

# 4:19-15.16b

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2000 **CHAPTER:** 17  
**NJSA:** 4:19-15.16b (Animal cruelty violation – prohibits serving as animal control officer)  
**BILL NO:** S492 (Substituted for A786)  
**SPONSOR(S):** Ciesla and Allen  
**DATE INTRODUCED:** Pre-filed  
**COMMITTEE:** **ASSEMBLY:** ---  
**SENATE:** Economic Growth  
**AMENDED DURING PASSAGE:** No  
**DATE OF PASSAGE:** **ASSEMBLY:** March 16, 2000  
**SENATE:** February 7, 2000  
**DATE OF APPROVAL:** April 28, 2000

### FOLLOWING ARE ATTACHED IF AVAILABLE:

**FINAL TEXT OF BILL:** Original version enacted

#### **S492**

**SPONSORS STATEMENT** (Begins on p.2 of original bill) Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** No

**SENATE:** Yes

**FLOOR AMENDMENT STATEMENTS:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

#### **A786**

**SPONSORS STATEMENT:** (Begins on page 3 of original bill) Yes

Bill and sponsors statement identical to S492

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes

**SENATE:** No

**FLOOR AMENDMENT STATEMENTS:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

### FOLLOWING WERE PRINTED:

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

# SENATE, No. 492

## STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

**Sponsored by:**

**Senator ANDREW R. CIESLA**

**District 10 (Monmouth and Ocean)**

**Senator DIANE ALLEN**

**District 7 (Burlington and Camden)**

**Co-Sponsored by:**

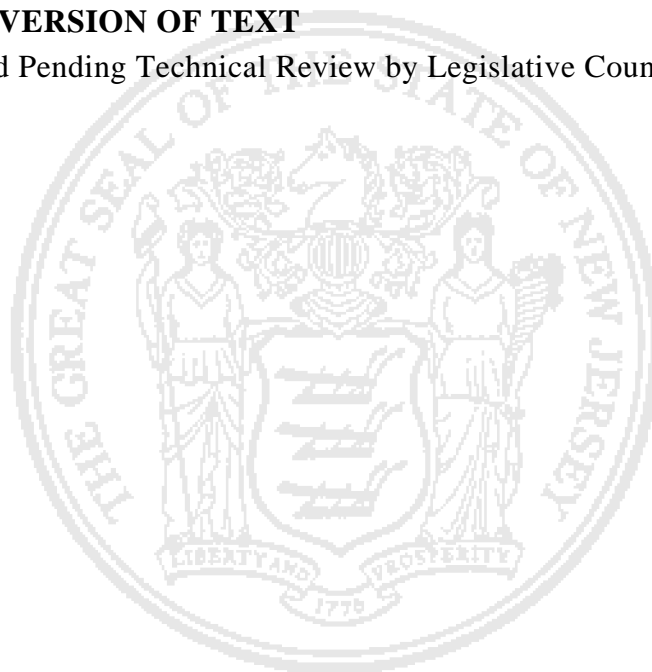
**Senators Sinagra, Matheussen, Inverso and Singer**

**SYNOPSIS**

Prohibits persons who violate animal cruelty statutes from serving as animal control officers.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning certified animal control officers, and amending  
2 P.L.1983, c.525.

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

6  
7 1. Section 4 of P.L.1983, c.525 (C.4:19-15.16b) is amended to  
8 read as follows:

9 4. The governing body of a municipality shall, within three years  
10 of the effective date of P.L.1983, c.525, appoint a certified animal  
11 control officer who shall be responsible for animal control within the  
12 jurisdiction of the municipality and who shall enforce and abide by the  
13 provisions of section 16 of P.L.1941, c.151 (C.4:19-15.16). The  
14 governing body shall not appoint a certified animal control officer,  
15 shall not contract for animal control services with any company that  
16 employs a certified animal control officer, and shall revoke the  
17 appointment of a certified animal control officer, who has been found  
18 to have violated the provisions of R.S.4:22-17, R.S.4:22-18, R.S.4:22-  
19 19, section 3 of P.L.1982, c.76 (C.4:22-19.1), section 3 of P.L.1982,  
20 c.158 (C.4:22-19.2), R.S.4:22-20, R.S.4:22-21, R.S.4:22-22,  
21 R.S.4:22-23, R.S.4:22-24, section 1 of P.L.1939 c.315 (C.4:22-25.1),  
22 or R.S.4:22-26.

23 The governing body may authorize the certified animal control  
24 officer to investigate and sign complaints, arrest violators and  
25 otherwise act as an officer for detection, apprehension and arrest of  
26 offenders against the animal control, animal welfare and animal cruelty  
27 laws of the State and ordinances of the municipality, if the officer has  
28 completed the training required pursuant to paragraph 4 of subsection  
29 a. of section 3 of P.L.1983, c.525 (C.4:19-15.16a). Only certified  
30 animal control officers who have completed the training may be  
31 authorized by the governing body to so act as an officer for detection,  
32 apprehension and arrest of offenders; however, officers who have  
33 completed the training shall not have the authority to so act unless  
34 authorized by the governing body which is employing the officer or  
35 contracting for the officer's services.

36 (cf: P.L.1997, c.247, s.3)

37

38 2. This act shall take effect immediately.

39

40 STATEMENT

41

42 This bill would prohibit the governing body of a municipality to  
43 appoint a certified animal control officer, contract for animal control

**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 services with any company that employs a certified animal control  
2 officer, and require the revocation of the appointment of a certified  
3 animal control officer, who has been found to have violated any of the  
4 following animal cruelty statutes: R.S.4:22-17, R.S.4:22-18, R.S.4:22-  
5 19, R.S.4:22-19, section 3 of P.L.1982, c.76 (C.4:22-19.1), section 3  
6 of P.L.1982, c.158 (C.4:22-19.2), R.S.4:22-20, R.S.4:22-21,  
7 R.S.4:22-22, R.S.4:22-23, R.S.4:22-24, section 1 of P.L.1939 c.315  
8 (C.4:22-25.1), or R.S.4:22-26.

SENATE ECONOMIC GROWTH, AGRICULTURE AND  
TOURISM COMMITTEE

STATEMENT TO

**SENATE, No. 492**

**STATE OF NEW JERSEY**

DATED: JANUARY 24, 2000

The Senate Economic Growth, Agriculture and Tourism Committee reports favorably Senate Bill No. 492.

This bill would prohibit the governing body of a municipality from appointing a certified animal control officer, or contracting for animal control services with any company that employs a certified animal control officer, who has been found to have violated any of the following animal cruelty statutes: R.S.4:22-17, R.S.4:22-18, R.S.4:22-19, R.S.4:22-19, section 3 of P.L.1982, c.76 (C.4:22-19.1), section 3 of P.L.1982, c.158 (C.4:22-19.2), R.S.4:22-20, R.S.4:22-21, R.S.4:22-22, R.S.4:22-23, R.S.4:22-24, section 1 of P.L.1939 c.315 (C.4:22-25.1), or R.S.4:22-26, and shall require the revocation of the appointment of a certified animal control officer who has been found to have committed the same violations.

This bill was prefiled for introduction in the 2000-2001 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

# SENATE, No. 492

## STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

**Sponsored by:**

**Senator ANDREW R. CIESLA**

**District 10 (Monmouth and Ocean)**

**Senator DIANE ALLEN**

**District 7 (Burlington and Camden)**

**Co-Sponsored by:**

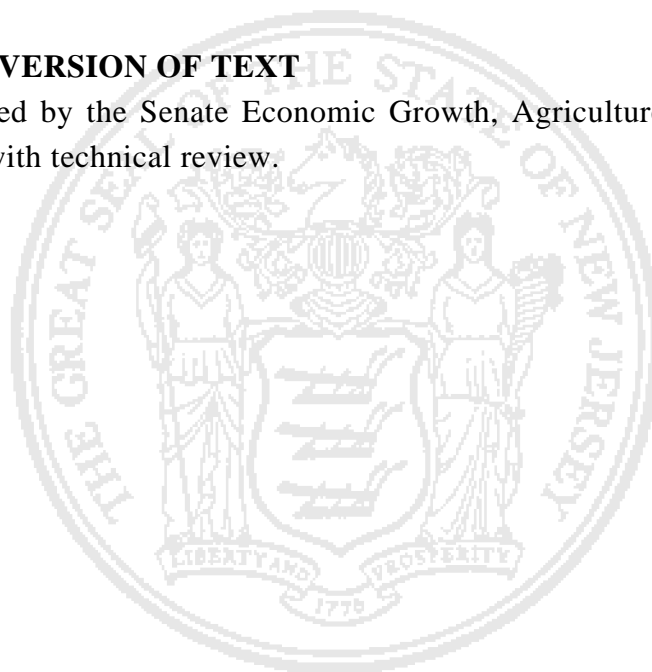
**Senators Sinagra, Matheussen, Inverso, Singer, Bucco, Kosco and  
Robertson**

**SYNOPSIS**

Prohibits persons who violate animal cruelty statutes from serving as animal control officers.

**CURRENT VERSION OF TEXT**

As reported by the Senate Economic Growth, Agriculture and Tourism Committee with technical review.



**(Sponsorship Updated As Of: 2/8/2000)**

1 AN ACT concerning certified animal control officers, and amending  
2 P.L.1983, c.525.

3  
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5 of New Jersey:

6  
7 1. Section 4 of P.L.1983, c.525 (C.4:19-15.16b) is amended to  
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26 offenders against the animal control, animal welfare and animal cruelty  
27 laws of the State and ordinances of the municipality, if the officer has  
28 completed the training required pursuant to paragraph 4 of subsection  
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30 animal control officers who have completed the training may be  
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32 apprehension and arrest of offenders; however, officers who have  
33 completed the training shall not have the authority to so act unless  
34 authorized by the governing body which is employing the officer or  
35 contracting for the officer's services.

36 (cf: P.L.1997, c.247, s.3)

37

38 2. This act shall take effect immediately.

**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.**

P.L. 2000, CHAPTER 17, *approved April 28, 2000*  
Senate, No. 492

1 AN ACT concerning certified animal control officers, and amending  
2 P.L.1983, c.525.

3

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19 19, section 3 of P.L.1982, c.76 (C.4:22-19.1), section 3 of P.L.1982,  
20 c.158 (C.4:22-19.2), R.S.4:22-20, R.S.4:22-21, R.S.4:22-22,  
21 R.S.4:22-23, R.S.4:22-24, section 1 of P.L.1939 c.315 (C.4:22-25.1),  
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26 offenders against the animal control, animal welfare and animal cruelty  
27 laws of the State and ordinances of the municipality, if the officer has  
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42 Prohibits persons who violate animal cruelty statutes from serving as  
43 animal control officers.

**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.**



## CHAPTER 17

AN ACT concerning certified animal control officers, and amending P.L.1983, c.525.

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

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

C.4:19-15.16b Appointment of certified animal control officer.

4. The governing body of a municipality shall, within three years of the effective date of P.L.1983, c.525, appoint a certified animal control officer who shall be responsible for animal control within the jurisdiction of the municipality and who shall enforce and abide by the provisions of section 16 of P.L.1941, c.151 (C.4:19-15.16). The governing body shall not appoint a certified animal control officer, shall not contract for animal control services with any company that employs a certified animal control officer, and shall revoke the appointment of a certified animal control officer, who has been found to have violated the provisions of R.S.4:22-17, R.S.4:22-18, R.S.4:22-19, section 3 of P.L.1982, c.76 (C.4:22-19.1), section 3 of P.L.1982, c.158 (C.4:22-19.2), R.S.4:22-20, R.S.4:22-21, R.S.4:22-22, R.S.4:22-23, R.S.4:22-24, section 1 of P.L.1939, c.315 (C.4:22-25.1), or R.S.4:22-26.

The governing body may authorize the certified animal control officer to investigate and sign complaints, arrest violators and otherwise act as an officer for detection, apprehension and arrest of offenders against the animal control, animal welfare and animal cruelty laws of the State and ordinances of the municipality, if the officer has completed the training required pursuant to paragraph 4 of subsection a. of section 3 of P.L.1983, c.525 (C.4:19-15.16a). Only certified animal control officers who have completed the training may be authorized by the governing body to so act as an officer for detection, apprehension and arrest of offenders; however, officers who have completed the training shall not have the authority to so act unless authorized by the governing body which is employing the officer or contracting for the officer's services.

2. This act shall take effect immediately.

Approved April 28, 2000.

## **Governor Signs Legislation**

Gov. Christie Whitman today signed the following pieces of legislation:

**S-267**, sponsored by Senators John O. Bennett (R-Monmouth) and John A. Lynch (D-Middlesex/Somerset/Union) and Assembly Members Charles Zisa (D-Bergen) and Gary W. Stuhltrager (R-Salem/Cumberland/Gloucester), establishes a grading system for shoplifting based upon the full retail value of the merchandise taken. Under previous law, shoplifting was classified as a disorderly person's offense.

Shoplifting will be treated as a second-degree crime if the value of the merchandise taken was \$75,000 or more; a third degree crime if the value of the merchandise was at least \$500 but less than \$75,000, and a fourth-degree crime if the value of the merchandise was at least \$200 but less than \$500. Shoplifting would be a disorderly person's offense if the value of the merchandise was less than \$200. The bill also changes sentencing provisions for shoplifting.

**A-1576**, sponsored by Assembly Member Charles Zisa (D-Bergen) and Senators John H. Adler (D-Camden) and Robert J. Martin (R-Essex/Morris/Passaic), clarifies criminal statutes dealing with obstruction of justice and resisting arrest. It also upgrades penalties for resisting arrest.

The bill upgrades resisting arrest from a disorderly person's offense to a fourth-degree crime when the actor, through flight, purposely attempts to prevent or prevents a police officer from making a lawful arrest. Under previous law, flight was not specifically included as a means to commit the offense of resisting arrest.

The bill also upgrades resisting arrest from a fourth-degree crime to a third-degree crime when the actor resists arrest by using or threatening physical force or by creating a substantial risk of physical injury to another person. Preventing or attempting to prevent an officer from making an arrest by other means would remain a disorderly person's offense. A third-degree crime is punishable by a three-to-five year period of incarceration, a \$15,000 fine or both. A fourth-degree crime is punishable by a maximum term of imprisonment of up to 18 months, a \$10,000 fine or both.

**S-492**, sponsored by Senators Andrew R. Ciesla (R-Monmouth/Ocean) and Diane B. Allen (R-Burlington/Camden) and Assembly Members James W. Holzapfel (R-Monmouth/Ocean) and David W. Wolfe (R-Monmouth/Ocean), prohibits the governing body of a municipality from appointing a certified animal control officer who was found to have violated any animal cruelty statutes. It also prohibits a municipality from contracting for animal control services with any company that employs a certified animal control officer who was found to have violated any animal cruelty statutes.