

SENATE, No. 527

STATE OF NEW JERSEY

INTRODUCED JANUARY 29, 1996

By Senator BASSANO

1 AN ACT concerning the prevention of cruelty to animals, amending  
2 and supplementing various parts of the statutory law and repealing  
3 R.S.4:22-1 through R.S.4:22-6 and R.S.4:22-8 through  
4 R.S.4:22-11.

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

8  
9 1. (New section) The New Jersey Society for the Prevention of  
10 Cruelty to Animals is continued as a corporation for the purposes of  
11 coordinating the functions of the district (county) societies for the  
12 prevention of cruelty to animals, and promoting the interests of, and  
13 protecting and caring for, dumb animals. To ensure a maximum of  
14 public awareness and support, the New Jersey Society shall operate as  
15 follows:

16 a. The New Jersey Society for the Prevention of Cruelty to  
17 Animals shall be governed by a board of directors consisting of one  
18 member from each district (county) society for the prevention of  
19 cruelty to animals elected by its members, and 12 members elected by  
20 the members of the New Jersey Society for the Prevention of Cruelty  
21 to Animals. All directors shall have equal voting privileges. Each  
22 member elected by the members of the New Jersey Society for the  
23 Prevention of Cruelty to Animals shall serve for a term of three years,  
24 provided that of the first members elected, four shall serve for a term  
25 of three years, four shall serve for a term of two years and four shall  
26 serve for a term of one year. Thereafter, all directors elected by the  
27 members of the New Jersey Society for the Protection of Cruelty to  
28 Animals shall serve for terms of three years.

29 b. The directors elected from the membership of the New Jersey  
30 Society for the Prevention of Cruelty to Animals shall be elected by  
31 written ballot mailed in a timely manner to those members.

32 c. All meetings of the board of directors shall be open to the  
33 members of the New Jersey Society for the Prevention of Cruelty to  
34 Animals, any member of a district (county) society for the prevention

**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 of cruelty to animals, and the public. Adequate notice shall be given  
2 to every district (county) society for the prevention of cruelty to  
3 animals of a meeting of the board. At each meeting of the board of  
4 directors, each director elected by the members of a district (county)  
5 society shall present a report to the board outlining the activities of  
6 their district (county) society.

7 d. A majority of the directors shall constitute a quorum for the  
8 transaction of business.

9  
10 2. (New section) The board of directors of the New Jersey Society  
11 for the Prevention of Cruelty to Animals shall:

12 a. Elect its own officers;

13 b. Appoint or designate enforcement officers and agents for  
14 enforcing all laws and ordinances enacted for the protection of dumb  
15 animals. No person may be appointed or designated as an enforcement  
16 officer or agent unless the person has filed with the Superintendent of  
17 State Police a written application on forms prescribed by the  
18 Superintendent, which application shall be signed by the applicant  
19 under oath and shall be endorsed by three reputable persons who have  
20 known the applicant for at least three years preceding the date of  
21 application, and who shall have certified thereon that the applicant is  
22 a person of good moral character and behavior. An enforcement  
23 officer shall have successfully completed a training course for  
24 enforcement officers developed by the New Jersey Society for the  
25 Prevention of Cruelty to Animals and approved by the Police Training  
26 Commission. An enforcement officer or agent shall not be authorized  
27 to possess, carry, or utilize a firearm while enforcing the laws and  
28 ordinances enacted for the protection of dumb animals unless the  
29 enforcement officer or agent has satisfactorily completed a firearms  
30 training course as defined in subsection j. of N.J.S.2C:39-6 and  
31 approved by the Police Training Commission, and has satisfactorily  
32 completed a training course approved by the Police Training  
33 Commission. All enforcement officers shall complete the training  
34 developed pursuant to section 3 of P.L.1983, c.525 (C.4:19-15.16a).  
35 No person who has been convicted of a crime, who has been found to  
36 have violated a law prohibiting acts of cruelty against animals, or who  
37 has a history of mental illness shall be eligible to become an  
38 enforcement officer or agent. Enforcement officers and agents shall  
39 be considered to be peace officers, but only for the purpose of  
40 enforcing laws and ordinances enacted for the protection of dumb  
41 animals. For the purposes of this subsection, "firearm" shall not mean  
42 a device utilized to tranquilize or destroy a dumb animal with a drug  
43 or other similar substance, when utilized by a properly trained and  
44 authorized person;

45 c. Enforce all laws or ordinances enacted for the protection of  
46 dumb animals;

- 1 d. Establish such by-laws or regulations as may be deemed  
2 necessary for the government of the New Jersey Society for the  
3 Protection of Cruelty to Animals;
- 4 e. Make, alter and use a common seal;
- 5 f. Adopt a common badge which shall be authority for making  
6 arrests;
- 7 g. Sue and be sued in all courts; and all actions brought by or  
8 against the New Jersey Society for the Protection of Cruelty to  
9 Animals shall be in its corporate name;
- 10 h. Purchase and hold such real estate as may be expedient for the  
11 advancement of the purposes of the New Jersey Society for the  
12 Protection of Cruelty to Animals, and take by devise or gift all real  
13 estate or personal property that is devised or given to it, without  
14 regard to value. The title to such real estate shall be taken in the  
15 corporate name of the society;
- 16 i. Establish additional qualifications and training to be required of  
17 enforcement officers and agents authorized pursuant to law and  
18 subsection b. of this section to enforce laws and ordinances enacted  
19 for the protection of dumb animals, and to coordinate the activities of  
20 these enforcement personnel by establishing guidelines and rules of  
21 conduct;
- 22 j. Coordinate and administer the activities of enforcement officers  
23 and agents authorized pursuant to law and subsection b. of this section  
24 to enforce laws and ordinances enacted for the protection of dumb  
25 animals;
- 26 k. Investigate alleged acts of cruelty to dumb animals at the request  
27 of a district (county) society, and for those counties where no district  
28 (county) society exists;
- 29 l. Promote the interests of, and protect and care for, dumb animals;
- 30 m. Approve all changes of a district (county) society's bylaws,  
31 except that if the board fails to act on a proposed change in the bylaws  
32 within 90 days of the submission of the proposed changes, the change  
33 shall be deemed to have been approved by the board;
- 34 n. Establish fiscal procedures, standards, guidelines, and  
35 responsibilities for district (county) societies;
- 36 o. Prepare and submit to the Attorney General a quarterly report  
37 summarizing the activities of the New Jersey Society for the  
38 Prevention of Cruelty to Animals for the prior three calendar months,  
39 which report shall include a financial accounting of its own activities  
40 and those of its district (county) societies, a summary of all  
41 enforcement actions taken, and a list of the names and addresses of all  
42 enforcement officers and agents;
- 43 p. Submit recommendations to the Governor and the Legislature,  
44 as deemed necessary, for the remedy or removal of any legal  
45 impediments or restrictions to the expeditious enforcement of all laws  
46 and ordinances enacted for the protection of dumb animals;

- 1 q. Govern the membership of the New Jersey Society for the  
2 Prevention of Cruelty to Animals as follows:
- 3 (1) The board of directors may establish reasonable annual dues for  
4 membership;
- 5 (2) Membership in the New Jersey Society for the Prevention of  
6 Cruelty to Animals shall be open to all who apply for it, except that  
7 persons may be denied membership or a member may be expelled for  
8 cause;
- 9 (3) Cause for denial of membership or expulsion from membership  
10 shall include action, or the lack of action, that is in conflict with, or  
11 detrimental to, the objectives of the New Jersey Society for the  
12 Prevention of Cruelty of Animals or a district (county) society  
13 including any action that resulted in a conviction for cruelty to  
14 animals;
- 15 (4) Any person applying for membership shall be denied  
16 membership only by a two-thirds or greater vote of the full board of  
17 directors;
- 18 (5) Any member may be expelled from membership only by a  
19 two-thirds or greater vote of the full board of directors;
- 20 (6) The reason or reasons for the denial of membership or  
21 expulsion from membership shall be set forth in writing and delivered  
22 within seven days of the vote to the person denied membership or  
23 expelled from membership;
- 24 r. Hold in escrow for a period of five years any assets, after  
25 payment of any outstanding debts, of a district (county) society that  
26 dissolves or has its charter revoked or suspended for any reason until  
27 a new district (county) society for that county is formed and chartered  
28 or the suspended charter for the district (county) society is restored,  
29 at which time the board of directors shall transfer those assets to the  
30 newly formed and chartered district (county) society or the district  
31 (county) society whose charter was suspended and restored, as the  
32 case may be. At the end of five years if a district (county) society has  
33 not been formed and chartered, the assets shall transfer to the state  
34 society;
- 35 s. Develop comprehensive programs to prevent cruelty to animals  
36 which shall include but not be limited to the education of the general  
37 public and school children in animal matters, in cooperation with New  
38 Jersey State departments carrying out related projects;
- 39 t. Grant a district (county) charter if no district (county) society for  
40 the prevention of cruelty to animals exists in the county;
- 41 u. Revoke or suspend, for cause, after a public hearing, a district  
42 (county) society charter.
- 43
- 44 3. (New section) a. Every district (county) society for the  
45 prevention of cruelty to animals that is in existence on the effective  
46 date of this amendatory and supplementary act shall be continued as

1 a chartered district (county) society.

2 b. If a county does not have a district (county) society, any humane  
3 organization may petition the board of directors of the New Jersey  
4 Society for the Prevention of Cruelty to Animals, and upon approval  
5 by a majority of the full board of directors thereof, shall be granted a  
6 charter as the district (county) society for the prevention of cruelty to  
7 animals for that county. The charter of any district (county) society,  
8 including a district (county) society continued pursuant to subsection  
9 a. of this section may be revoked or suspended, for cause, after a  
10 public hearing, by a majority of the full board of directors of the New  
11 Jersey Society for the Prevention of Cruelty to Animals.

12 For the purposes of this subsection, a "humane organization" means  
13 a nonprofit organization or group of individuals that has as its stated  
14 purpose the welfare, benefit, and protection of dumb animals.

15 c. A charter for a district (county) society granted by the board of  
16 directors of the New Jersey Society for the Prevention of Cruelty to  
17 Animals, and the charter of every district (county) society continued  
18 pursuant to subsection a. of this section, shall include provisions that  
19 (1) require the district (county) society to observe standards and  
20 guidelines established by the New Jersey Society for the Prevention of  
21 Cruelty to Animals relating to fiscal procedures and responsibilities  
22 and to enforcement training for enforcement personnel; and (2) direct  
23 the transfer of any assets of a district (county) society, after payment  
24 of any outstanding debts, to the New Jersey Society for the Prevention  
25 of Cruelty to Animals for disposition pursuant to subsection r. of  
26 section 2 of this amendatory and supplementary act, if the district  
27 (county) society dissolves or has its charter revoked or suspended for  
28 any reason.

29

30 4. (New section) A district (county) society for the prevention of  
31 cruelty to animals continued or established in accordance with section  
32 3 of this amendatory and supplementary act is empowered to:

33 a. Govern the district (county) society as follows:

34 (1) The district (county) society shall be governed by a board of  
35 directors consisting of no less than nine persons;

36 (2) Persons eligible to vote in the election of the directors shall be  
37 all of the members of the district (county) society in good standing;

38 (3) Each district (county) society shall certify in a timely manner,  
39 a list of all eligible voters, open to public inspection at the county  
40 prosecutor's office, prior to the election of directors;

41 (4) All meetings of the board shall be open to all members of the  
42 district (county) society. Adequate notice shall be given to all  
43 members of a meeting of the board of directors;

44 b. Govern its membership as follows:

45 (1) The board of directors may establish reasonable annual dues for  
46 membership;

1 (2) Membership in a district (county) society shall be open to all  
2 who apply for it, except that persons may be denied membership or a  
3 member may be expelled for cause;

4 (3) Cause for denial of membership or expulsion from membership  
5 shall include action, or the lack of action, that is in conflict with, or  
6 detrimental to, the objectives of the New Jersey Society for the  
7 Prevention of Cruelty of Animals or a district (county) society;

8 (4) Any person applying for membership shall be denied  
9 membership only by a two-thirds or greater vote of the full board of  
10 directors;

11 (5) Any member may be expelled from membership only by a  
12 two-thirds or greater vote of the full board of directors;

13 (6) The reason or reasons for the denial of membership or  
14 expulsion from membership shall be set forth in writing and delivered  
15 within seven days of the vote to the person denied membership or  
16 expelled from membership;

17 c. Elect its own officers from the membership of that district  
18 (county) society;

19 d. Establish such bylaws or regulations as may be deemed  
20 necessary for government of the district (county) society;

21 e. Enforce all laws and ordinances enacted for the protection of  
22 dumb animals;

23 f. Promote the interests of, and protect and care for, dumb animals;

24 g. Maintain and operate one or more rest farms, kennels, pounds,  
25 and shelters, or any combination thereof, for dumb animals, but such  
26 rest farms, kennels, pounds, and shelters, shall be subject to inspection  
27 at least annually by the New Jersey Society for the Prevention of  
28 Cruelty to Animals;

29 h. Appoint or designate enforcement officers and agents for  
30 enforcing all laws and ordinances enacted for the protection of dumb  
31 animals in accordance with the requirements of subsections b., i., and  
32 j. of section 2 of this amendatory and supplementary act;

33 i. Investigate alleged acts of cruelty to dumb animals;

34 j. Make, alter, and use a common seal;

35 k. Adopt a common badge, which shall be authority for making  
36 arrests and which may be similar or identical to the badge of the New  
37 Jersey Society for the Prevention of Cruelty to Animals;

38 l. Sue and be sued in all courts, and all actions brought by or  
39 against the district (county) society shall be in its corporate name;

40 m. Purchase and hold such real estate as may be expedient for the  
41 advancement of the purposes of the district (county) society, and take  
42 by devise or gift all real estate or personal property that is devised or  
43 given to it, without regard to value. The title to such real estate shall  
44 be taken in the corporate name of the district (county) society.

45

46 5. (New section) a. Each district (county) society for the

1 prevention of cruelty to animals shall have the same rights, powers and  
2 privileges as are vested pursuant to law in the New Jersey Society for  
3 the Prevention of Cruelty to Animals.

4 b. Each district (county) society shall elect one director and one  
5 alternate to serve in the absence of the director, to the board of  
6 directors of the New Jersey Society for the Prevention of Cruelty to  
7 Animals, to serve a term of one year. The district (county) society  
8 director and the alternate shall be elected by a majority vote of the  
9 members of the district (county) society present at the annual meeting  
10 of the district (county) society.

11 c. Any individual who has been convicted of a crime, who has been  
12 found to have violated a law prohibiting acts of cruelty against  
13 animals, or who has a history of mental illness may not be a director,  
14 officer or enforcement officer or agent, or hold any position of  
15 authority, within a district (county) society.

16

17 6. (New section) A certified animal control officer shall have the  
18 power and authority, within the jurisdiction of the municipality or  
19 other entity employing, or contracting for, the animal control officer,  
20 to:

21 a. Enforce all laws or ordinances enacted for the protection of  
22 animals, including but not limited to animal control, animal welfare and  
23 animal cruelty laws and ordinances;

24 b. Investigate and sign complaints concerning any violation of an  
25 animal control, animal welfare or animal cruelty law or ordinance; and

26 c. Act, by virtue of the officer's appointment or employment and  
27 in addition to any other power and authority, as an officer for the  
28 detection, apprehension, arrest and conviction of offenders against the  
29 animal control, animal welfare and animal cruelty laws and ordinances.

30 Upon a request for assistance by a municipality or other entity that  
31 does not employ, or contract for, the animal control officer, a certified  
32 animal control officer may, within the jurisdiction of that municipality  
33 or other entity making the request, exercise the powers and authority  
34 granted pursuant to this section.

35

36 7. (New section) The Attorney General shall establish a formula  
37 for distribution in proportion to the level of participation in  
38 enforcement, the fines, penalties or monies collected through  
39 enforcement activities of the New Jersey Society for the Prevention of  
40 Cruelty to Animals, the appropriate district (county) society for the  
41 prevention of cruelty to animals, or any municipality.

42

43 8. (New Section) The police force of any county or municipality,  
44 shall, upon request, aid the New Jersey Society for the Prevention of  
45 Cruelty to Animals or any district (county) society for the prevention  
46 of cruelty to animals, or their members, officers or agents, in the

1 enforcement of all laws enacted for the protection of dumb animals.

2

3 9. (New Section) The New Jersey Society for the Prevention of  
4 Cruelty to Animals, or any district (county) society for the prevention  
5 of cruelty to animals, may request legal assistance from the office of  
6 the Attorney General, or the office of the appropriate state, county or  
7 municipal prosecutor, which the state, county or municipal prosecutor,  
8 or the Attorney General as the case may be, shall make every  
9 reasonable effort to provide.

10

11 10. (New section) a. The Attorney General shall designate a  
12 representative from the office of the Attorney General to advise the  
13 board of directors of the New Jersey Society for the Prevention of  
14 Cruelty to Animals on law enforcement matters and other society  
15 business.

16 b. The county prosecutor in each county in which a district  
17 (county) society for the prevention of cruelty to animals exists shall  
18 designate a representative from that office to act as a liaison to the  
19 district (county) society for the prevention of cruelty to animals.

20

21 11. R.S.4:22-12 is amended to read as follows:

22 4:22-12. A person not [a member of a duly organized or  
23 incorporated] an enforcement officer or agent of a district (county)  
24 society for the prevention of cruelty to animals or the New Jersey  
25 Society for the Prevention of Cruelty to Animals, who shall use the  
26 badge adopted by such society, which badge is made authority for  
27 making arrests, shall be guilty of a [misdemeanor, and for every such  
28 offense, be fined not less than fifty nor more than one hundred dollars]  
29 petty disorderly persons offense.

30 (cf: R.S.4:22-12)

31

32 12. R.S.4:22-43 is amended to read as follows:

33 4:22-43. Any [member,] enforcement officer or agent of the New  
34 Jersey Society for the Prevention of Cruelty to Animals or any district  
35 (county) society for the prevention of cruelty to animals may exercise  
36 and perform powers and duties like those exercised and performed by  
37 agents of the society who have been specially deputized by a sheriff.

38 (cf: R.S.4:22-43)

39

40 13. R.S.4:22-44 is amended to read as follows:

41 4:22-44. Any [member,] enforcement officer or agent of the New  
42 Jersey Society for the Prevention of Cruelty to Animals or any district  
43 (county) society for the prevention of cruelty to animals, authorized  
44 animal control officer, or any sheriff, undersheriff, constable or police  
45 officer may:

46 a. Make arrests for violations of this article;

1       b. Arrest without warrant any person found violating the provisions  
2 of this article in the presence of such [member,] officer, agent, sheriff,  
3 undersheriff, constable [or] a police officer or authorized animal  
4 control officer, and take such person before the nearest judge or  
5 magistrate as provided in this article.

6 (cf: P.L.1953, c.5, s.80)

7

8       14. R.S.4:22-47 is amended to read as follows:

9       4:22-47. A sheriff, undersheriff, constable, police officer, certified  
10 animal control officer who has completed the training program  
11 required pursuant to section 3 of P.L.1983, c.525 (C.4:19-15.16a), or  
12 agent of the New Jersey Society for the Prevention of Cruelty to  
13 Animals, may enter any building or place where there is an exhibition  
14 of the fighting or baiting of a living animal or creature, where  
15 preparations are being made for such an exhibition, or where a  
16 violation otherwise of R.S. 4:22-24 is occurring, arrest without  
17 warrant all persons there present, and take possession of all living  
18 animals or creatures engaged in fighting or there found and all  
19 implements or appliances used or to be used in such exhibition.

20 (cf: P.L.1989, c.35, s.4)

21

22       15. R.S.4:22-55 is amended to read as follows:

23       4:22-55. [All] a. Except as provided pursuant to subsection b. of  
24 this section, all fines, penalties and moneys imposed and collected  
25 under the provisions of this article, shall be paid by the court or by the  
26 clerk or court officer receiving the [same] fines, penalties or moneys,  
27 within thirty days and without demand, to the district (county) society  
28 for the prevention of cruelty to animals of the county where the [same]  
29 the fines, penalties or moneys were imposed and collected, if one is in  
30 existence in that county, and if not, then to the New Jersey Society for  
31 the Prevention of Cruelty to Animals, to be used by the society in aid  
32 of the benevolent objects for which it was incorporated.

33       b. If an enforcement action for a violation of this article is brought  
34 primarily as a result of the discovery and investigation of the violation  
35 by a certified animal control officer, the fines, penalties or moneys  
36 collected shall be paid to the municipality in which the violation  
37 occurred.

38       c. Any fines, penalties or moneys paid to a municipality or other  
39 entity pursuant to subsection b. of this section shall be allocated by the  
40 municipality or other entity to defray the cost of:

41       (1) enforcement of animal control, animal welfare and animal  
42 cruelty laws and ordinances, and

43       (2) the training required for certified animal control officers  
44 pursuant to section 3 of P.L. 1983, c.525 (C.4:19-15.16a).

45 (cf: P.L.1953, c.5, s.86)

1       16. Section 1 of P.L.1941, c.151 (C.4:19-15.1) is amended to read  
2 as follows:

3       1. "Certified animal control officer" means a person 18 years of age  
4 or older who has satisfactorily completed a course of study approved  
5 by the Commissioner of Health on the control and welfare of animals  
6 and the law concerning animal cruelty , as prescribed by [this  
7 amendatory and supplementary act or who has been employed in the  
8 State of New Jersey in the capacity of, and with similar responsibilities  
9 to those required of certified animal control officers pursuant to the  
10 provisions of this act, for a period of three years] P.L.1983, c.525  
11 (C.4:19-15.1 et al.); or who has been employed in the State of New  
12 Jersey in the capacity of, and with similar responsibilities to those  
13 required of, a certified animal control officer pursuant to the  
14 provisions of P.L.1983, c.525 for a period of three years before  
15 January 17, 1987.

16       "Dog" shall mean any dog, bitch or spayed bitch.

17       "Dog of licensing age" shall mean any dog which has attained the  
18 age of [7] seven months or which possesses a set of permanent teeth.

19       "Kennel" shall mean any establishment wherein or whereon the  
20 business of boarding or selling dogs or breeding dogs for sale is  
21 carried on, except a pet shop.

22       "Owner" when applied to the proprietorship of a dog shall include  
23 every person having a right of property in that dog and every person  
24 who has that dog in his keeping, and when applied to the  
25 proprietorship of any other animal, including but not limited to a cat,  
26 shall include every person having a right of property in that animal and  
27 every person who has that animal in his keeping.

28       "Pet shop" shall mean any room or group of rooms, cage or  
29 exhibition pen, not part of a kennel, wherein dogs for sale are kept or  
30 displayed.

31       "Pound" shall mean an establishment for the confinement of dogs  
32 or other animals seized either under the provisions of this act or  
33 otherwise.

34       "Shelter" shall mean any establishment where dogs or other animals  
35 are received, housed and distributed.

36 (cf: P.L.1983, c.525, s.1)

37

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

40       3. a. The Commissioner of Health shall, within 120 days after the  
41 effective date of [this amendatory and supplementary act] P.L.1983,  
42 c.525 (C.4:19-15.1 et al.), and pursuant to the "Administrative  
43 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules and  
44 regulations concerning the training and educational qualifications for  
45 the certification of animal control officers , including, but not limited  
46 to, a course of study approved by the commissioner and the Police

1 Training Commission, which acquaints a person with:

2 (1) The law as it affects animal control [and] , animal welfare , and  
3 animal cruelty;

4 (2) Animal behavior and the handling of stray or diseased animals;  
5 [and]

6 (3) Community safety as it relates to animal control ; and

7 (4) The law enforcement methods and techniques required for an  
8 animal control officer to properly exercise the authority to investigate  
9 and sign complaints and arrest without warrant pursuant to section 6  
10 of P.L. , c. (C. ) (now before the Legislature as this bill),  
11 including but not limited to those methods and techniques that relate  
12 to search, seizure and arrest.

13 b. The commissioner shall provide for the issuance of a certificate  
14 to a person who possesses, or acquires, the training and education  
15 required to qualify as a certified animal control officer pursuant to the  
16 provisions of [this act and the issuance of a certificate to a person  
17 who has been employed in the State of New Jersey in the capacity of,  
18 and with similar responsibilities to those required of certified animal  
19 control officers pursuant to the provisions of this act for a period of  
20 three years] P.L.1983, c.525, and the issuance of a certificate to a  
21 person who has been employed in the State of New Jersey in the  
22 capacity of, and with similar responsibilities to those required of, a  
23 certified animal control officer pursuant to the provisions of P.L.1983,  
24 c.525 for a period of three years before January 17, 1987.

25 c. The commissioner shall provide for the revocation of a  
26 certification of an animal control officer if the animal control officer  
27 is found to have violated any law prohibiting acts of cruelty against  
28 animals.

29 (cf: P.L.1983, c.525, s.3)

30

31 18. Section 4 of P.L.1983, c.525 (C.4:19-15.16b) is amended to  
32 read as follows:

33 4. The governing body of a municipality shall, within three years  
34 of the effective date of [this amendatory and supplementary act]  
35 P.L.1983, c.525 (C.4:19-15.1 et al.), appoint a certified animal control  
36 officer who shall be responsible for animal control within the  
37 jurisdiction of the municipality and who shall enforce and abide by the  
38 provisions of section 16 of P.L.1941, c. 151 (C.4:19-15.16). A  
39 certified animal control officer who has completed the training  
40 required pursuant to section 3 of P.L.1983, c.525 (C.4:19-15.16a)  
41 shall have the authority to investigate and sign complaints, arrest  
42 violators and otherwise act as an officer for detection, apprehension  
43 and conviction of offenders pursuant to the provisions of section 6 of  
44 P.L. , c. (C. )(now before the Legislature as this bill).

45 (cf: P.L.1983, c.525, s.4)

1 19. R.S.4:22-1 through R.S.4:22-6 and R.S.4:22-8 through  
2 R.S.4:22-11 are repealed.

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4 20. This act shall take effect 90 days after enactment.

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STATEMENT

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9 This bill would restructure the New Jersey Society for the  
10 Prevention of Cruelty to Animals (NJSPCA) and the district (county)  
11 societies for the prevention of cruelty to animals. The bill would  
12 revise the powers and duties of the NJSPCA and the district (county)  
13 societies and would authorize municipal animal control officers, who  
14 receive training, to enforce the laws concerning the prevention of  
15 animal cruelty.

16 New Jersey municipalities employ over 400 animal control officers  
17 throughout the State. The bill would therefore provide increased  
18 accessibility to a trained cruelty officer employed by a government  
19 unit.

20 The bill would direct that the NJSPCA be governed by a board of  
21 directors elected by the members of the NJSPCA and the members of  
22 the district (county) societies. The NJSPCA board of directors would  
23 have extensive powers to promote the interest of, and protect and care  
24 for, animals and to regulate the district (county) societies.

25 NJSPCA and district (county) society enforcement officers and  
26 agents would be required to complete training established by the New  
27 Jersey Police Training Commission.

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32 Revises structure of NJSPCA and extends authority of animal control  
33 officers.