



# ASSEMBLY, No. 1184

## STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

**Sponsored by:**

**Assemblyman MICHAEL J. ARNONE**

**District 12 (Monmouth)**

**Assemblywoman CLARE M. FARRAGHER**

**District 12 (Monmouth)**

**SYNOPSIS**

Prohibits leaving animal unattended under inhumane conditions in vehicle.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning animal cruelty, and amending R.S.4:22-17 and  
2 R.S.4:22-26.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. R.S.4:22-17 is amended to read as follows:

8 4:22-17. A person who shall:

9 a. Overdrive, overload, drive when overloaded, overwork, torture,  
10 torment, deprive of necessary sustenance, unnecessarily or cruelly beat  
11 or otherwise abuse, or needlessly mutilate or kill, a living animal or  
12 creature;

13 b. Cause or procure any of such acts to be done; or

14 c. Inflict unnecessary cruelty upon a living animal or creature of  
15 which he has charge either as owner or otherwise, or unnecessarily fail  
16 to provide it with proper food, drink, shelter or protection from the  
17 weather, or leave it unattended in a vehicle under inhumane conditions  
18 adverse to the health or welfare of the living animal or creature--

19 Shall be guilty of a disorderly persons offense, and notwithstanding  
20 the provisions of N.J.S.2C:43-3 to the contrary, for every such offense  
21 shall be fined not less than \$250 nor more than \$1,000, or be  
22 imprisoned for a term of not more than six months, or both, in the  
23 discretion of the court. In addition, the court (1) shall impose a term  
24 of community service of up to 30 days, and may direct that the term  
25 of community service be served in providing assistance to the New  
26 Jersey Society for the Prevention of Cruelty to Animals, a district  
27 (county) society for the prevention of cruelty to animals, or any other  
28 recognized organization concerned with the prevention of cruelty to  
29 animals or the humane treatment and care of animals, or to a  
30 municipality's animal control or animal population control program;  
31 (2) may require the violator to pay restitution or otherwise reimburse  
32 any costs for food, drink, shelter, or veterinary care or treatment, or  
33 other costs, incurred by any agency, entity, or organization  
34 investigating the violation, including but not limited to the New Jersey  
35 Society for the Prevention of Cruelty to Animals, a district (county)  
36 society for the prevention of cruelty to animals, any other recognized  
37 organization concerned with the prevention of cruelty to animals or  
38 the humane treatment and care of animals, or a local or State  
39 governmental entity; and (3) may impose any other appropriate  
40 penalties established for a disorderly persons offense pursuant to Title  
41 2C of the New Jersey Statutes.

42 (cf: P.L.1996, c.64, s.1)

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

- 1       2. R.S.4:22-26 is amended to read as follows:  
2       4:22-26. A person who shall:  
3       a. Overdrive, overload, drive when overloaded, overwork, torture,  
4       torment, deprive of necessary sustenance, or cruelly beat or otherwise  
5       abuse or needlessly mutilate or kill a living animal or creature;  
6       b. Cause or procure to be done by his agent, servant, employee or  
7       otherwise an act enumerated in subsection "a." of this section;  
8       c. Inflict unnecessary cruelty upon a living animal or creature of  
9       which he has charge or custody either as owner or otherwise, or  
10       unnecessarily fail to provide it with proper food, drink, shelter or  
11       protection from the weather , or leave it unattended in a vehicle under  
12       inhumane conditions adverse to the health or welfare of the living  
13       animal or creature ;  
14       d. Receive or offer for sale a horse that is suffering from abuse or  
15       neglect, or which by reason of disability, disease, abuse or lameness,  
16       or any other cause, could not be worked, ridden or otherwise used for  
17       show, exhibition or recreational purposes, or kept as a domestic pet  
18       without violating the provisions of this article;  
19       e. Keep, use, be connected with or interested in the management  
20       of, or receive money or other consideration for the admission of a  
21       person to, a place kept or used for the purpose of fighting or baiting  
22       a living animal or creature;  
23       f. Be present and witness, pay admission to, encourage, aid or  
24       assist in an activity enumerated in subsection "e." of this section;  
25       g. Permit or suffer a place owned or controlled by him to be used  
26       as provided in subsection "e." of this section;  
27       h. Carry, or cause to be carried, a living animal or creature in or  
28       upon a vehicle or otherwise, in a cruel or inhuman manner;  
29       i. Use a dog or dogs for the purpose of drawing or helping to draw  
30       a vehicle for business purposes;  
31       j. Impound or confine or cause to be impounded or confined in a  
32       pound or other place a living animal or creature, and shall fail to  
33       supply it during such confinement with a sufficient quantity of good  
34       and wholesome food and water;  
35       k. Abandon a maimed, sick, infirm or disabled animal or creature  
36       to die in a public place;  
37       l. Willfully sell, or offer to sell, use, expose, or cause or permit to  
38       be sold or offered for sale, used or exposed, a horse or other animal  
39       having the disease known as glanders or farcy, or other contagious or  
40       infectious disease dangerous to the health or life of human beings or  
41       animals, or who shall, when any such disease is beyond recovery,  
42       refuse, upon demand, to deprive the animal of life;  
43       m. Own, operate, manage or conduct a roadside stand or market  
44       for the sale of merchandise along a public street or highway; or a  
45       shopping mall, or a part of the premises thereof; and keep a living  
46       animal or creature confined, or allowed to roam in an area whether or

1 not the area is enclosed, on these premises as an exhibit; except that  
2 this subsection shall not be applicable to: a pet shop licensed pursuant  
3 to P.L.1941, c.151 (C.4:19-15.1 et seq.); a person who keeps an  
4 animal, in a humane manner, for the purpose of the protection of the  
5 premises; or a recognized breeders' association, a 4-H club, an  
6 educational agricultural program, an equestrian team, a humane  
7 society or other similar charitable or nonprofit organization conducting  
8 an exhibition, show or performance;

9 n. Keep or exhibit a wild animal at a roadside stand or market  
10 located along a public street or highway of this State; a gasoline  
11 station; or a shopping mall, or a part of the premises thereof;

12 o. Sell, offer for sale, barter or give away or display live baby  
13 chicks, ducklings or other fowl or rabbits, turtles or chameleons which  
14 have been dyed or artificially colored or otherwise treated so as to  
15 impart to them an artificial color;

16 p. Use any animal, reptile, or fowl for the purpose of soliciting any  
17 alms, collections, contributions, subscriptions, donations, or payment  
18 of money except in connection with exhibitions, shows or  
19 performances conducted in a bona fide manner by recognized breeders'  
20 associations, 4-H clubs or other similar bona fide organizations;

21 q. Sell or offer for sale, barter, or give away living rabbits, turtles,  
22 baby chicks, ducklings or other fowl under two months of age, for use  
23 as household or domestic pets;

24 r. Sell, offer for sale, barter or give away living baby chicks,  
25 ducklings or other fowl, or rabbits, turtles or chameleons under two  
26 months of age for any purpose not prohibited by subsection q. of this  
27 section and who shall fail to provide proper facilities for the care of  
28 such animals;

29 s. Artificially mark sheep or cattle, or cause them to be marked, by  
30 cropping or cutting off both ears, cropping or cutting either ear more  
31 than one inch from the tip end thereof, or half cropping or cutting both  
32 ears or either ear more than one inch from the tip end thereof, or who  
33 shall have or keep in his possession sheep or cattle, which he claims to  
34 own, marked contrary to this subsection unless they were bought in  
35 market or of a stranger;

36 t. Abandon a domesticated animal;

37 u. For amusement or gain, cause, allow, or permit the fighting or  
38 baiting of a living animal or creature;

39 v. Own, possess, keep, train, promote, purchase, or knowingly sell  
40 a living animal or creature for the purpose of fighting or baiting that  
41 animal or creature; or

42 w. Gamble on the outcome of a fight involving a living animal or  
43 creature--

44 Shall forfeit and pay a sum not to exceed \$250.00, except in the  
45 case of a violation of subsection "t." a mandatory sum of \$500, and  
46 \$1,000 if the violation occurs on or near a roadway, to be sued for and

1 recovered, with costs, in a civil action by any person in the name of the  
2 New Jersey Society for the Prevention of Cruelty to Animals.  
3 (cf: P.L.1998, c.105, s.3)

4

5 3. This act shall take effect immediately.

6

7

8

STATEMENT

9

10 This bill would make leaving an animal unattended in a vehicle  
11 under inhumane conditions adverse to the health or welfare of the  
12 animal a violation of the civil and criminal provisions of the statutes  
13 prohibiting animal cruelty.

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1184**

**STATE OF NEW JERSEY**

DATED: MARCH 23, 2000

The Assembly Agriculture and Natural Resources Committee reports favorably Assembly Bill No. 1184.

This bill would make leaving an animal unattended in a vehicle under inhumane conditions adverse to the health or welfare of the animal a violation of the civil and criminal provisions of the statutes prohibiting animal cruelty.

This bill was pre-filed for introduction in the 2000 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE ECONOMIC GROWTH, AGRICULTURE AND  
TOURISM COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1184**

**STATE OF NEW JERSEY**

DATED: SEPTEMBER 14, 2000

The Senate Economic Growth, Agriculture and Tourism Committee reports favorable Assembly Bill No. 1184.

This bill would make leaving an animal unattended in a vehicle under inhumane conditions adverse to the health or welfare of the animal a violation of the civil and criminal provisions of the statutes prohibiting animal cruelty.



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**Sponsored by:**

**Assemblyman MICHAEL J. ARNONE**

**District 12 (Monmouth)**

**Assemblywoman CLARE M. FARRAGHER**

**District 12 (Monmouth)**

**Co-Sponsored by:**

**Assemblymen Corodemus, Geist and Gusciora**

**SYNOPSIS**

Prohibits leaving animal unattended under inhumane conditions in vehicle.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Agriculture and Natural Resources Committee with technical review.



**(Sponsorship Updated As Of: 6/27/2000)**

1 AN ACT concerning animal cruelty, and amending R.S.4:22-17 and  
2 R.S.4:22-26.

3

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

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10 torment, deprive of necessary sustenance, unnecessarily or cruelly beat  
11 or otherwise abuse, or needlessly mutilate or kill, a living animal or  
12 creature;

13 b. Cause or procure any of such acts to be done; or

14 c. Inflict unnecessary cruelty upon a living animal or creature of  
15 which he has charge either as owner or otherwise, or unnecessarily fail  
16 to provide it with proper food, drink, shelter or protection from the  
17 weather, or leave it unattended in a vehicle under inhumane conditions  
18 adverse to the health or welfare of the living animal or creature--

19 Shall be guilty of a disorderly persons offense, and notwithstanding  
20 the provisions of N.J.S.2C:43-3 to the contrary, for every such offense  
21 shall be fined not less than \$250 nor more than \$1,000, or be  
22 imprisoned for a term of not more than six months, or both, in the  
23 discretion of the court. In addition, the court (1) shall impose a term  
24 of community service of up to 30 days, and may direct that the term  
25 of community service be served in providing assistance to the New  
26 Jersey Society for the Prevention of Cruelty to Animals, a district  
27 (county) society for the prevention of cruelty to animals, or any other  
28 recognized organization concerned with the prevention of cruelty to  
29 animals or the humane treatment and care of animals, or to a  
30 municipality's animal control or animal population control program;  
31 (2) may require the violator to pay restitution or otherwise reimburse  
32 any costs for food, drink, shelter, or veterinary care or treatment, or  
33 other costs, incurred by any agency, entity, or organization  
34 investigating the violation, including but not limited to the New Jersey  
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**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

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6 creature;
  - 7       b. Cause or procure to be done by his agent, servant, employee or  
8 otherwise an act enumerated in subsection a. of this section;
  - 9       c. Inflict unnecessary cruelty upon a living animal or creature of  
10 which he has charge or custody either as owner or otherwise, or  
11 unnecessarily fail to provide it with proper food, drink, shelter or  
12 protection from the weather , or leave it unattended in a vehicle under  
13 inhumane conditions adverse to the health or welfare of the living  
14 animal or creature ;
  - 15       d. Receive or offer for sale a horse that is suffering from abuse or  
16 neglect, or which by reason of disability, disease, abuse or lameness,  
17 or any other cause, could not be worked, ridden or otherwise used for  
18 show, exhibition or recreational purposes, or kept as a domestic pet  
19 without violating the provisions of this article;
  - 20       e. Keep, use, be connected with or interested in the management  
21 of, or receive money or other consideration for the admission of a  
22 person to, a place kept or used for the purpose of fighting or baiting  
23 a living animal or creature;
  - 24       f. Be present and witness, pay admission to, encourage, aid or  
25 assist in an activity enumerated in subsection e. of this section;
  - 26       g. Permit or suffer a place owned or controlled by him to be used  
27 as provided in subsection e. of this section;
  - 28       h. Carry, or cause to be carried, a living animal or creature in or  
29 upon a vehicle or otherwise, in a cruel or inhuman manner;
  - 30       i. Use a dog or dogs for the purpose of drawing or helping to  
31 draw a vehicle for business purposes;
  - 32       j. Impound or confine or cause to be impounded or confined in  
33 a pound or other place a living animal or creature, and shall fail to  
34 supply it during such confinement with a sufficient quantity of good  
35 and wholesome food and water;
  - 36       k. Abandon a maimed, sick, infirm or disabled animal or creature  
37 to die in a public place;
  - 38       l. Willfully sell, or offer to sell, use, expose, or cause or permit  
39 to be sold or offered for sale, used or exposed, a horse or other animal  
40 having the disease known as glanders or farcy, or other contagious or  
41 infectious disease dangerous to the health or life of human beings or  
42 animals, or who shall, when any such disease is beyond recovery,  
43 refuse, upon demand, to deprive the animal of life;
  - 44       m. Own, operate, manage or conduct a roadside stand or market  
45 for the sale of merchandise along a public street or highway; or a  
46 shopping mall, or a part of the premises thereof; and keep a living

- 1 animal or creature confined, or allowed to roam in an area whether or  
2 not the area is enclosed, on these premises as an exhibit; except that  
3 this subsection shall not be applicable to: a pet shop licensed pursuant  
4 to P.L.1941, c.151 (C.4:19-15.1 et seq.); a person who keeps an  
5 animal, in a humane manner, for the purpose of the protection of the  
6 premises; or a recognized breeders' association, a 4-H club, an  
7 educational agricultural program, an equestrian team, a humane  
8 society or other similar charitable or nonprofit organization conducting  
9 an exhibition, show or performance;
- 10 n. Keep or exhibit a wild animal at a roadside stand or market  
11 located along a public street or highway of this State; a gasoline  
12 station; or a shopping mall, or a part of the premises thereof;
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14 chicks, ducklings or other fowl or rabbits, turtles or chameleons which  
15 have been dyed or artificially colored or otherwise treated so as to  
16 impart to them an artificial color;
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18 any alms, collections, contributions, subscriptions, donations, or  
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20 performances conducted in a bona fide manner by recognized breeders'  
21 associations, 4-H clubs or other similar bona fide organizations;
- 22 q. Sell or offer for sale, barter, or give away living rabbits, turtles,  
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35 which he claims to own, marked contrary to this subsection unless they  
36 were bought in market or of a stranger;
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39 baiting of a living animal or creature;
- 40 v. Own, possess, keep, train, promote, purchase, or knowingly  
41 sell a living animal or creature for the purpose of fighting or baiting  
42 that animal or creature;
- 43 w. Gamble on the outcome of a fight involving a living animal or  
44 creature;
- 45 x. Knowingly sell or barter or offer for sale or barter, at wholesale  
46 or retail, the fur or hair of a domestic dog or cat or any product made

1 in whole or in part from the fur or hair of a domestic dog or cat, unless  
2 such fur or hair for sale or barter is from a commercial grooming  
3 establishment or a veterinary office or clinic or is for use for scientific  
4 research; or

5 y. Knowingly sell or barter or offer for sale or barter, at wholesale  
6 or retail, for human consumption, the flesh of a domestic dog or cat or  
7 any product made in whole or in part from the flesh of a domestic dog  
8 or cat --

9 Shall forfeit and pay a sum not to exceed \$250, except in the case  
10 of a violation of subsection t. a mandatory sum of \$500, and \$1,000  
11 if the violation occurs on or near a roadway, and in the case of a  
12 violation of subsection x. or y. a sum not to exceed \$1,000 for each  
13 domestic dog or cat fur or fur or hair product or domestic dog or cat  
14 carcass or meat product, to be sued for and recovered, with costs, in  
15 a civil action by any person in the name of the New Jersey Society for  
16 the Prevention of Cruelty to Animals.

17 (cf: P.L.1999, c.307, s.3)

18

19 3. This act shall take effect immediately.

P.L. 2000, CHAPTER 162, *approved December 7, 2000*

Assembly, No. 1184

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2 R.S.4:22-26.

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18 show, exhibition or recreational purposes, or kept as a domestic pet  
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- 20       e. Keep, use, be connected with or interested in the management  
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25 assist in an activity enumerated in subsection e. of this section;
- 26       g. Permit or suffer a place owned or controlled by him to be used  
27 as provided in subsection e. of this section;
- 28       h. Carry, or cause to be carried, a living animal or creature in or  
29 upon a vehicle or otherwise, in a cruel or inhuman manner;
- 30       i. Use a dog or dogs for the purpose of drawing or helping to  
31 draw a vehicle for business purposes;
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33 a pound or other place a living animal or creature, and shall fail to  
34 supply it during such confinement with a sufficient quantity of good  
35 and wholesome food and water;
- 36       k. Abandon a maimed, sick, infirm or disabled animal or creature  
37 to die in a public place;
- 38       l. Willfully sell, or offer to sell, use, expose, or cause or permit  
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- 44       m. Own, operate, manage or conduct a roadside stand or market  
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25 ducklings or other fowl, or rabbits, turtles or chameleons under two  
26 months of age for any purpose not prohibited by subsection q. of this  
27 section and who shall fail to provide proper facilities for the care of  
28 such animals;

29 s. Artificially mark sheep or cattle, or cause them to be marked,  
30 by cropping or cutting off both ears, cropping or cutting either ear  
31 more than one inch from the tip end thereof, or half cropping or  
32 cutting both ears or either ear more than one inch from the tip end  
33 thereof, or who shall have or keep in his possession sheep or cattle,  
34 which he claims to own, marked contrary to this subsection unless they  
35 were bought in market or of a stranger;

36 t. Abandon a domesticated animal;

37 u. For amusement or gain, cause, allow, or permit the fighting or  
38 baiting of a living animal or creature;

39 v. Own, possess, keep, train, promote, purchase, or knowingly  
40 sell a living animal or creature for the purpose of fighting or baiting  
41 that animal or creature;

42 w. Gamble on the outcome of a fight involving a living animal or  
43 creature;

44 x. Knowingly sell or barter or offer for sale or barter, at wholesale  
45 or retail, the fur or hair of a domestic dog or cat or any product made  
46 in whole or in part from the fur or hair of a domestic dog or cat, unless  
47 such fur or hair for sale or barter is from a commercial grooming



1 establishment or a veterinary office or clinic or is for use for scientific  
2 research; or

3 y. Knowingly sell or barter or offer for sale or barter, at wholesale  
4 or retail, for human consumption, the flesh of a domestic dog or cat or  
5 any product made in whole or in part from the flesh of a domestic dog  
6 or cat --

7 Shall forfeit and pay a sum not to exceed \$250, except in the case  
8 of a violation of subsection t. a mandatory sum of \$500, and \$1,000  
9 if the violation occurs on or near a roadway, and in the case of a  
10 violation of subsection x. or y. a sum not to exceed \$1,000 for each  
11 domestic dog or cat fur or fur or hair product or domestic dog or cat  
12 carcass or meat product, to be sued for and recovered, with costs, in  
13 a civil action by any person in the name of the New Jersey Society for  
14 the Prevention of Cruelty to Animals.

15 (cf: P.L.1999, c.307, s.3)

16

17 3. This act shall take effect immediately.

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22 Prohibits leaving animal unattended under inhumane conditions in  
23 vehicle.

## CHAPTER 162

AN ACT concerning animal cruelty, and amending R.S.4:22-17 and R.S.4:22-26.

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

1. R.S.4:22-17 is amended to read as follows

Cruelty; disorderly persons offense.

4:22-17. A person who shall:

a. Overdrive, overload, drive when overloaded, overwork, torture, torment, deprive of necessary sustenance, unnecessarily or cruelly beat or otherwise abuse, or needlessly mutilate or kill, a living animal or creature;

b. Cause or procure any of such acts to be done; or

c. Inflict unnecessary cruelty upon a living animal or creature of which he has charge either as owner or otherwise, or unnecessarily fail to provide it with proper food, drink, shelter or protection from the weather, or leave it unattended in a vehicle under inhumane conditions adverse to the health or welfare of the living animal or creature--

Shall be guilty of a disorderly persons offense, and notwithstanding the provisions of N.J.S.2C:43-3 to the contrary, for every such offense shall be fined not less than \$250 nor more than \$1,000, or be imprisoned for a term of not more than six months, or both, in the discretion of the court. In addition, the court (1) shall impose a term of community service of up to 30 days, and may direct that the term of community service be served in providing assistance to the New Jersey Society for the Prevention of Cruelty to Animals, a district (county) society for the prevention of cruelty to animals, or any other recognized organization concerned with the prevention of cruelty to animals or the humane treatment and care of animals, or to a municipality's animal control or animal population control program; (2) may require the violator to pay restitution or otherwise reimburse any costs for food, drink, shelter, or veterinary care or treatment, or other costs, incurred by any agency, entity, or organization investigating the violation, including but not limited to the New Jersey Society for the Prevention of Cruelty to Animals, a district (county) society for the prevention of cruelty to animals, any other recognized organization concerned with the prevention of cruelty to animals or the humane treatment and care of animals, or a local or State governmental entity; and (3) may impose any other appropriate penalties established for a disorderly persons offense pursuant to Title 2C of the New Jersey Statutes.

2. R.S.4:22-26 is amended to read as follows:

Penalty for acts constituting cruelty in general.

4:22-26. A person who shall:

a. Overdrive, overload, drive when overloaded, overwork, torture, torment, deprive of necessary sustenance, or cruelly beat or otherwise abuse or needlessly mutilate or kill a living animal or creature;

b. Cause or procure to be done by his agent, servant, employee or otherwise an act enumerated in subsection a. of this section;

c. Inflict unnecessary cruelty upon a living animal or creature of which he has charge or custody either as owner or otherwise, or unnecessarily fail to provide it with proper food, drink, shelter or protection from the weather, or leave it unattended in a vehicle under inhumane conditions adverse to the health or welfare of the living animal or creature ;

d. Receive or offer for sale a horse that is suffering from abuse or neglect, or which by reason of disability, disease, abuse or lameness, or any other cause, could not be worked, ridden or otherwise used for show, exhibition or recreational purposes, or kept as a domestic pet without violating the provisions of this article;

e. Keep, use, be connected with or interested in the management of, or receive money or other consideration for the admission of a person to, a place kept or used for the purpose of fighting or baiting a living animal or creature;

f. Be present and witness, pay admission to, encourage, aid or assist in an activity enumerated in subsection e. of this section;

g. Permit or suffer a place owned or controlled by him to be used as provided in subsection

e. of this section;

h. Carry, or cause to be carried, a living animal or creature in or upon a vehicle or otherwise, in a cruel or inhuman manner;

i. Use a dog or dogs for the purpose of drawing or helping to draw a vehicle for business purposes;

j. Impound or confine or cause to be impounded or confined in a pound or other place a living animal or creature, and shall fail to supply it during such confinement with a sufficient quantity of good and wholesome food and water;

k. Abandon a maimed, sick, infirm or disabled animal or creature to die in a public place;

l. Willfully sell, or offer to sell, use, expose, or cause or permit to be sold or offered for sale, used or exposed, a horse or other animal having the disease known as glanders or farcy, or other contagious or infectious disease dangerous to the health or life of human beings or animals, or who shall, when any such disease is beyond recovery, refuse, upon demand, to deprive the animal of life;

m. Own, operate, manage or conduct a roadside stand or market for the sale of merchandise along a public street or highway; or a shopping mall, or a part of the premises thereof; and keep a living animal or creature confined, or allowed to roam in an area whether or not the area is enclosed, on these premises as an exhibit; except that this subsection shall not be applicable to: a pet shop licensed pursuant to P.L.1941, c.151 (C.4:19-15.1 et seq.); a person who keeps an animal, in a humane manner, for the purpose of the protection of the premises; or a recognized breeders' association, a 4-H club, an educational agricultural program, an equestrian team, a humane society or other similar charitable or nonprofit organization conducting an exhibition, show or performance;

n. Keep or exhibit a wild animal at a roadside stand or market located along a public street or highway of this State; a gasoline station; or a shopping mall, or a part of the premises thereof;

o. Sell, offer for sale, barter or give away or display live baby chicks, ducklings or other fowl or rabbits, turtles or chameleons which have been dyed or artificially colored or otherwise treated so as to impart to them an artificial color;

p. Use any animal, reptile, or fowl for the purpose of soliciting any alms, collections, contributions, subscriptions, donations, or payment of money except in connection with exhibitions, shows or performances conducted in a bona fide manner by recognized breeders' associations, 4-H clubs or other similar bona fide organizations;

q. Sell or offer for sale, barter, or give away living rabbits, turtles, baby chicks, ducklings or other fowl under two months of age, for use as household or domestic pets;

r. Sell, offer for sale, barter or give away living baby chicks, ducklings or other fowl, or rabbits, turtles or chameleons under two months of age for any purpose not prohibited by subsection q. of this section and who shall fail to provide proper facilities for the care of such animals;

s. Artificially mark sheep or cattle, or cause them to be marked, by cropping or cutting off both ears, cropping or cutting either ear more than one inch from the tip end thereof, or half cropping or cutting both ears or either ear more than one inch from the tip end thereof, or who shall have or keep in his possession sheep or cattle, which he claims to own, marked contrary to this subsection unless they were bought in market or of a stranger;

t. Abandon a domesticated animal;

u. For amusement or gain, cause, allow, or permit the fighting or baiting of a living animal or creature;

v. Own, possess, keep, train, promote, purchase, or knowingly sell a living animal or creature for the purpose of fighting or baiting that animal or creature;

w. Gamble on the outcome of a fight involving a living animal or creature;

x. Knowingly sell or barter or offer for sale or barter, at wholesale or retail, the fur or hair of a domestic dog or cat or any product made in whole or in part from the fur or hair of a domestic dog or cat, unless such fur or hair for sale or barter is from a commercial grooming establishment or a veterinary office or clinic or is for use for scientific research; or

y. Knowingly sell or barter or offer for sale or barter, at wholesale or retail, for human consumption, the flesh of a domestic dog or cat or any product made in whole or in part from

the flesh of a domestic dog or cat --

Shall forfeit and pay a sum not to exceed \$250, except in the case of a violation of subsection t. a mandatory sum of \$500, and \$1,000 if the violation occurs on or near a roadway, and in the case of a violation of subsection x. or y. a sum not to exceed \$1,000 for each domestic dog or cat fur or fur or hair product or domestic dog or cat carcass or meat product, to be sued for and recovered, with costs, in a civil action by any person in the name of the New Jersey Society for the Prevention of Cruelty to Animals.

3. This act shall take effect immediately.

Approved December 7, 2000.

PO BOX 004  
TRENTON, NJ 08625

*Office of the Governor*  
**NEWS RELEASE**

CONTACT: Jayne O'Connor  
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RELEASE: December 7, 2000

**Governor Christie Whitman Today Signed the Following Legislation:**

**A-1184**, sponsored by Assembly Members Arnone (R-Monmouth) and Farragher (R-Monmouth), prohibits leaving animal unattended under inhumane conditions in a vehicle.

**A-1140**, sponsored by Assembly Members Russo (R-Bergen/Passaic) and Caraballo (D-Essex), enacts the Uniform Partnership Act (1996). This bill enacts the Revised Uniform Partnership Act (RUPA) that was developed by the National Conference of Commissioners on Uniform State Laws and has been approved by the American Bar Association. RUPA restructures the fundamentals of partnership law to reflect modern business practices.

**A-1410**, sponsored by Assembly Member DeCroce (R-Essex/Morris/Passaic), establishes the "Tony Pompelio Scholarship Fund" for the children of crime victims to attend New Jersey public colleges.