

45:16-13 to 45:16-18

LEGISLATIVE HISTORY CHECKLIST

HJSA 45:16-13 to 45:16-18 (Unretrieved Animal Act)

LAWS OF 1979 CHAPTER 354

Bill No. S3285

Sponsor(s) Bedell

Date Introduced May 24, 1979

Committee: Assembly Agriculture and Environment

Senate Agriculture

Amended during passage Yes

Amendments during passage denoted by asterisks

Date of Passage: Assembly Jan. 3, 1980

Senate Nov. 13, 1979

Date of approval Jan. 29, 1980

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~~

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SENATE, No. 3285

STATE OF NEW JERSEY

INTRODUCED MAY 24, 1979

By Senator BEDELL

Referred to Committee on Agriculture

AN ACT concerning the practice of veterinary medicine with respect to **[abandoned]** *unretrieved* animals and supplementing chapter 16 of Title 45 of the Revised Statutes.

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

1 1. This act shall be known and may be cited as the "New Jersey
2 **[Abandoned]** *Unretrieved* Animal Act."

1 2. As used in this act:

2 " **[Abandoned]** *Unretrieved* animal" means an animal
3 placed for confined treatment or boarding by its owner or an agent
4 thereof in the care and custody of a veterinarian or boarding
5 kennel, which animal is not retrieved by the owner or agent thereof
6 from the veterinarian within 72 hours of being notified *in any*
7 *manner* that the confined treatment is completed or from the
8 boarding kennel within 72 hours of the last day the animal was to
9 be boarded **[**, and to which its owner or his agent relinquishes
9A all rights **]**.

10 "Humane disposal" means euthanasia by or under the direct
11 supervision of a veterinarian or placement in a suitable home or
12 animal shelter *which shall not include any home or shelter which*
13 *engages in animal experimentation or, by sale or otherwise, makes*
14 *animals available for the purpose of animal experimentation*.

1 3. A veterinarian or boarding kennel may elect the humane dis-
2 posal of an **[abandoned]** *unretrieved* animal *no sooner*
3 *than 4 days* after **[**notifying the owner or agent thereof of such
4 intent by certified mail, return receipt requested, at the owner's or
5 agent's last known address. **]** *the owner or agent thereof has*
6 *signed or refused to sign for the receipt of a certified letter from*
7 *the veterinarian or boarding kennel owner indicating intent to*
8 *humanely dispose of the animal, which letter shall be sent to the*

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

9 owner's or agent's last known address. In the event the owner
10 cannot be notified by certified mail, return receipt requested, the
11 veterinarian or boarding kennel owner may elect humane disposal
12 any time after 4 days following return of the certified mail receipt.
13 The veterinarian or boarding kennel manager shall keep an accu-
14 rate record of the date and method of disposal and the name,
15 address and telephone number of the person or shelter receiving
16 the animal.**

1 4. The humane disposal of an ****[abandoned]**** ****unretrieved****
2 animal shall not relieve the owner or agent thereof of any financial
3 obligation incurred for treatment, boarding or care by the veter-
4 inarian or boarding kennel.

1 5. Notification ****and humane disposal**** as provided in section 3
2 of this act shall relieve the veterinarian or boarding kennel of any
3 further liability regarding the ****[abandoned]**** ****unretrieved****
4 animal.

1 ****6. The veterinarian or boarding kennel shall post in a con-**
2 **spicuous location in the hospital or kennel a resume of the provi-**
3 **sions of this act.****

1 ****[6.]**** ****7.**** This act shall take effect immediately.

STATEMENT

The purpose of this bill is to provide licensed veterinarians and boarding kennels with a reasonable procedure whereby they can humanely dispose of animals which have been abandoned by their owners.

By definition, an abandoned animal is one which is left with a veterinarian or boarding kennel for a period of 72 hours or more after it should have been retrieved by the owner.

In order to dispose of an abandoned animal by placing it in a suitable home or by euthanasia, the veterinarian or boarding kennel would first have to notify the owner by certified mail, return receipt requested, at the end of the 72 hour abandonment period. Such notification would not relieve the owner of any financial obligation incurred in the boarding or treatment of the animal, but would relieve the veterinarian or kennel of liability with respect to the animal.

Each year many thousands of animals are brought to veterinarians for treatment or kennels for boarding and are left abandoned by their owners. Not only must the veterinarian absorb the financial loss associated with treating the animal, but must also absorb the cost of boarding and feeding the animal long after it is well enough to be released. Furthermore, a veterinarian who acts to ameliorate such a predicament may risk liability for civil damages from actions brought by an owner who suddenly appears to reclaim his or her animal. Boarding kennels face very similar problems.

S. 3285 (1979)

SENATE AGRICULTURE COMMITTEE
STATEMENT TO
SENATE, No. 3285

STATE OF NEW JERSEY

DATED: JUNE 21, 1979

The purpose of this bill is to provide licensed veterinarians and boarding kennels with a reasonable procedure whereby they can humanely dispose of animals which have been abandoned by their owners.

By definition, an abandoned animal is one which is left with a veterinarian or boarding kennel for a period of 72 hours or more after it should have been retrieved by the owner.

In order to dispose of an abandoned animal by placing it in a suitable home or by euthanasia, the veterinarian or boarding kennel would first have to notify the owner by certified mail, return receipt requested, at the end of the 72 hour abandonment period. The committee believed humanitarian interests dictated that an additional 4 days waiting period be established after such abandonment period to allow owners time to respond. Such notification would not relieve the owner of any financial obligation incurred in the boarding or treatment of the animal, but would relieve the veterinarian or kennel of liability with respect to the animal.

Each year many thousands of animals are brought to veterinarians for treatment or kennels for boarding and are left abandoned by their owners. Not only must the veterinarian absorb the financial loss associated with treating the animal, but must also absorb the cost of boarding and feeding the animal long after it is well enough to be released. Furthermore, a veterinarian who acts to ameliorate such a predicament may risk liability for civil damages from actions brought by an owner who suddenly appears to reclaim his or her animal. Boarding kennels face very similar problems.