

## CHAPTER 234

AN ACT prohibiting the leasing of dogs and cats and supplementing P.L.1960, c.39 (C.56:8-1 et seq.).

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

C.56:8-211 Leasing of dogs and cats prohibited; violations, penalties; exceptions.

1. a. It shall be an unlawful practice and a violation of P.L.1960, c.39 (C.56:8-1 et seq.) for a pet dealer, as defined in section 2 of P.L.1999, c.336 (C.56:8-93), to enter into a:

(1) contract for a cat or dog in which the transfer of ownership of the animal is contingent on the making of payments over a period of time subsequent to the transfer of possession of the animal, unless these payments are on an unsecured loan for the purchase of the animal; or

(2) lease agreement that provides for or offers the option of transferring ownership of a cat or dog at the end of the lease term.

b. Notwithstanding the provisions of section 1 of P.L.1966, c.39 (C.56:8-13) to the contrary, a pet dealer who violates this section shall be liable for the following penalties:

(1) for a first offense, a penalty of not more than \$10,000; and

(2) for a second or subsequent offense, a penalty of not more than \$30,000.

c. In addition to any other remedies provided by P.L.1960, c.39 (C.56:8-1 et seq.) or any other applicable law, a consumer taking possession of a cat or dog pursuant to a contract or lease as described in subsection a. of this section shall be deemed the owner of the cat or dog, shall have a civil cause of action in any court of competent jurisdiction, and shall be entitled to recover all moneys paid by the consumer, litigation costs, and reasonable attorney's fees.

d. The provisions of this section shall not apply to, and shall not prohibit the temporary leasing or rental of the following animals, provided the animals are used in accordance with applicable federal, State and local animal protection laws:

(1) A purebred cat or dog which is leased for the express purpose of breeding pursuant to a written lease recorded with a national purebred dog or cat registry, and which lease is for a specific time and has an established end-date; or

(2) An animal trained or utilized to perform tasks, including, but not limited to, guide dogs, security dogs, law enforcement dogs, and other assistance animals.

2. This act shall take effect immediately and shall apply to any lease, contract, agreement, or transaction entered into on or after the effective date.

Approved August 9, 2019.