



## NEW JERSEY PET SHOPS FACE INCREASED FINES FOR LICENSING VIOLATIONS

### **The Issue.**

Assembly Bill 1850 would increase penalties for pet shop owners found to be in violation of certain pet shop laws and regulations, from the existing range of \$5 to \$50, to a new range of \$100 to \$1,000 for each offense.

### **The Impact.**

This bill proposes a 1,000% increase in the fine amount a pet shop may face if found in violation of certain state licensing laws. The bill would change the fine range from \$5-\$50 to \$100- \$1,000 for each offense.

Current state licensing law for pet shops provides that “any person who keeps or operates or proposes to establish a kennel, a pet shop, a shelter or a pound shall apply to the clerk or other official designated to license dogs in the municipality where such establishment is located, for a license entitling him to keep or operate such establishment”. The licenses are subject to renewal annually. Any shop in violation of this law may be subject to the increased fines.

New Jersey law defines "pet shop" as “any place of business which is not part of a kennel, wherein animals, including, but not limited to, dogs, cats, birds, fish, reptiles, rabbits, hamsters or gerbils, are kept or displayed chiefly for the purpose of sale to individuals for personal appreciation and companionship rather than for business or research purposes”.

### **PIJAC Position.**

These increased fines are excessive and without justification. Licensing of pet stores is necessary, BUT excessive, unwarranted fines are not acceptable. PIJAC urges all pet stores to take action against this bill.

### **Recommended Action.**

This bill has been assigned to the Assembly Agriculture & Natural Resources Committee. No committee hearing has yet been set. The same legislation was introduced in 2008, but no action was taken. Clearly, this is an issue that keeps arising in New Jersey and all pet stores should be aware of these exorbitant fines.

We urge all pet stores within New Jersey to contact the committee members listed below to express concerns on this increase in fines.

To easily contact both members of the Committee, as well as your own Representative, visit PIJAC's [Legislative Action Center](http://www.pijac.org/governmentaffairs) on the PIJAC website (<http://www.pijac.org/governmentaffairs>) to learn how.



The text to this legislation is attached to the online version of this *PetAlert*, found on the ‘Breaking News’ page of the PIJAC website (<http://www.pijac.org/petinformation/breakingnews.asp>).

If you have further questions please feel free to contact PIJAC’s Bambi Nicole Osborne by phone at 202-452-1525 or via email at [bambi@pijac.org](mailto:bambi@pijac.org).

**State of New Jersey  
Assembly Committee on Agriculture & Natural Resources  
State House Annex, Box 068  
Trenton, NJ 08625  
609/292-7676**

<u>ASSEMBLYPERSON</u>	<u>DISTRICT(S)</u>	<u>TEL. #</u>	<u>EMAIL</u>
Nelson T. Albano (Ch) (D-1)	Cape May, Atlantic, Cumberland	609/292-4840	<a href="http://www.njleg.state.nj.us/members/BIO.asp?Leg=248">http://www.njleg.state.nj.us/members/BIO.asp?Leg=248</a>
Celeste M. Riley (V-Ch)(D-3)	Salem, Cumberland, Gloucester	609/292-4840	<a href="http://www.njleg.state.nj.us/members/BIO.asp?Leg=312">http://www.njleg.state.nj.us/members/BIO.asp?Leg=312</a>
John F. Amodeo (R-2)	Atlantic	609/292-4840	<a href="http://www.njleg.state.nj.us/members/BIO.asp?Leg=267">http://www.njleg.state.nj.us/members/BIO.asp?Leg=267</a>
Ronald S. Dancer (R-30)	Camden, Gloucester	609/292-4840	<a href="http://www.njleg.state.nj.us/members/BIO.asp?Leg=219">http://www.njleg.state.nj.us/members/BIO.asp?Leg=219</a>
Gilbert L. Wilson (D-5)	Burlington, Mercer, Monmouth, Ocean	609/292-4840	<a href="http://www.njleg.state.nj.us/members/BIO.asp?Leg=325">http://www.njleg.state.nj.us/members/BIO.asp?Leg=325</a>

**PIJAC Members! PIJAC Fans! Join US...**

The Pet Industry Joint Advisory Council (PIJAC) has been protecting and promoting responsible pet ownership for nearly forty years. Follow our successes, events, and action alerts through Facebook and/or Twitter at PIJAC4pets. If you are not already a Member, please join us today by visiting [www.pijac.org/membership](http://www.pijac.org/membership). For additional information on PIJAC and its many exciting campaigns, please visit: [www.pijac.org](http://www.pijac.org) and [www.dontmesswithmypet.org](http://www.dontmesswithmypet.org). Or, contact us at 1-800-553-PETS (1-800-553-7387); [members@pijac.org](mailto:members@pijac.org).

**On behalf of pets, responsible pet owners, and the pet industry, we thank you!**

**ASSEMBLY, No. 1850  
STATE OF NEW JERSEY  
214th LEGISLATURE**

INTRODUCED JANUARY 25, 2010

**Sponsored by:  
Assemblyman REED GUSCIORA  
District 15 (Mercer)**

**SYNOPSIS**

Increases penalties for violations of certain pet shop laws and regulations.

**CURRENT VERSION OF TEXT**

As introduced.

**AN ACT** concerning pet shops and amending P.L.1941, c.151.

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

1. Section 19 of P.L.1941, c.151 (C.4:19-15.19) is amended to read as follows:

19. a. Except as otherwise provided in [this act] P.L.1941, c.151 (C.4:19-15.1 et seq.) and in subsection b. of this section, any person who violates or who fails or refuses to comply with sections 2, 4, 6, 7, 8, 10 or 18 of [this act] P.L.1941, c.151 (C.4:19-15.2, C.4:19-15.4, C.4:19-15.6 through C.4:19-15.8, C.4:19-15.10, C.4:19-15.18) or the rules and regulations promulgated by the State Department of Health and Senior Services pursuant to section 14 of [this act] P.L.1941, c.151 (C.4:19-15.14), shall be liable to a penalty of not less than [\$5.00] \$5 nor more than [\$50.00] \$50 for each offense, to be recovered by and in the name of the [Director] Commissioner of Health and Senior Services of the State of New Jersey, or by and in the name of the local board of health of the municipality, or by and in the name of the municipality, as the case may be, except that for the first offense in cases of violations of sections 2, 4 and 6 of [this act] P.L.1941, c.151 (C.4:19-15.2, C.4:19-15.4, C.4:19-15.6), the penalty shall be not less than [\$1.00] \$1 nor more than [\$50.00] \$5, to be recovered in the same manner.

b. Notwithstanding the provisions of subsection a. to the contrary, any pet shop that violates or that fails or refuses to comply with sections 8, 10 or 18 of P.L.1941, c.151 (C.4:19-15.8, C.4:19-15.10, C.4:19-15.18) or the rules and regulations promulgated by the State Department of Health and Senior Services pursuant to section 14 of P.L.1941, c.151 (C.4:19-15.14), shall be liable to a penalty of not less than \$100 nor more than \$1,000 for each offense, to be recovered by and in the name of the Commissioner of Health and Senior Services of the State of New Jersey, or by and in the name of the local board of health of the municipality, or by and in the name of the municipality, as the case may be.

(cf: P.L.1974, c.69, s.2)

2. This act shall take effect immediately.

#### STATEMENT

The purpose of this bill is to enhance the power of the State and its municipalities to enforce certain laws regulating the treatment of animals. Specifically, this bill increases penalties for pet shop owners found to be in violation of certain pet shop laws and regulations from a range of \$5 to \$50 to a range of \$100 to \$1,000 for each offense.