

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1923

STATE OF NEW JERSEY

DATED: MARCH 11, 2019

The Assembly Agriculture and Natural Resources Committee favorably reports Senate Bill No. 1923 (1R).

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 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 clarifies that a court would declare a dog potentially dangerous if it finds by clear and convincing evidence that the dog:

(1) caused bodily injury to a person during an unprovoked attack, and poses a serious threat of serious bodily injury or death to a person; or

(2) caused serious bodily injury to another domestic animal or killed another domestic animal, and

(a) poses a serious threat of serious bodily injury or death to a person, or

(b) poses a serious threat of death to another domestic animal.

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.

As reported, the bill is identical to Assembly Bill No. 1822 (1R) as reported by the committee.