



NAIA Trust Action Alert!

S 801 pit bull tax could be \$700 per year New Jersey considers statewide BSL

February 12, 2006: A New Jersey senator introduced S 801 to gut the state's prohibition on breed-specific legislation. If approved, it will allow cities to identify breeds of dogs and force owners to pay an annual license fee up to \$700 per dog.

Dubbed "The Responsible Pit Bull Ownership Licensing Act," S 801 gives cities the authority to license ownership of "American Staffordshire Terriers, Staffordshire Bull Terriers, Staffordshire Terriers, or any dog determined to be a pit bull type dog."

S 801 is typical of several recent attempts throughout the US to limit breeds or types of dogs by requiring special licenses instead of imposing bans. It includes provisions that allow:

- ⊙ Identification of the restricted dogs to be made by the municipality; if owners object, they must prove that their dog is not one of the restricted breeds or type.
- ⊙ An annual ownership tax of at least \$150 but no more than \$700.
- ⊙ Impoundment of dogs in a no-kill shelter at the expense of the owner.
- ⊙ Collection of demographic information about owners of the restricted breeds and information deemed "appropriate to protect the public health, safety, and welfare."

The "public safety" requirements may include information about criminal records for felonies and animal cruelty convictions for the owner and household members; display of a sign warning that a pit bull is on the premises; maintenance of a double fence with the inner covered enclosure for the dog securely locked and at least three feet from the outer barrier; muzzling of the dog in public; proof of liability insurance in an amount determined by the city; a proscription of travel beyond a certain distance from the owner's home; and monthly inspection of the enclosure and the property.

Violations can result in fines for the owner up to \$1000 per day that the violation occurs. The authorities can also seize the dog and impound it at owner expense until it is adopted or dies of old age.

S 801 was introduced by Senator James Sharpe, a lawmaker who has failed in prior attempts to overturn the state prohibition on breed specific legislation. S 801 is identical to unsuccessful bills he introduced in 2003 and 2004. Its provisions echo the state's non-breed-specific potentially dangerous dog law and are tantamount to placing all dogs of the restricted breeds in that category.

What you can do

Responsible dog ownership cannot be forced on people through a punitive system of fines, taxes, and other requirements. Those who are irresponsible will continue to evade the law, and those who are already responsible will leave town or place their dogs elsewhere to mitigate the impact of the law on their families and budgets. Thus problems with uncontrolled dogs will continue unless a concerted effort is made to enforce leash laws.

NAIA Trust for the Protection of Animals, Animal Owners and Animal Enterprises
Educating the Public about the Critical Difference between Animal Welfare and Animal Rights

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Breed specific legislation is unworkable, unfair, and unreliable. Laws that target certain breeds give citizens a false impression that dog problems have been solved, cause responsible owners to fear and disdain government, and lead to or exacerbate neighborhood squabbles. Far from fixing animal control problems, bans cause a breakdown in relationships between city authorities and responsible dog owners.

Ironically, although breed specific legislation is notoriously costly to enforce, this bill has been referred to the New Jersey Senate Economic Growth Committee. Letters to oppose the bill should concentrate on the costs associated with purchasing equipment and vehicles suitable for impounding and transporting dogs, contracting with no-kill shelters that are willing to house the dogs for a dozen years or more, and hiring personnel to bring dog owners into compliance and perform periodic inspections. In addition, communities that pass such laws may find that dog clubs made up of conscientious owners of all breeds may go elsewhere to host events that bring money to businesses and responsible ownership education to the public.

S 801 can be read at http://www.njleg.state.nj.us/2006/Bills/S1000/801_I1.PDF. If you are a New Jersey resident, send an opposition letter to your senator and to the committee chairman at the address below. Those who visit the state for dog shows and other events and therefore contribute to its economic growth should also send opposition letters to:

Senator Raymond J. Lesniak, chairman
Senate Economic Growth Committee
985 Stuyvesant Avenue
Union, NJ 07083
Telephone: (908) 624-0880

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