

[First Reprint]

## SENATE, No. 1907

# STATE OF NEW JERSEY

## 215th LEGISLATURE

INTRODUCED MAY 14, 2012

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**SYNOPSIS**

Establishes criminal penalties for killing, injuring or interfering with a service animal or guide dog; designated as "Dusty's Law."

**CURRENT VERSION OF TEXT**

As reported by the Assembly Law and Public Safety Committee on December 12, 2013, with amendments.

(Sponsorship Updated As Of: 1/7/2014)

1 AN ACT concerning offenses against <sup>1</sup>service animals and<sup>1</sup> guide  
2 dogs, designated as “Dusty’s Law,” and supplementing <sup>1</sup>[chapter  
3 29 of]<sup>1</sup> Title 2C of the New Jersey Statutes.

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

7  
8 1. a. Any person who recklessly kills a <sup>1</sup>service animal or<sup>1</sup>  
9 guide dog, or who recklessly permits a dog that the person owns or  
10 over which the person has immediate control, to injure or kill a  
11 <sup>1</sup>service animal or<sup>1</sup> guide dog, is guilty of a crime of the fourth  
12 degree.

13 b. Any person who recklessly injures a <sup>1</sup>service animal or<sup>1</sup>  
14 guide dog, or recklessly permits a dog that the person owns or over  
15 which the person has immediate control, to injure a <sup>1</sup>service animal  
16 or<sup>1</sup> guide dog, is guilty of a disorderly persons offense.

17 c. Any person who recklessly interferes with the use of a  
18 <sup>1</sup>service animal or<sup>1</sup> guide dog, or who recklessly permits a dog that  
19 the person owns or over which that person has immediate control, to  
20 interfere with a <sup>1</sup>service animal or<sup>1</sup> guide dog<sup>1,1</sup> by obstructing,  
21 intimidating, or otherwise jeopardizing the safety of that <sup>1</sup>service  
22 animal or<sup>1</sup> guide dog or its handler<sup>1,1</sup> is guilty of a petty disorderly  
23 persons offense.

24 d. A person who is convicted of a violation of this section, in  
25 addition to any other penalty, shall make full restitution for all  
26 damages that arise out of or are related to the offense, including  
27 incidental and consequential damages incurred by the handler of the  
28 <sup>1</sup>service animal or<sup>1</sup> guide dog. Restitution under this section shall  
29 include, but not be limited to:

- 30 (1) the value of the <sup>1</sup>service animal or<sup>1</sup> guide dog;  
31 (2) replacement and training or retraining expenses for the  
32 <sup>1</sup>service animal or<sup>1</sup> guide dog and the handler;  
33 (3) veterinary and other medical and boarding expenses for the  
34 <sup>1</sup>service animal or<sup>1</sup> guide dog;  
35 (4) medical expenses for the handler; and  
36 (5) lost wages or income incurred by the handler during any  
37 period that the handler is without the services of the <sup>1</sup>service  
38 animal or<sup>1</sup> guide dog.

39 e. As used in this section <sup>1</sup>[a guide] <sup>1</sup>:  
40 “Guide<sup>1</sup> dog” shall mean a dog <sup>1</sup>[or dog in training]<sup>1</sup> which<sup>1</sup> <sup>1</sup>[:  
41 (1)]<sup>1</sup> has been or is being raised or trained <sup>1</sup>to provide assistance  
42 to a blind or deaf person, including but not limited to a dog that has

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly ALP committee amendments adopted December 12, 2013.

1 been or is being raised or trained<sup>1</sup> by a volunteer puppy raiser or  
2 staff member of an organization generally recognized as being  
3 involved in the rehabilitation of the blind or deaf and reputable and  
4 competent to provide dogs with specialized training<sup>1</sup>【; or

5 (2) is fitted with a special harness so as to be suitable as an aid  
6 to the mobility of a blind person】.

7 “Service animal” shall have the same meaning as set forth in the  
8 federal “Americans with Disabilities Act of 1990” (42 U.S.C.  
9 s.12101 et seq.) and any regulations under the act<sup>1</sup>.

10

11 2. This act shall take effect immediately.