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"Christie approves 100 bills," The Record, January 22, 2014.

LAW/KR

P.L.2013, CHAPTER 205, *approved January 17, 2014*  
Senate, No. 1907 (*First Reprint*)

1 AN ACT concerning offenses against <sup>1</sup>service animals and<sup>1</sup> guide  
2 dogs, designated as “Dusty’s Law,” and supplementing <sup>1</sup>**[chapter**  
3 **29 of]**<sup>1</sup> Title 2C of the New Jersey Statutes.

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

7  
8 1. a. Any person who recklessly kills a <sup>1</sup>service animal or<sup>1</sup>  
9 guide dog, or who recklessly permits a dog that the person owns or  
10 over which the person has immediate control, to injure or kill a  
11 <sup>1</sup>service animal or<sup>1</sup> guide dog, is guilty of a crime of the fourth  
12 degree.

13 b. Any person who recklessly injures a <sup>1</sup>service animal or<sup>1</sup>  
14 guide dog, or recklessly permits a dog that the person owns or over  
15 which the person has immediate control, to injure a <sup>1</sup>service animal  
16 or<sup>1</sup> guide dog, is guilty of a disorderly persons offense.

17 c. Any person who recklessly interferes with the use of a  
18 <sup>1</sup>service animal or<sup>1</sup> guide dog, or who recklessly permits a dog that  
19 the person owns or over which that person has immediate control, to  
20 interfere with a <sup>1</sup>service animal or<sup>1</sup> guide dog<sup>1,1</sup> by obstructing,  
21 intimidating, or otherwise jeopardizing the safety of that <sup>1</sup>service  
22 animal or<sup>1</sup> guide dog or its handler<sup>1,1</sup> is guilty of a petty disorderly  
23 persons offense.

24 d. A person who is convicted of a violation of this section, in  
25 addition to any other penalty, shall make full restitution for all  
26 damages that arise out of or are related to the offense, including  
27 incidental and consequential damages incurred by the handler of the  
28 <sup>1</sup>service animal or<sup>1</sup> guide dog. Restitution under this section shall  
29 include, but not be limited to:

- 30 (1) the value of the <sup>1</sup>service animal or<sup>1</sup> guide dog;  
31 (2) replacement and training or retraining expenses for the  
32 <sup>1</sup>service animal or<sup>1</sup> guide dog and the handler;  
33 (3) veterinary and other medical and boarding expenses for the  
34 <sup>1</sup>service animal or<sup>1</sup> guide dog;  
35 (4) medical expenses for the handler; and  
36 (5) lost wages or income incurred by the handler during any  
37 period that the handler is without the services of the <sup>1</sup>service  
38 animal or<sup>1</sup> guide dog.

39 e. As used in this section <sup>1</sup>**[a guide]** :

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly ALP committee amendments adopted December 12, 2013.

1        “Guide<sup>1</sup> dog” shall mean a dog <sup>1</sup>【or dog in training】<sup>1</sup> which<sup>1</sup>【:

2        (1)】<sup>1</sup> has been or is being raised or trained <sup>1</sup>to provide assistance  
3 to a blind or deaf person, including but not limited to a dog that has  
4 been or is being raised or trained<sup>1</sup> by a volunteer puppy raiser or  
5 staff member of an organization generally recognized as being  
6 involved in the rehabilitation of the blind or deaf and reputable and  
7 competent to provide dogs with specialized training<sup>1</sup>【; or

8        (2) is fitted with a special harness so as to be suitable as an aid  
9 to the mobility of a blind person】.

10        “Service animal” shall have the same meaning as set forth in the  
11 federal “Americans with Disabilities Act of 1990” (42 U.S.C.  
12 s.12101 et seq.) and any regulations under the act<sup>1</sup>.

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14        2. This act shall take effect immediately.

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19        \_\_\_\_\_  
20        Establishes criminal penalties for killing, injuring or interfering  
with a service animal or guide dog; designated as “Dusty’s Law.”

# SENATE, No. 1907

## STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED MAY 14, 2012

**Sponsored by:**

**Senator ANTHONY R. BUCCO**

**District 25 (Morris and Somerset)**

**Senator JEFF VAN DREW**

**District 1 (Atlantic, Cape May and Cumberland)**

**Co-Sponsored by:**

**Senators Bateman, Holzapfel, Addiego, Greenstein and Stack**

**SYNOPSIS**

Establishes criminal penalties for killing, injuring or interfering with a guide dog; designated as “Dusty’s Law.”

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/21/2012)**

1 AN ACT concerning offenses against guide dogs, designated as  
2 “Dusty’s Law,” and supplementing chapter 29 of Title 2C of the  
3 New Jersey Statutes.

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

7  
8 1. a. Any person who recklessly kills a guide dog, or who  
9 recklessly permits a dog that the person owns or over which the  
10 person has immediate control, to injure or kill a guide dog, is guilty  
11 of a crime of the fourth degree.

12 b. Any person who recklessly injures a guide dog, or recklessly  
13 permits a dog that the person owns or over which the person has  
14 immediate control, to injure a guide dog, is guilty of a disorderly  
15 persons offense.

16 c. Any person who recklessly interferes with the use of a guide  
17 dog, or who recklessly permits a dog that the person owns or over  
18 which that person has immediate control, to interfere with a guide  
19 dog by obstructing, intimidating, or otherwise jeopardizing the  
20 safety of that guide dog or its handler is guilty of a petty disorderly  
21 persons offense.

22 d. A person who is convicted of a violation of this section, in  
23 addition to any other penalty, shall make full restitution for all  
24 damages that arise out of or are related to the offense, including  
25 incidental and consequential damages incurred by the handler of the  
26 guide dog. Restitution under this section shall include, but not be  
27 limited to:

- 28 (1) the value of the guide dog;  
29 (2) replacement and training or retraining expenses for the guide  
30 dog and the handler;  
31 (3) veterinary and other medical and boarding expenses for the  
32 guide dog;  
33 (4) medical expenses for the handler; and  
34 (5) lost wages or income incurred by the handler during any  
35 period that the handler is without the services of the guide dog.

36 e. As used in this section a “guide dog” shall mean a dog or  
37 dog in training which:

- 38 (1) has been or is being raised or trained by a volunteer puppy  
39 raiser or staff member of an organization generally recognized as  
40 being involved in the rehabilitation of the blind or deaf and  
41 reputable and competent to provide dogs with specialized training;  
42 or  
43 (2) is fitted with a special harness so as to be suitable as an aid  
44 to the mobility of a blind person.

45  
46 2. This act shall take effect immediately.

STATEMENT

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This bill would establish criminal penalties for killing, injuring, or interfering with a guide dog. The bill is to be known as “Dusty’s Law.”

Specifically, the bill would make it a crime of the fourth degree for a person to recklessly kill a guide dog, or to recklessly permit a dog that he or she owns or has immediate control over, to kill a guide dog. Fourth degree crimes are punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both.

A person who recklessly injures a guide dog, or recklessly permits a dog that he or she owns or has immediate control over, to injure a guide dog would be a disorderly person under the bill. Disorderly persons offenses are punishable by a term of imprisonment of up to six months, a fine of up to \$1,000, or both.

A person who recklessly interferes with the use of a guide dog, or who recklessly permits a dog that he or she owns or over which he or she has immediate control to interfere with a guide dog, by obstructing, intimidating, or otherwise jeopardizing the safety of that guide dog or its handler is guilty of a petty disorderly persons offense. Petty disorderly persons offenses are punishable by a term of imprisonment of up to 30 days, a fine of up to \$500, or both.

The bill also requires a person who recklessly kills, injures, or interferes with a guide dog to pay restitution. Restitution under the bill includes the value of the guide dog; replacement and training or retraining expenses for the guide dog and the handler; veterinary and other medical and boarding expenses for the guide dog; medical expenses for the handler; and lost wages or income incurred by the handler during any period that the handler is without the services of the guide dog.

The bill defines a “guide dog” as a dog, or dog in training, which (1) has been or is being raised or trained by a volunteer puppy raiser or staff member of an organization generally recognized as being involved in the rehabilitation of the blind or deaf and reputable and competent to provide dogs with specialized training; or (2) is fitted with a special harness so as to be suitable as an aid to the mobility of a blind person.

A person acts “recklessly” with respect to a material element of an offense under this State’s criminal code when he or she consciously disregards a substantial and unjustifiable risk that the material element exists or will result from his or her conduct. The risk must be of such a nature and degree that, considering the nature and purpose of the person’s conduct and the circumstances known to the person, its disregard involves a gross deviation from the standard of conduct that a reasonable person would observe in the person’s situation.

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### SENATE, No. 1907

# STATE OF NEW JERSEY

DATED: DECEMBER 6, 2012

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 1907.

This bill, to be known as “Dusty’s Law,” establishes criminal penalties for killing, injuring, or interfering with a guide dog. The bill defines a “guide dog” as a dog, or dog in training, which (1) has been or is being raised or trained by a volunteer puppy raiser or staff member of an organization generally recognized as being involved in the rehabilitation of the blind or deaf and reputable and competent to provide dogs with specialized training; or (2) is fitted with a special harness so as to be suitable as an aid to the mobility of a blind person.

Under the provisions of the bill, it is a crime of the fourth degree for a person to recklessly kill a guide dog, or to recklessly permit a dog that he or she owns or has immediate control over, to kill a guide dog. Fourth degree crimes are punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both.

A person who recklessly injures a guide dog, or recklessly permits a dog that he or she owns or has immediate control over, to injure a guide dog would be a disorderly person under the bill. Disorderly persons offenses are punishable by a term of imprisonment of up to six months, a fine of up to \$1,000, or both.

A person who recklessly interferes with the use of a guide dog, or who recklessly permits a dog that he or she owns or over which he or she has immediate control to interfere with a guide dog, by obstructing, intimidating, or otherwise jeopardizing the safety of that guide dog or its handler is guilty of a petty disorderly persons offense. Petty disorderly persons offenses are punishable by a term of imprisonment of up to 30 days, a fine of up to \$500, or both.

The bill also requires a person who recklessly kills, injures, or interferes with a guide dog to pay restitution. Restitution under the bill includes, but is not limited to, the value of the guide dog; replacement and training or retraining expenses for the guide dog and the handler; veterinary and other medical and boarding expenses for the guide dog; medical expenses for the handler; and lost wages or income incurred by the handler during any period that the handler is without the services of the guide dog.

A person acts “recklessly” with respect to a material element of an offense under this State’s criminal code when he or she consciously



disregards a substantial and unjustifiable risk that the material element exists or will result from his or her conduct. The risk must be of such a nature and degree that, considering the nature and purpose of the person's conduct and the circumstances known to the person, its disregard involves a gross deviation from the standard of conduct that a reasonable person would observe in the person's situation.

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **SENATE, No. 1907**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: DECEMBER 12, 2013

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 1907.

As amended and reported by the committee, Senate Bill No. 1907, to be known as “Dusty’s Law,” establishes criminal penalties for killing, injuring, or interfering with a service animal or guide dog. As introduced, the bill’s provisions only applied to guide dogs.

Under the provisions of the bill, it is a crime of the fourth degree for a person to recklessly kill a service animal or guide dog, or to recklessly permit a dog that he or she owns or has immediate control over, to kill a service animal or guide dog. Fourth degree crimes are punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both.

A person who recklessly injures a service animal or guide dog, or recklessly permits a dog that he or she owns or has immediate control over, to injure a service animal or guide dog would be a disorderly person under the bill. Disorderly persons offenses are punishable by a term of imprisonment of up to six months, a fine of up to \$1,000, or both.

A person who recklessly interferes with the use of a service animal or guide dog, or who recklessly permits a dog that he or she owns or over which he or she has immediate control to interfere with a guide dog, by obstructing, intimidating, or otherwise jeopardizing the safety of that service animal or guide dog or its handler, is guilty of a petty disorderly persons offense. Petty disorderly persons offenses are punishable by a term of imprisonment of up to 30 days, a fine of up to \$500, or both.

The bill also requires a person who recklessly kills, injures, or interferes with a service animal or guide dog to pay restitution. Restitution under the bill includes, but is not limited to, the value of the service animal or guide dog; replacement and training or retraining expenses for the service animal or guide dog and the handler; veterinary and other medical and boarding expenses for the service animal or guide dog; medical expenses for the handler; and lost wages or income incurred by the handler during any period that the handler is without the services of the service animal or guide dog.

A person acts “recklessly” with respect to a material element of an offense under this State’s criminal code when he or she consciously disregards a substantial and unjustifiable risk that the material element exists or will result from his or her conduct. The risk must be of such a nature and degree that, considering the nature and purpose of the person's conduct and the circumstances known to the person, its disregard involves a gross deviation from the standard of conduct that a reasonable person would observe in the person’s situation.

As amended, the bill defines a “guide dog” as a dog or dog in training which has been or is being raised or trained to provide assistance to a blind or deaf person, including but not limited to a dog that has been or is being raised or trained by a volunteer puppy raiser or staff member of an organization generally recognized as being involved in the rehabilitation of the blind or deaf and reputable and competent to provide dogs with specialized training. The amended bill defines a “service animal” as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. This is the definition of a service animal under the federal Americans with Disabilities Act.

As amended and reported by the committee, Senate Bill No. 1907 is identical to Assembly Committee Substitute for Assembly Bill No. 4105, also reported by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to broaden the bill’s provisions to include service animals. The committee also made the definition of a guide dog more general for prosecutorial purposes. Technical amendments also were made.

# ASSEMBLY, No. 4105

## STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED MAY 6, 2013

**Sponsored by:**

**Assemblyman CHARLES MAINOR**

**District 31 (Hudson)**

**Assemblyman SCOTT T. RUMANA**

**District 40 (Bergen, Essex, Morris and Passaic)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Co-Sponsored by:**

**Assemblywoman Schepisi, Assemblymen Giblin, Space, Assemblywoman  
McHose, Assemblymen S.Kean, Singleton and Wilson**

**SYNOPSIS**

Penalizes the act of recklessly killing, injuring or interfering with a guide dog; designated as "Dusty's Law."

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/13/2013)**

1 AN ACT concerning guide dogs, designated as “Dusty’s Law,” and  
2 supplementing chapter 29 of Title 2C of the New Jersey Statutes.

3

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

6

7 1. a. Any person who recklessly interferes with the use of a  
8 guide dog, or who recklessly permits a dog that the person owns or  
9 over which that person has immediate control to interfere with a  
10 guide dog by obstructing, intimidating, or otherwise jeopardizing  
11 the safety of that guide dog or its handler is guilty of a petty  
12 disorderly persons offense.

13 b. Any person who recklessly injures a guide dog, or recklessly  
14 permits a dog that the person owns or over which the person has  
15 immediate control, to injure a guide dog, is guilty of a disorderly  
16 persons offense.

17 c. Any person who recklessly kills a guide dog, or who  
18 recklessly permits a dog that the person owns or over which the  
19 person has immediate control to injure or kill a guide dog, is guilty  
20 of a crime of the fourth degree.

21

22 2. a. A person who is convicted of a violation of section 1 of  
23 P.L. , c. (C. )(pending before the Legislature as this bill), in  
24 addition to any other penalty, shall make full restitution for all  
25 damages that arise out of or are related to the offense, including  
26 incidental and consequential damages incurred by the handler of the  
27 guide dog. Restitution under this section shall include, but not be  
28 limited to:

29 (1) the value of the guide dog;

30 (2) replacement and training or retraining expenses for the guide  
31 dog and the handler;

32 (3) veterinary and other medical and boarding expenses for the  
33 guide dog;

34 (4) medical expenses for the handler; and

35 (5) lost wages or income incurred by the handler during any  
36 period that the handler is without the services of the guide dog.

37 b. As used in this section a “guide dog” shall mean a dog or  
38 dog in training which:

39 (1) has been or is being raised or trained by a volunteer puppy  
40 raiser or staff member of an organization generally recognized as  
41 being involved in the rehabilitation of the blind or deaf and  
42 reputable and competent to provide dogs with specialized training;  
43 or

44 (2) fitted with a special harness so as to be suitable as an aid to  
45 the mobility of a blind person.

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47 3. This act shall take effect immediately.

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This bill establishes criminal penalties for recklessly killing, injuring, or interfering with a guide dog. The bill is to be known as “Dusty’s Law.”

Specifically, the bill would make it a crime of the fourth degree for a person to recklessly kill a guide dog, or to recklessly permit a dog that he or she owns or has immediate control over to kill a guide dog. A person who recklessly injures a guide dog, or recklessly permits a dog that he or she owns or has immediate control over to injure a guide dog would be a disorderly person under the bill. Finally, a person who recklessly interferes with the use of a guide dog, or who recklessly permits a dog that he or she owns or over which he or she has immediate control to interfere with a guide dog, by obstructing, intimidating, or otherwise jeopardizing the safety of that guide dog or its handler is guilty of a petty disorderly persons offense.

Fourth degree crimes are punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both. Disorderly persons offenses are punishable by a term of imprisonment of up to six months, a fine of up to \$1,000, or both; petty disorderly persons offenses are punishable by a term of imprisonment of up to 30 days, a fine of up to \$500, or both.

The bill also requires a person who recklessly kills, injures, or interferes with a guide dog to pay restitution. Restitution under the bill includes the value of the guide dog; replacement and training or retraining expenses for the guide dog and the handler; veterinary and other medical and boarding expenses for the guide dog; medical expenses for the handler; and lost wages or income incurred by the handler during any period that the handler is without the services of the guide dog.

The bill defines a “guide dog” as a dog, or dog in training, which (1) has been or is being raised or trained by a volunteer puppy raiser or staff member of an organization generally recognized as being involved in the rehabilitation of the blind or deaf and reputable and competent to provide dogs with specialized training; or (2) is fitted with a special harness so as to be suitable as an aid to the mobility of a blind person.

A person acts “recklessly” with respect to a material element of an offense under this State’s criminal code when he or she consciously disregards a substantial and unjustifiable risk that the material element exists or will result from his or her conduct. The risk must be of such a nature and degree that, considering the nature and purpose of the person's conduct and the circumstances known to the person, its disregard involves a gross deviation from the standard of conduct that a reasonable person would observe in the person’s situation.

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, No. 4105

# STATE OF NEW JERSEY

DATED: DECEMBER 12, 2013

The Assembly Law and Public Safety Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 4105.

This Assembly Committee Substitute for Assembly Bill No. 4105, to be known as "Dusty's Law," establishes criminal penalties for killing, injuring, or interfering with a service animal or guide dog.

Under the provisions of the substitute, it is a crime of the fourth degree for a person to recklessly kill a service animal or guide dog, or to recklessly permit a dog that he or she owns or has immediate control over, to kill a service animal or guide dog. Fourth degree crimes are punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both.

A person who recklessly injures a service animal or guide dog, or recklessly permits a dog that he or she owns or has immediate control over, to injure a service animal or guide dog would be a disorderly person under the substitute. Disorderly persons offenses are punishable by a term of imprisonment of up to six months, a fine of up to \$1,000, or both.

A person who recklessly interferes with the use of a service animal or guide dog, or who recklessly permits a dog that he or she owns or over which he or she has immediate control to interfere with a guide dog, by obstructing, intimidating, or otherwise jeopardizing the safety of that service animal or guide dog or its handler is guilty of a petty disorderly persons offense. Petty disorderly persons offenses are punishable by a term of imprisonment of up to 30 days, a fine of up to \$500, or both.

The substitute also requires a person who recklessly kills, injures, or interferes with a service animal or guide dog to pay restitution. Restitution under the substitute includes, but is not limited to, the value of the service animal or guide dog; replacement and training or retraining expenses for the service animal or guide dog and the handler; veterinary and other medical and boarding expenses for the service animal or guide dog; medical expenses for the handler; and lost wages or income incurred by the handler during any period that the handler is without the services of the service animal or guide dog.

A person acts “recklessly” with respect to a material element of an offense under this State’s criminal code when he or she consciously disregards a substantial and unjustifiable risk that the material element exists or will result from his or her conduct. The risk must be of such a nature and degree that, considering the nature and purpose of the person's conduct and the circumstances known to the person, its disregard involves a gross deviation from the standard of conduct that a reasonable person would observe in the person’s situation.

The substitute defines a “guide dog” as a dog or dog in training which has been or is being raised or trained to provide assistance to a blind or deaf person, including but not limited to a dog that has been or is being raised or trained by a volunteer puppy raiser or staff member of an organization generally recognized as being involved in the rehabilitation of the blind or deaf and reputable and competent to provide dogs with specialized training. The substitute defines a “service animal” as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. This is the definition of a service animal under the federal Americans with Disabilities Act.

As reported by the committee, this Assembly Committee Substitute for Assembly Bill No. 4105 is identical to Senate Bill No. 1907, as amended and reported by the committee on this same date.