

Governor Phil Murphy

Governor Murphy Signs Legislation Strengthening Protections for Animals Involved in Cruelty Violations

07/26/2023

TRENTON – Governor Phil Murphy today signed legislation (S-981/A-2354) strengthening protections for animals by establishing procedures for the seizure, care, and forfeiture of animals involved in animal cruelty violations.

“I am proud to sign legislation that will not only strengthen protections for animals in New Jersey, but ensure that animals who have suffered cruel treatment are cared for swiftly and sufficiently,” **said Governor Murphy**. “These safeguards and procedures will enable law enforcement to intercept cases of animal cruelty and make certain that those animals are given a second chance.”

Under the legislation, a court is authorized to issue a warrant allowing a humane law enforcement officer or other State or local law enforcement officer to enter private property where an animal is located, and to take custody of the animal, upon a showing of probable cause that there has been an animal cruelty violation. The legislation also states that in cases where an officer has a reasonable basis to believe that immediate assistance is required to protect the animal from harm, the officer would be authorized to enter onto private property and take custody of the animal without a warrant.

Further, the bill requires animals taken into custody be placed in the care of a licensed shelter, pound, or kennel operating as a shelter or pound. Any such facility having custody of an animal will be authorized to provide care to improve the animal's physical or psychological well-being or to transfer the animal to an animal rescue organization facility or a foster home, whenever it determines that such placement or care is in the animal's best interest. The bill would authorize an animal care agency that receives and cares for an animal taken into custody in the manner described above to file a complaint in the Superior Court seeking the reasonable costs of care for the animal.

Primary Sponsors of S-981/A-2354 include Senators Patrick Diegnan Jr. and Vin Gopal, and Assemblymembers Raj Mukherji, Daniel Benson, and Annette Chaparro.

“This legislation provides protection to pets who are victims of neglectful or abusive owners,” **said Senator Patrick Diegnan**. “By holding owners responsible for the food, housing, and veterinary expenses associated with sheltering animal cruelty victims, this law will also help ensure at-risk animals receive the care they need while simultaneously relieving shelters of significant added costs. This is truly a gamechanger for New Jersey's shelters and the animals they protect.”

“Caring for victims of animal cruelty can be costly and burdensome for local animal shelters,” **said Assemblyman Raj Mukherji**. “Some animals remain stuck in legal limbo for several months or even years while their cases are pending before the court. Because these animals are ‘living evidence’ and still belong to the accused, they cannot be adopted until a verdict is made, which depletes already limited shelter resources. This law empowers shelters to file complaints that hold an animal's owner—and alleged abuser—responsible for the cost of their care.”

“Crucially, multiple layers of due process will protect owners while also holding them accountable for the care of animals they still own; in particular, the due process requirements embedded in current statute, the NJ and US Constitutions, and S-981 itself will protect both owner rights and the welfare of vulnerable animals,” **said the Institute for American Leadership President and former Senator Ray Lesniak and Policy Advisor Debora M.**



Bresch in a joint statement. “There has been a continuous drumbeat of support for this proposal from New Jersey social justice and animal welfare organizations, animal shelters, police departments, and prosecutor’s offices. The Lesniak Institute is grateful to Senator Diegnan and Assemblyman Mukherji for championing, the New Jersey Legislature for passing, and Governor Murphy for quickly signing into law this crucial cost of animal care legislation to help ensure that New Jersey shelters can provide protection and care to any animal in need.”

“This is a long-anticipated victory for animal victims and those who care for them. New Jersey joins 40 other states in holding alleged abusers accountable for costs of care for animal victims while they are in protective custody or requiring the animals be relinquished – allowing victims an opportunity to heal and have their physical and psychological needs properly addressed,” **said Animal Legal Defense Fund Legislative Affairs Manager Brian R. Hackett.** “We thank Governor Phil Murphy, bill sponsors, the Legislature, and the Administrative Office of the Courts, along with many other animal protection stakeholders, for their partnership on this critically important piece of legislation for animals.”

“On behalf of St. Hubert’s Animal Welfare Center, and the entire Humane Rescue Alliance, we extend our deepest gratitude to the sponsors, the New Jersey Legislature, and Governor Murphy,” **said Emily Hovermale, Director of Government Affairs, Humane Rescue Alliance.** “By making it easier for animal shelters to care for victims of animal cruelty, New Jersey is paving the way for a brighter future for countless animals. We thank the sponsors and Legislature for their leadership and Governor Murphy for swiftly signing this legislation into law, making it easier for every New Jersey companion animal to be protected and given a second chance at a life filled with compassion and kindness.”

“The financial and psychological harms are exacerbated in cases involving multiple animal cruelty victims,” **said Elissa Frank, New Jersey State Director for the Humane Society of the United States.** “Fortunately, in the recent Brick hoarding case, the owners voluntarily relinquished ownership of over 170 animals, but this result only crystallized the need for S-981. By requiring an abusive owner to pay the reasonable court-approved costs of caring for a seized animal or forfeit ownership of the animal to the custodial shelter – which can then begin the process of finding the animal a permanent home – this essential law will help New Jersey shelters wisely and humanely allocate their limited resources. HSUS thanks the bill sponsors for their leadership as well as Governor Murphy for his signature.”

“Companion Animal Advocates, NJ, wholeheartedly supports S-981/A-2354 – Establishment of procedures for seizure, care, and forfeiture of animals involved in animal cruelty violations - The Cost of Animal Care. This bipartisan and mainstream solution is a vital step towards addressing the pressing issue of caring for abused, unhoused, and at-risk animals,” **said Companion Animal Advocates, NJ.** “In harmony with laws already enacted in forty other states, COAC showcases its wide acceptance and proven effectiveness in providing essential shelter care for animals in need from cruel conditions. The bill incorporates multiple layers of due process, safeguarding the rights of pet owners while holding them accountable for their pets’ well-being. At Companion Animal Advocates, NJ, we firmly believe that COAC offers a balanced approach, permitting court-approved reasonable costs of care. By doing so, we ensure compassionate and humane treatment of animals across all communities in New Jersey. The enactment of this crucial bill aims to create a better and more caring environment for our beloved companions by ensuring that animals rescued from cruel and inhumane conditions are not re-victimized through prolonged stays in shelters while their cases make their way through the court system.”

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