

**LEGISLATIVE HISTORY CHECKLIST**  
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(Animal--forfeiture)

**NJSA:** 4:22-26.1

**LAWS OF:** 1995 **CHAPTER:** 255

**BILL NO:** A1122

**SPONSOR(S):** Geist

**DATE INTRODUCED:** January 27, 1994

**COMMITTEE:** **ASSEMBLY** Environment  
**SENATE:** Senior Citizens

**AMENDED DURING PASSAGE:** Yes Amendments during passage  
 First reprint enacted denoted by superscript numbers

**DATE OF PASSAGE:** **ASSEMBLY:** January 10, 1995  
**SENATE:** October 19, 1995

**DATE OF APPROVAL:** November 2, 1995

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

**SPONSOR STATEMENT:** Yes

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

**FISCAL NOTE:** No

**VETO MESSAGE:** No

**MESSAGE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

**REPORTS:** No

**HEARINGS:** No

See newspaper clipping--attached:  
 "Pet abuse will cost owners," 11-3-95, Star Ledger,

KBG:pp

[FIRST REPRINT]  
ASSEMBLY, No. 1122

STATE OF NEW JERSEY

INTRODUCED JANUARY 27, 1994

By Assemblyman GEIST and Assemblywoman MURPHY

1 AN ACT concerning animal forfeiture and supplementing chapter  
2 22 of Title 4 of the Revised Statutes.

3

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

6 1. <sup>1</sup>[A member,] An<sup>1</sup> officer or agent of the New Jersey  
7 Society for the Prevention of Cruelty to Animals, or a <sup>1</sup>[sheriff,  
8 undersheriff, constable or police] certified animal control<sup>1</sup>  
9 officer <sup>1,1</sup> may petition a court of competent jurisdiction to have  
10 any animal confiscated and forfeited that is owned or possessed  
11 by a person at the time the person is found to be guilty of  
12 violating R.S.4:22-17, R.S.4:22-18, R.S.4:22-19, R.S.4:22-20 or  
13 R.S.4:22-23. Upon a finding that the continued possession by that  
14 person poses a threat to the animal's welfare, the court may, in  
15 addition to any other penalty that may be imposed for a violation  
16 of R.S.4:22-17, R.S.4:22-18, R.S.4:22-19, R.S.4:22-20 or  
17 R.S.4:22-23, adjudge an animal forfeited for such disposition as  
18 the court deems appropriate.

19 2. This act shall take effect immediately.

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24 Authorizes court to adjudge an animal forfeited under certain  
25 circumstances.

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 AEN committee amendments adopted May 5, 1994.

ASSEMBLY, No. 1122

STATE OF NEW JERSEY

INTRODUCED JANUARY 27, 1994

By Assemblyman GEIST

1 AN ACT concerning animal forfeiture and supplementing chapter  
2 22 of Title 4 of the Revised Statutes.

3

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

6 1. A member, officer or agent of the New Jersey Society for  
7 the Prevention of Cruelty to Animals, or a sheriff, undersheriff,  
8 constable or police officer may petition a court of competent  
9 jurisdiction to have any animal confiscated and forfeited that is  
10 owned or possessed by a person at the time the person is found to  
11 be guilty of violating R.S.4:22-17, R.S.4:22-18, R.S.4:22-19,  
12 R.S.4:22-20 or R.S.4:22-23. Upon a finding that the continued  
13 possession by that person poses a threat to the animal's welfare,  
14 the court may, in addition to any other penalty that may be  
15 imposed for a violation of R.S.4:22-17, R.S.4:22-18, R.S.4:22-19,  
16 R.S.4:22-20 or R.S.4:22-23, adjudge an animal forfeited for such  
17 disposition as the court deems appropriate.

18 2. This act shall take effect immediately.

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STATEMENT

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23 This bill would authorize a member, officer or agent of the  
24 New Jersey Society for the Prevention of Cruelty to Animals, or  
25 a sheriff, undersheriff, constable or police officer to petition the  
26 court to have any animal confiscated and forfeited that is owned  
27 or possessed by a person who is found to be guilty of violating  
28 certain laws prohibiting cruelty to animals. Upon a finding that  
29 the person's continued possession of an animal would pose a  
30 threat to its welfare, in addition to any other penalty that may be  
31 imposed for a violation of these animal cruelty laws, a court may  
32 adjudge any animal forfeited that is owned or possessed by the  
33 violator. The bill would authorize the court to adjudge any  
34 animal forfeited that is owned or possessed by the violator at the  
35 time of the violation even if that specific animal had not been  
36 treated cruelly.

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41 Authorizes court to adjudge an animal forfeited under certain  
42 circumstances.

ASSEMBLY ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1122**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 5, 1994

The Assembly Environment and Energy Committee favorably reports Assembly Bill No. 1122 with Assembly committee amendments.

This bill authorizes a member, officer or agent of the New Jersey Society for the Prevention of Cruelty to Animals (NJSPCA), or a sheriff, undersheriff, constable or police officer, to petition the court to have any animal confiscated and forfeited that is owned or possessed by a person who is found to be guilty of violating certain laws prohibiting cruelty to animals. Upon a finding that the person's continued possession of an animal would pose a threat to its welfare, in addition to any other penalty that may be imposed for a violation of these animal cruelty laws, a court may adjudge any animal forfeited that is owned or possessed by the violator. The bill thus authorizes the court to adjudge any animal forfeited that is owned or possessed by the violator at the time of the violation even if that specific animal had not been treated cruelly.

The committee amended the bill to delete members of the NJSPCA, sheriffs, undersheriffs, constables, and police officers from those who may petition a court to have an animal confiscated and forfeited pursuant to the bill. The committee also amended the bill to add certified animal control officers to those under the bill, i.e., officers or agents of the NJSPCA, who are authorized to bring such petitions.

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SENATE SENIOR CITIZENS, VETERANS AFFAIRS  
AND AGRICULTURE COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 1122

STATE OF NEW JERSEY

DATED: FEBRUARY 6, 1995

The Senate Senior Citizens, Veterans Affairs and Agriculture Committee favorably reports Assembly Bill No. 1122 (1R).

This bill would authorize an officer or agent of the New Jersey Society for the Prevention of Cruelty to Animals (NJSPCA), or a certified animal control officer, to petition the court to have any animal confiscated and forfeited that is owned or possessed by a person who is found to be guilty of violating certain laws prohibiting cruelty to animals. Upon a finding that the person's continued possession of an animal would pose a threat to its welfare, in addition to any other penalty that may be imposed for a violation of these animal cruelty laws, a court may adjudge any animal forfeited that is owned or possessed by the violator. The bill thus authorizes the court to adjudge any animal forfeited that is owned or possessed by the violator at the time of the violation even if that specific animal had not been treated cruelly.

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## OFFICE OF THE GOVERNOR NEWS RELEASE

**CN-001**

**CONTACT:** Jayne Rebovich  
(609) 777-2600

**TRENTON, NJ 08625**

**RELEASE:** Nov. 2, 1995

Gov. Christie Whitman today signed legislation which authorizes the confiscation of animals owned by a person found guilty of violating the animal cruelty laws.

The legislation, A-1122, sponsored by Assemblyman George Geist (R-Camden/Gloucester) and Assemblywoman Carol Murphy (R-Essex/Morris/Passaic), authorizes an agent of the New Jersey Society for the Prevention of Cruelty to Animals (NJSPCA) or a certified animal control officer to petition a court to have an animal confiscated and ultimately forfeited if that animal is owned or possessed by a person who has been found guilty of violating the animal cruelty laws. Those laws prohibit animal owners from, among other things, beating and failing to provide sufficient food and shelter for animals.

Currently, violations of the animal cruelty laws are disorderly persons offenses. Most of these violations are punishable by up to 6 months in prison and up to a \$250 fine, or both. This bill adds the additional penalty of confiscation and forfeiture of the animals.

Under the legislation, a petition for forfeiture may be made at the time that an individual is found guilty of violating one of the animal cruelty laws. In order for a court to order the forfeiture, it must conclude that continued possession by the convicted individual poses a threat to the animal's welfare. The bill permits a court to order the confiscation and forfeiture of any animal owned by a person convicted of violating the animal cruelty laws, even if that animal was not subject to the abusive treatment that led to the violation.