

4:22-12

LEGISLATIVE HISTORY CHECKLIST  
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(Animal cruelty)

NJSA: 4:22-12

LAWS OF: 1995 CHAPTER: 355

BILL NO: A1323

SPONSOR(S): Geist

DATE INTRODUCED: February 10, 1994

COMMITTEE: ASSEMBLY: Environment  
SENATE: Senior Citizens

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: December 1, 1994  
SENATE: December 18, 1995

DATE OF APPROVAL: January 5, 1996

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes  
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

RECEIVED  
JAN 10 1996  
LEGISLATIVE HISTORY CHECKLIST

See newspaper clipping--attached:  
"Tough on cruelty to animals," 12-28-95, Philadelphia Inquirer.

KBP:pp

P.L.1995, CHAPTER 355, approved January 5, 1996  
1994 Assembly No. 1323

1 AN ACT concerning criminal penalties for violations of the  
2 animal cruelty statutes and amending various parts of the  
3 statutory law.

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

7 1. R.S.4:22-12 is amended to read as follows:

8 4:22-12. A person not a member of a duly organized or  
9 incorporated society for the prevention of cruelty to animals,  
10 who shall use the badge adopted by such society, which badge is  
11 made authority for making arrests, shall be guilty of a  
12 [misdemeanor, and for every such offense, be fined not less than  
13 fifty nor more than one hundred dollars] petty disorderly persons  
14 offense.

15 (cf: R.S.4:22-12)

16 2. R.S.4:22-17 is amended to read as follows:

17 4:22-17. A person who shall:

18 a. Overdrive, overload, drive when overloaded, overwork,  
19 torture, torment, deprive of necessary sustenance, unnecessarily  
20 or cruelly beat or otherwise abuse, or needlessly mutilate or kill,  
21 a living animal or creature;

22 b. Cause or procure any of such acts to be done; or

23 c. Inflict unnecessary cruelty upon a living animal or creature  
24 of which he has charge either as owner or otherwise, or  
25 unnecessarily fail to provide it with proper food, drink, shelter or  
26 protection from the weather--

27 Shall be guilty of a [misdemeanor, and for every such offense  
28 shall be fined not more than two hundred and fifty dollars, or be  
29 imprisoned in the county jail not more than six months, or both,  
30 in the discretion of the court] disorderly persons offense.

31 (cf: R.S.4:22-17)

32 3. R.S.4:22-18 is amended to read as follows:

33 4:22-18. A person who shall carry, or cause to be carried, a  
34 living animal or creature in or upon a vehicle or otherwise, in a  
35 cruel or [inhuman] inhumane manner, shall be guilty of a  
36 [misdemeanor and punished as provided in section 4:22-17 of this  
37 title] disorderly persons offense.

38 (cf: R.S.4:22-18)

39 4. R.S.4:22-21 is amended to read as follows:

40 4:22-21. A person who shall receive or offer for sale a horse  
41 which by reason of disability, disease or lameness, or for any  
42 other cause, could not be worked without violating the provisions

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.

1 of this article or any law of this state relating to cruelty to  
2 animals shall be guilty of a [misdemeanor and punished by a fine  
3 of not less than ten dollars nor more than one hundred dollars, or  
4 by imprisonment for not more than six months, or both] disorderly  
5 persons offense.

6 (cf: R.S.4:22-21)

7 5. R.S.4:22-22 is amended to read as follows:

8 4:22-22. A person who shall:

9 a. Willfully sell, or offer to sell, use, expose, or cause or  
10 permit to be sold or offered for sale, used or exposed, any horse  
11 or other animal having the disease known as glanders or farcy, or  
12 other contagious or infectious disease dangerous to the health or  
13 life of human beings or animals; or

14 b. When any such disease is beyond recovery, refuse upon  
15 demand to deprive any such animal of life--

16 Shall be guilty of a [misdemeanor] crime of the fourth degree.

17 6. R.S.4:22-23 is amended to read as follows:

18 4:22-23. A person who shall:

19 a. Use a live pigeon, fowl or other bird for the purpose of a  
20 target, or to be shot at either for amusement or as a test of skill  
21 in marksmanship;

22 b. Shoot at a bird used as aforesaid or is a party to such  
23 shooting; or

24 c. Lease a building, room, field or premises, or knowingly  
25 permit the use thereof for the purpose of such shooting--

26 Shall be guilty of a [misdemeanor and shall, for each offense,  
27 be fined sixty dollars and an additional twenty-five dollars]  
28 disorderly persons offense, and shall, in addition to any penalty  
29 assessed therefor, be fined \$25 for each bird shot at or killed in  
30 violation of this section. This section shall not apply to the  
31 shooting of game.

32 (cf: R.S.4:22-23)

33 7. Section 2 of P.L.1939, c.315 (C.4:22-25.2) is amended to  
34 read as follows:

35 2. Any person who shall violate any of the provisions of [this  
36 act] section 1 of P.L.1939, c.315 (C.4:22-25.1) shall be [fined not  
37 less than five dollars (\$5.00) and not more than twenty-five  
38 dollars (\$25.00) for the first offense and not less than twenty-five  
39 dollars (\$25.00) and not more than fifty dollars (\$50.00) and ten  
40 days in jail for the second offense] guilty of a petty disorderly  
41 persons offense.

42 (cf: P.L.1953, c.5, s.62)

43 8. This act shall take effect immediately.

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#### STATEMENT

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48 This bill would revise the criminal penalties for various animal  
49 cruelty offenses to conform them with terminology used in the  
50 "New Jersey Code of Criminal Justice," N.J.S.2C:1-1 et seq.  
51 Criminal violations of the animal cruelty laws would, for the  
52 most part, be disorderly persons offenses. A disorderly persons  
53 offense carries a maximum term of imprisonment of six months  
54 and a maximum fine of \$1,000. This revision would therefore

1 increase the maximum fine authorized to be assessed for some  
2 violations. The unauthorized shooting of birds would be reduced  
3 from a fourth degree crime to a disorderly persons offense; and  
4 the unauthorized use of a badge of a member of a duly organized  
5 society for the prevention of cruelty to animals would be reduced  
6 from a fourth degree crime to a disorderly persons offense.  
7 Finally, a person who hits, injures or runs over an animal and fails  
8 to report it would be guilty of a petty disorderly persons offense.

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Updates criminal penalty terminology in animal cruelty statutes.

ASSEMBLY, No. 1323

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 10, 1994

By Assemblyman GEIST

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2 animal cruelty statutes and amending various parts of the  
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22 b. Cause or procure any of such acts to be done; or

23 c. Inflict unnecessary cruelty upon a living animal or creature  
24 of which he has charge either as owner or otherwise, or  
25 unnecessarily fail to provide it with proper food, drink, shelter or  
26 protection from the weather--

27 Shall be guilty of a [misdemeanor, and for every such offense  
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14 b. When any such disease is beyond recovery, refuse upon  
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22 b. Shoot at a bird used as aforesaid or is a party to such  
23 shooting; or

24 c. Lease a building, room, field or premises, or knowingly  
25 permit the use thereof for the purpose of such shooting--

26 Shall be guilty of a [misdemeanor and shall, for each offense,  
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Updates criminal penalty terminology in animal cruelty statutes.

ASSEMBLY ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1323

STATE OF NEW JERSEY

DATED: MAY 5, 1994

The Assembly Environment and Energy Committee favorably reports Assembly Bill No. 1323.

This bill revises the criminal penalties for various animal cruelty offenses to conform them with terminology used in the "New Jersey Code of Criminal Justice," N.J.S.2C:1-1 et seq. Criminal violations of the animal cruelty laws would, for the most part, be disorderly persons offenses. A disorderly persons offense carries a maximum term of imprisonment of six months and a maximum fine of \$1,000. This revision would therefore increase the maximum fine authorized to be assessed for some violations. However, the unauthorized shooting of birds would be reduced from a fourth degree crime to a disorderly persons offense; and the unauthorized use of a badge of a member of a duly organized society for the prevention of cruelty to animals would be reduced from a fourth degree crime to a petty disorderly persons offense. Finally, a person who hits, injures or runs over an animal and fails to report it would be guilty of a petty disorderly persons offense. A petty disorderly persons offense carries a maximum term of imprisonment of 30 days and a maximum fine of \$500.



SENATE SENIOR CITIZENS, VETERANS AFFAIRS  
AND AGRICULTURE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1323

STATE OF NEW JERSEY

DATED: JANUARY 12, 1995

The Senate Senior Citizens, Veterans Affairs and Agriculture Committee favorably reports Assembly Bill No. 1323.

This bill would revise the criminal penalties for various animal cruelty offenses to conform them with terminology used in the "New Jersey Code of Criminal Justice," N.J.S.2C:1-1 et seq. Criminal violations of the animal cruelty laws would, for the most part, be disorderly persons offenses. A disorderly persons offense carries a maximum term of imprisonment of six months and a maximum fine of \$1,000. This revision would therefore increase the maximum fine authorized to be assessed for some violations. However, the unauthorized shooting of birds would be reduced from a fourth degree crime to a disorderly persons offense; and the unauthorized use of a badge of a member of a duly organized society for the prevention of cruelty to animals would be reduced from a fourth degree crime to a petty disorderly persons offense. Finally, a person who hits, injures or runs over an animal and fails to report it would be guilty of a petty disorderly persons offense. A petty disorderly persons offense carries a maximum term of imprisonment of 30 days and a maximum fine of \$500.