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IS 12/6/07

P.L. 2005, CHAPTER 258, *approved January 4, 2006*
Assembly, No. 1932 (*First Reprint*)

1 AN ACT concerning rights of handicapped, blind or deaf persons, and
2 amending P.L.1977, c.456 (C.10:5-29.5).

3

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

6

7 1. Section 7 of P.L.1977, c.456 (C.10:5-29.5) is amended to read
8 as follows:

9 7. Any person who violates the provisions of **[this act]** P.L.1977,
10 c.456 ¹[(C.10:5-29 et seq.)] in a manner not otherwise prohibited by
11 P.L.1945, c.169 (C.10:5-1 et seq.)¹, or who fits a dog with a harness
12 of the type commonly used by blind persons in order to represent that
13 such dog is a guide dog when training of the type that guide dogs
14 normally receive has not in fact, been provided, or who otherwise
15 ¹intentionally¹ interferes with the rights of a ¹[handicapped, blind or
16 deaf]¹ person ¹[, or who interferes with] with a disability, who is
17 accompanied by a guide or service dog, or¹ the function or the ability
18 to function of a guide or service dog, shall be fined not less than
19 **[\$100.00]** \$100 and not more than **[\$500.00]** \$500.

20 (cf: P.L.1977, c.456, s.7)

21

22 2. This act shall take effect ¹**[immediately]** on the 60th day after
23 enactment¹.

24

25

26

27

28 Amends and clarifies the rights of handicapped, blind or deaf persons
29 when accompanied by service or guide dogs.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AHH committee amendments adopted November 8, 2004.

ASSEMBLY, No. 1932

STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED JANUARY 26, 2004

Sponsored by:

Assemblyman JEFF VAN DREW

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

Assemblyman Diegnan

SYNOPSIS

Amends and clarifies the rights of handicapped, blind or deaf persons when accompanied by service or guide dogs.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/6/2004)

A1932 VAN DREW

2

1 AN ACT concerning rights of handicapped, blind or deaf persons, and
2 amending P.L.1977, c.456 (C.10:5-29.5).

3

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

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7 1. Section 7 of P.L.1977, c.456 (C.10:5-29.5) is amended to read
8 as follows:

9 7. Any person who violates the provisions of **[this act]** P.L.1977,
10 c.456 (C.10:5-29 et seq.), or who fits a dog with a harness of the type
11 commonly used by blind persons in order to represent that such dog
12 is a guide dog when training of the type that guide dogs normally
13 receive has not in fact, been provided, or who otherwise interferes
14 with the rights of a handicapped, blind or deaf person, or who
15 interferes with the function or the ability to function of a guide or
16 service dog, shall be fined not less than **[\$100.00]** \$100 and not more
17 than **[\$500.00]** \$500.

18 (cf: P.L.1977, c.456, s.7)

19

20 2. This act shall take effect immediately.

21

22

23

STATEMENT

24

25 This bill would amend and clarify the "Law Against Discrimination"
26 to prohibit interference with the rights of handicapped, blind or deaf
27 persons when accompanied by service or guide dogs, to the enjoyment,
28 advantages and privileges of all public facilities. This bill would also
29 specify a prohibition against interference with the function or the
30 ability to function of a guide or service dog.

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.

ASSEMBLY HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1932

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 8, 2004

The Assembly Health and Human Services Committee reports favorably and with committee amendments Assembly Bill No. 1932.

As amended by the committee, this bill amends N.J.S.A.10:5-29.5 to prohibit an individual from intentionally interfering with the rights of a person with a disability, who is accompanied by a service or guide dog, or the function or ability to function of a guide or service dog. A person who violates these prohibitions would be subject to a fine of not less than \$100 and not more than \$500.

The bill takes effect on the 60th day after enactment.

COMMITTEE AMENDMENTS

The committee amendments to the bill provide as follows:

- C The penalty is for a violation that is not otherwise prohibited by the "Law Against Discrimination" (which would be subject to a much larger penalty than is provided in the section amended by the bill), and applies to intentional interference with the rights of a person with a disability, who is accompanied by a guide or service dog, or the function or ability to function of a guide or service dog.
- C The term "handicapped, blind or deaf person" is revised to "person with a disability" to be consistent with the other sections of N.J.S.A.10:5-29 et seq.
- C The bill takes effect on the 60th day after enactment, rather than immediately.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1932

STATE OF NEW JERSEY

DATED: DECEMBER 1, 2005

The Senate Health, Human Services and Senior Citizens Committee reports favorably Assembly Bill No. 1932 (1R).

This bill amends N.J.S.A.10:5-29.5 to prohibit an individual from intentionally interfering with the rights of a person with a disability, who is accompanied by a service or guide dog, or the function or ability to function of a guide or service dog. A person who violates these prohibitions would be subject to a fine of not less than \$100 and not more than \$500.

This bill is identical to Senate Bill No. 2868 (Karcher), which the committee also reported favorably on this date.

SENATE, No. 2868

STATE OF NEW JERSEY
211th LEGISLATURE

INTRODUCED NOVEMBER 10, 2005

Sponsored by:

Senator ELLEN KARCHER

District 12 (Mercer and Monmouth)

Senator RONALD L. RICE

District 28 (Essex)

SYNOPSIS

Amends and clarifies the rights of handicapped, blind or deaf persons when accompanied by service or guide dogs.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/2/2005)

S2868 KARCHER, RICE

2

1 AN ACT concerning rights of handicapped, blind or deaf persons, and
2 amending P.L.1977, c.456 (C.10:5-29.5).

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5 of New Jersey:

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7 1. Section 7 of P.L.1977, c.456 (C.10:5-29.5) is amended to read
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9 7. Any person who violates the provisions of **[this act]** P.L.1977,
10 c.456 in a manner not otherwise prohibited by P.L.1945, c.169
11 (C.10:5-1 et seq.), or who fits a dog with a harness of the type
12 commonly used by blind persons in order to represent that such dog
13 is a guide dog when training of the type that guide dogs normally
14 receive has not in fact, been provided, or who otherwise intentionally
15 interferes with the rights of a person with a disability, who is
16 accompanied by a guide or service dog, or the function or the ability
17 to function of a guide or service dog, shall be fined not less than
18 **[\$100.00]** \$100 and not more than **[\$500.00]** \$500.

19 (cf: P.L.1977, c.456, s.7)

20

21 2. This act shall take effect on the 60th day after enactment.

22

23

24

STATEMENT

25

26 This bill amends N.J.S.A.10:5-29.5 to prohibit an individual from
27 intentionally interfering with the rights of a person with a disability,
28 who is accompanied by a service or guide dog, or the function or
29 ability to function of a guide or service dog. A person who violates
30 these prohibitions would be subject to a fine of not less than \$100 and
31 not more than \$500.

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.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 2868

STATE OF NEW JERSEY

DATED: DECEMBER 1, 2005

The Senate Health, Human Services and Senior Citizens Committee reports favorably Senate Bill No. 2868.

This bill amends N.J.S.A.10:5-29.5 to prohibit an individual from intentionally interfering with the rights of a person with a disability, who is accompanied by a service or guide dog, or the function or ability to function of a guide or service dog. A person who violates these prohibitions would be subject to a fine of not less than \$100 and not more than \$500.

This bill is identical to Assembly Bill No. 1932(1R) (Van Drew/Mayer), which the committee also reported favorably on this date.