

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 3746

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 12, 2024

The Senate Economic Growth Committee reports favorably and with committee amendments Senate Bill No. 3746.

As amended and reported, this bill, designated as “Moose’s Law,” prohibits a person who has been convicted of a criminal animal cruelty offense, for a period of time specified by a court, from: (1) commencing, operating, applying for employment at, being employed by, or volunteering at, or participating in any capacity in, an “animal-related enterprise,” as that term is defined in the bill; or (2) acquiring, owning, or residing with any animal. Under the bill, any person who violates these provisions is guilty of a disorderly persons offense.

The bill directs the court, upon the conviction of a person for a criminal animal cruelty offense, to order the forfeiture of any animal owned by the offender and, based upon the best interest of the animal owned by the offender, including the animal’s health, safety, well-being, and protection from harm: (1) transfer such animal to the custody of a licensed shelter, pound, or kennel operating as a shelter or pound; or (2) transfer such animal to the co-owner of the animal, provided that the animal is co-owned by a person who does not live with the offender and who has not been convicted of an animal cruelty offense.

The bill directs the court to prohibit the offender from acquiring, owning, or residing with any animal for: (1) a period of not less than two years following the date of the offender’s conviction for the offense, or following the date of the offender’s release from incarceration for the offense, whichever is later; (2) the duration of the probationary period imposed by the court for the offense, if that period will last for two years or longer; or (3) any more extended period of time, which the court, in its discretion, determines to be appropriate based on the nature and severity of the offense and the offender’s prior history of animal cruelty offenses.

The bill also directs the court to order the offender to refrain from commencing, operating, applying for employment or volunteering at, or participating in or being employed by, an animal-related enterprise for a period of time, which the court, in its discretion, determines to be appropriate based on the nature and severity of the criminal animal cruelty offense and the offender’s prior history of animal cruelty

offenses. The bill allows the offender to petition the court to reduce the duration of this order and requires the petition to provide evidence of the person's rehabilitation with respect to the treatment of animals.

The bill permits a person who is disqualified from employment or volunteering to reapply for employment or volunteering at an animal-related enterprise if the disqualifying conviction pursuant to the provisions of the bill is reversed.

Finally, the bill amends the law establishing a Statewide program of Pretrial Intervention to include a presumption against admission into the program for a defendant charged with an animal cruelty offense.

COMMITTEE AMENDMENTS:

The committee amendments provide that, in the case of a forfeiture of an animal, the court is to order the forfeiture of any animal owned by the offender and, based upon the best interest of the animal owned by the offender, including the animal's health, safety, well-being, and protection from harm: (1) transfer such animal to the custody of an animal a licensed shelter, pound, or kennel operating as a shelter or pound; or (2) transfer such animal to the co-owner of the animal, provided that the animal is co-owned by a person who does not live with the offender and who has not been convicted of an animal cruelty offense. The committee amendments also clarify that persons convicted of a criminal animal cruelty offense are barred from being employed by certain animal-related enterprises and make technical corrections.