

4:22-20 - 4:22-26

LEGISLATIVE HISTORY CHECKLIST

WJSA 4:22-20 ; 4:22-26

LAWS OF 1977

CHAPTER 229 (Abandonment of Animals)

Bill No. S180

Sponsor(s) Russo, Martindell

Date Introduced Pre-filed

Committee: Assembly Agriculture and Environment

Senate Energy, Agriculture and Environment

Amended during passage Yes No

Date of Passage: Assembly May 16, 1977

Senate February 9, 1976

Date of approval September 20, 1977

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto Message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

Class 1978

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9/1/78

SENATE, No. 180

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Senators RUSSO and MARTINDELL

AN ACT concerning cruelty to animals, and amending R. S. 4:22-20
and R. S. 4:22-26.

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

1 1. R. S. 4:22-20 is amended to read as follows:

2 4:22-20. *a.* A person who shall abandon a maimed, sick, infirm
3 or disabled animal or creature **[to die in a public place]** *to die in a*
4 *public place*, shall be guilty of a misdemeanor and punished as
5 provided in section 4:22-17 of this Title.

6 *b.* A person who shall abandon a dog or cat shall be guilty of
7 a misdemeanor and punished as provided in section 4:22-17 of
8 this Title.

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, tor-
4 ture, torment, deprive of necessary sustenance, or cruelly beat or
5 otherwise abuse or needlessly mutilate or kill a living animal or
6 creature;

7 *b.* Cause or procure to be done by his agent, servant, employee or
8 otherwise an act enumerated in paragraph "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;

13 *d.* Receive or offer for sale a horse which by reason of disability,
14 disease or lameness, or any other cause, could not be worked with-
15 out violating the provisions of this article;

16 *e.* Keep, use, be connected with or interested in the management

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

17 of, or receive money or other consideration for the admission of a
18 person to, a place kept or used for the purpose of fighting or bait-
19 ing a living animal or creature;

20 f. Be present and witness, encourage, aid or assist in an activity
21 enumerated in paragraph "e" of this section;

22 g. Permit or suffer a place owned or controlled by him to be used
23 as provided in paragraph "e" of this section;

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

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

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

32 k. Abandon a maimed, sick, infirm or disabled animal or creature
33 **[to die in a public place]** *to die in a public place*;

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

40 m. Own, operate, manage or conduct a stand or roadside market
41 for the sale of merchandise along a highway and shall keep a living
42 animal or creature inhumanly confined on such premises as an
43 exhibit;

44 n. Keep or exhibit any wild animal, other than birds or fowl, at
45 any road stand, gasoline station or market located on any of the
46 public streets or highways of this State;

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

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

57 q. Sell or offer for sale, barter, or give away living rabbits,

58 turtles, baby chicks, ducklings or other fowl under 2 months of age,
59 for use as household or domestic pets;

60 r. Sell, offer for sale, barter or give away living baby chicks,
61 ducklings or other fowl, or rabbits, turtles or chameleons under 2
62 months of age for any purpose not prohibited by subsection q. of
63 this section and who shall fail to provide proper facilities for the
64 care of such animals.

65 s. Artificially mark sheep or cattle, or cause them to be marked,
66 by cropping or cutting off both ears, cropping or cutting either ear
67 more than 1 inch from the tip end thereof, or half cropping or
68 cutting both ears or either ear more than 1 inch from the tip end
69 thereof, or who shall have or keep in his possession sheep or cattle,
70 which he claims to own, marked contrary to this paragraph unless
71 they were bought in market or of a stranger~~[-]~~.

71A t. *Abandon a dog or cat—*

72 Shall forfeit and pay a sum not to exceed \$250.00 to be sued for
73 and recovered, with costs, in a civil action by any person in the name
74 of the New Jersey Society for the Prevention of Cruelty to Animals.

1 3. This act shall take effect immediately.

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FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

SEPTEMBER 20, 1977

KATHY FORSYTH

Governor Brendan Byrne Tuesday signed into law two bills designed to protect the welfare of animals.

The first bill, S-180, sponsored by Senator John Russo, D-Ocean, makes the abandonment of a dog or cat a misdemeanor punishable by a fine of up to \$250 or six months in the county jail or both.

Offenders would also be subject civilly in an amount of up to \$250 in an action to be brought by the New Jersey Society for the Prevention of Cruelty to Animals.

Under prior law, a person may only be penalized for abandoning an animal to die in a public place.

A-1727, sponsored by Assemblyman C. Louis Bassano, R-Union, provides that any person who destroys an animal by means which are not recognized as reliable by veterinarians, or which do not lead to rapid and painless death, is subject to a penalty of \$25 for the first offense and \$50 for subsequent offenses.

The law applies to municipal and county shelters and pounds, as well as impoundment services acting under contract, although not limited to these.

The bill is intended to prohibit certain painful methods of destroying animals, especially the particularly controversial use of injections of succinylcholine chloride, a drug which causes paralysis without loss of consciousness until the animal suffocates. A second method has been the use of decompression chambers in which air is rapidly removed.

The more accepted method of destruction is the injection of sodium phenobarbital, which causes immediate unconsciousness.

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