

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 1923

STATE OF NEW JERSEY

DATED: MAY 31, 2018

The Senate Economic Growth Committee reports favorably Senate Bill No. 1923.

As reported, this bill revises the current law concerning vicious and potentially dangerous dogs.

The bill removes the requirement that the municipal court (court) is required to declare a dog vicious if it finds that the dog has engaged in certain dog fighting activities, and the dog poses a threat of serious bodily injury or death to a person. The bill also authorizes the court to order:

(1) the owner of a vicious dog to comply with certain restrictions that are at least as stringent as those imposed on potentially dangerous dogs in order to protect the public; or

(2) a vicious dog to be euthanized in a humane and expeditious manner.

The bill removes a requirement that the court declare a dog to be potentially dangerous if it finds that the dog both severely injured or killed another domestic animal and poses a threat of serious bodily injury or death to a person or poses a threat of death to another domestic animal. Under the bill, the court is still required to declare a dog to be potentially dangerous if it finds by clear and convincing evidence that the dog has been trained, tormented, badgered, baited, or encouraged to engage in unprovoked attacks on people only. The bill also removes a provision under current law that requires the court to declare a dog to be declared potentially dangerous if the dog has been trained, tormented, badgered, baited, or encouraged to engage in unprovoked attacks on domestic animals.

The bill also prohibits the court from declaring a dog to be potentially dangerous for:

(1) causing bodily injury to a person who was committing or attempting to commit a crime or offense upon the owner or person with custody or control of the dog or committing or attempting to commit a trespass or other criminal offense on the owner or person with custody or control of the dog;

(2) causing bodily injury to a person or a domestic animal who was abusing, assaulting, or physically threatening the dog or the dog's offspring; or

(3) causing bodily injury to a person who was intervening between two or more dogs engaged in aggressive behavior or fighting.