), section 1 of P.L.2013, c.205 (C.2C:29-3.2), P.L.2015, c.85 (C.2C:33-31 et seq.), or R.S.39:4-23. The commissioner shall provide each municipality in the State with a copy of this list within 30 days after the list is established and not less often than annually thereafter if no revised list required pursuant to paragraph (2) of this subsection has been issued in the interim.

(2) Upon receipt of a notice required pursuant to section 3 or 4 of P.L.2003, c.67 (C.4:22-57 or C.2B:12-17.1) involving a person who has been issued a certificate pursuant to subsection b. of this section, the commissioner shall add to the list the name of the person convicted of, or found civilly liable for, an animal cruelty violation of any provision of chapter 22 of Title 4 of the Revised Statutes, P.L.2002, c.102 (C.4:19-38 et seq.), section 1 of P.L.1983, c.261 (C.2C:29-3.1), section 1 of P.L.2013, c.205 (C.2C:29-3.2), P.L.2015, c.85 (C.2C:33-31 et seq.), or R.S.39:4-23, according to the notice, and shall issue a copy of the revised list to each municipality within 30 days after receipt of any notice.

d. After the Department of Health establishes on its website the animal abuser registry pursuant to section 1 of P.L. , c. (C. ) (pending before the Legislature as this bill), the commissioner may use the animal abuser registry to update and maintain the list required pursuant to paragraph (1) of subsection c. of this section.

(cf: P.L.2017, c.331, s.5)

4. Section 3 of P.L.2003, c.67 (C.4:22-57) is amended to read as follows:

3. a. (Deleted by amendment, P.L.2017, c.331)

b. For the purposes of maintaining the list of persons not eligible to be a certified animal control officer, municipal humane law enforcement officer, humane law enforcement officer of a
county society for the prevention of cruelty to animals, or designee
pursuant to subsection a. of section 28 of P.L.2017, c.331 (C.4:22-
11.16), as established pursuant to subsections b. and c. of section 3
adjudging the guilt or liability for an animal cruelty violation of
any provision of article 2 of chapter 22 of the Revised
Statutes, P.L.2002, c.102 (C.4:19-38 et seq.), section 1 of P.L.1983,
c.261 (C.2C:29-3.1); section 1 of P.L.2013, c.205 (C.2C:29-3.2),
P.L.2015, c.85 (C.2C:33-31 et seq.), or R.S.39:4-23, shall charge
the prosecutor or other appropriate person, other than a certified
animal control officer, with the responsibility to notify within 30
days the Commissioner of Health, in writing, of
the full name of the person found guilty of, or liable for, the
applicable violation, and the violation for which or of which that
person was found guilty or liable, and the person charged with the
responsibility shall provide such notice.
(cf: P.L.2017, c.331, s.24)

5. (New section) a. For the purposes of establishing the animal
abuser registry pursuant to section 1 of P.L. , c. (C. ) (pending
before the Legislature as this bill), notice shall be provided
electronically or in writing, within 90 days after the effective date of
P.L. , c. (C. ) (pending before the Legislature as this bill), by
the Administrative Office of the Courts, the Department of Law and
Public Safety, and any other governmental or other official
administrative entity maintaining records of such violations, to the
Commissioner of Health of any person the Administrative Office of
the Courts, Department of Law and Public Safety, or other entity is
aware of who has been convicted in the last 10 years of a criminal
animal cruelty violation of the first, second, third, or fourth degree of:

(1) any provision of chapter 22 of Title 4 of the Revised Statutes;
(2) P.L.2002, c.102 (C.4:19-38 et seq.);
(3) section 1 of P.L.1983, c.261 (C.2C:29-3.1);
(4) section 1 of P.L.2013, c.205 (C.2C:29-3.2);
(5) P.L.2015, c.85 (C.2C:33-31 et seq.); or
(6) R.S.39:4-23.

The Administrative Office of the Courts shall not be required to
provide records pursuant to this subsection of any disorderly persons
offense, petty disorderly persons offense, or civil violation.

b. For the purposes of maintaining the animal abuser registry
established pursuant to section 1 of P.L. , c. (C. ) (pending
before the Legislature as this bill), a court adjudging the guilt for a
criminal animal cruelty violation of any provision of chapter 22 of
Title 4 of the Revised Statutes, P.L.2002, c.102 (C.4:19-38 et seq.),
section 1 of P.L.1983, c.261 (C.2C:29-3.1); section 1 of P.L.2013,
c.205 (C.2C:29-3.2), P.L.2015, c.85 (C.2C:33-31 et seq.), or R.S.39:4-
23, shall charge the prosecutor or other appropriate person with the
S1230 SINGLETON, SWEENEY

6

responsibility to notify within 30 days the Commissioner of Health, in writing, of the full name of the person convicted of the applicable criminal animal cruelty violation, and the criminal animal cruelty violation for which or of which that person was found guilty, and the person charged with the responsibility shall provide such notice.

6. This act shall take effect on the January 1 next following enactment.

STATEMENT

This bill directs the Department of Health (DOH) to establish an animal abuser registry, provides a process by which persons who have previously been convicted and persons who are newly convicted of a criminal animal cruelty violation are to be included on the animal abuser registry, and updates current law concerning persons ineligible to be an animal control officer due to a conviction for an animal cruelty violation. The bill would take effect on January 1 next following enactment.

Under the bill, the DOH is required to establish the animal abuser registry and publish the registry on its website. The bill requires the registry to include the full legal name of any person who has been convicted of a criminal animal cruelty violation, any photographs obtained during the criminal booking process, and other pertinent information that the DOH determines will properly identify the animal abuser. The bill prohibits the registry from including the Social Security number, driver’s license number, or any other state or federal identification number of any person.

For the purpose of establishing the animal abuser registry, the bill requires the Administrative Office of the Courts, the Department of Law and Public Safety, and any other governmental or other official administrative entity maintaining records of criminal animal cruelty convictions to provide notice to the Commissioner of Health of any person the Administrative Office of the Courts, the Department of Law and Public Safety, or other entity is aware of who has been convicted in the last 10 years of a criminal animal cruelty violation. The bill requires this notice to be provided to the commissioner electronically or in writing, within 90 days after the effective date of the bill.

For the purpose of maintaining the animal abuser registry, the bill requires a court adjudging the guilt for a criminal animal cruelty violation to charge the prosecutor or other appropriate person, with the responsibility to notify the Commissioner of Health with the full name of the person convicted of the criminal animal cruelty violation and the criminal animal cruelty violation for which or of which that person was found guilty. The bill requires the person
charged with the responsibility to provide such notice to the commissioner within 30 days.

Finally, the bill expands the criminal violations related to animal abuse that disqualify an individual from serving as a certified animal control officer, and permits the Commissioner of Health to use the animal abuser registry to maintain a list of persons ineligible to be animal control officers due to a conviction for animal cruelty.