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ASSEMBLY, No. 3044

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED FEBRUARY 8, 2018

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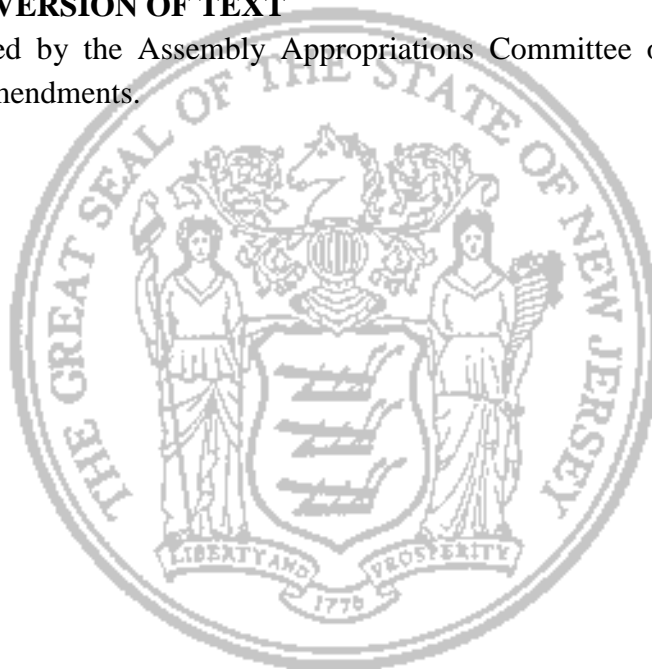
Assemblymen Mejia and Benson

SYNOPSIS

“Pet Groomers Licensing Act;” designated as “Bijou’s Law.”

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on October 22, 2018, with amendments.



(Sponsorship Updated As Of: 10/23/2018)

1 AN ACT providing for the licensing of pet groomers and the
 2 registration of certain businesses, designated as “Bijou’s Law,”
 3 and supplementing chapter 16 of Title 45 of the Revised Statutes.

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

7
 8 1. This act shall be known and may be cited as the “Pet
 9 Groomers Licensing Act.”

10
 11 2. As used in this act:

12 “Board” means the ¹New Jersey¹ State Board of ¹[Veterinary
 13 Medical Examiners] Pet Groomers¹.

14 “Pet” means any animal placed in the care of a pet groomer for
 15 grooming or styling.

16 “Pet groomer” means an individual licensed as a pet groomer,
 17 who engages in pet grooming.

18 “Pet grooming” ¹[means] includes but is not limited to¹ the act
 19 of bathing, brushing, clipping, or styling a pet.

20 “Registered student” means a person who is engaged in learning
 21 and acquiring a knowledge of the practice of pet grooming, under
 22 the direction and supervision of a person duly authorized under this
 23 act to teach pet grooming and who is enrolled in a program of
 24 instruction at a licensed school of pet grooming, completion of
 25 which may render him eligible for licensure pursuant to this act.

26 “School” means an establishment or place licensed by the board
 27 to be maintained for the purpose of teaching pet grooming to
 28 registered students.

29
 30 ¹3. There is created within the Division of Consumer Affairs in
 31 the Department of Law and Public Safety the New Jersey State
 32 Board of Pet Groomers. The board shall consist of nine members
 33 who are residents of the State. ²[Three] Two² shall be public
 34 members ²[, two of whom shall be]² appointed pursuant to
 35 subsection b. of section 2 of P.L.1971, c.60 (C.45:1-2.2) ²[, and one
 36 additional public member]². One member shall be an Executive
 37 Branch member appointed pursuant to subsection c. of section 2 of
 38 P.L.1971, c.60 (C.45:1-2.2). Of the remaining ²[five] six²
 39 members, ²[three] four² shall be pet groomers who, except for
 40 those first appointed, shall be licensed pursuant this act; and two
 41 shall be licensed veterinarians. Members of the board shall be
 42 appointed by the Governor and, except for the Executive Branch
 43 member, shall serve for terms of three years, with no member

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:

¹Assembly ARP committee amendments adopted October 15, 2018.

²Assembly AAP committee amendments adopted October 22, 2018.

1 serving for more than two consecutive terms. The board may take
2 action only by an affirmative vote of no less than five members.
3 Members shall serve without compensation but shall receive actual
4 and necessary expenses.¹

5
6 ¹~~[3.]~~ 4.¹ The board shall:

7 a. Review the qualifications of applicants for licensure under
8 this act;

9 b. Ensure the proper conduct and standards of examination;

10 c. Issue and renew licenses to pet groomers and schools
11 pursuant to the provisions of this act;

12 d. Suspend, revoke, or fail to renew the license of a pet
13 groomer pursuant to the provisions of P.L.1978, c.73 (C.45:1-14 et
14 seq.);

15 e. Prescribe or change the charges for examinations ¹~~[~~,
16 licensures, renewals¹] and other services performed pursuant to
17 P.L.1974, c.46 (C.45:1-3.1 et seq.);

18 f. Adopt rules and regulations pursuant to the “Administrative
19 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.); and

20 g. Maintain a record of every pet groomer licensed in this
21 State, and the date and number of his license, and publish a list of
22 the names and addresses of all licensees annually.

23
24 ¹~~[4.]~~ 5.¹ No person shall practice, attempt to practice, or hold
25 himself out as being able to practice pet grooming unless that
26 person is licensed in accordance with the provisions of this act.

27
28 ¹~~[5.]~~ 6.¹ To be eligible to be licensed as a pet groomer, an
29 applicant shall fulfill the following requirements:

30 a. Be at least 18 years of age;

31 b. Be of good moral character; and

32 c. Pass an examination prepared by or approved by the board to
33 determine the applicant’s competence to practice pet grooming.

34
35 ¹~~[6.]~~ 7.¹ a. The examination required by subsection c. of
36 section ¹~~[5]~~ 6¹ of this act shall include both a practical
37 demonstration and a written test, and shall be consistent in both
38 practical and technical requirements.

39 b. The examination required by subsection c. of section ¹~~[5]~~ 6¹
40 of this act shall be held within the State at least four times a year at
41 a time and place to be determined by the board. The board may
42 contract or otherwise arrange for reasonably required physical
43 accommodations and facilities to conduct examinations.

44 c. The board may, by regulation, establish standards and
45 procedures to provide that the written test be offered via the Internet
46 and the practical demonstration portion of the examination be

1 offered throughout the year to an applicant under the aegis of a
2 licensed pet groomer.

3
4 ¹~~7.~~ 8.¹ No person, firm, corporation, partnership or other
5 legal entity shall operate, maintain or use premises at which courses
6 of instruction in pet grooming are offered to registered students
7 without first having secured a school license from the board. All
8 educational programs and courses offered at school premises shall
9 be conducted by persons holding pet groomer licenses. ²The board
10 shall develop the pet grooming curriculum to be used in the schools
11 and shall collaborate with schools to utilize and incorporate
12 industry best practices and standards.²

13
14 ¹~~8.~~ 9.¹ a. All pet groomer and school licenses shall be
15 issued for a two-year period and shall be renewed upon filing of a
16 renewal application.

17 b. All applicants shall pay a fee ¹of \$75¹ for licensure or ¹\$50
18 for¹ renewal of licensure under this act. ¹~~1~~Fees shall be determined
19 by the board and established by regulation. The revenue generated
20 from these fees shall not exceed the operating costs incurred by the
21 board in administering this act.¹

22 c. The board shall promulgate rules and regulations for
23 implementing continuing education requirements as a condition of
24 license renewal for pet groomer licenses issued pursuant to this act.

25 d. The board shall establish standards for continuing education,
26 including the subject matter and content of courses of study, and the
27 number and type of continuing education credits required of a
28 licensee as a condition of biennial license renewal.¹

29
30 ¹~~9.~~ 10.¹ The provisions of this act shall not apply to:

31 a. A registered student in a school licensed by the board if the
32 student is performing grooming services under appropriate
33 supervision at the school in which they are enrolled; ¹~~1~~or¹

34 b. An individual engaged in performing grooming services
35 while not enrolled in a school if the individual ¹is at least 16 years
36 of age and¹ performs those services under the direct supervision of
37 a licensed pet groomer and while training in preparation of the pet
38 groomer's licensing examination ¹; or

39 c. An individual who grooms a dog or cat in the course of
40 preparing it for a dog show, cat show, or other competitive event¹.

41
42 ¹~~10.~~ 11.¹ a. No business shall engage in ²pet grooming as a
43 business service² or advertise or hold itself out as offering pet
44 grooming services unless the business is ¹currently¹ registered with
45 the board ¹and meets all the requirements of this act¹.

1 b. A written application for registration shall be made to the
2 board on the form prescribed by the board and shall contain the
3 following information:

4 (1) The name and residence of the owner or operator of the
5 entity providing pet grooming services;

6 (2) The municipality and location of the owner or operator's
7 primary place of business and the locations of all other branches of
8 business;

9 (3) Proof of general liability insurance or ¹**[a]** an unconditional
10 irrevocable¹ letter of credit of a type and amount required by the
11 board by regulation; and

12 (4) Any other biographical information of the applicant as
13 required by the board.

14 c. Each applicant for registration and each registrant pursuant
15 to the provisions of this section shall pay to the board a fee for the
16 issuance of a two-year registration in the amount established by the
17 board in accordance with the provisions of P.L.1974, c.46 (C.45:1-
18 3.1 et seq.).

19

20 ¹**[11.] 12.**¹ No business shall engage in ²pet grooming as a
21 business service² or offer pet grooming services unless the business,
22 as determined by the board by regulation, complies with the
23 following:

24 a. Pets not in the grooming process shall be caged separately in
25 a structurally sound and clean cage large enough to allow each pet
26 to make normal postural adjustments, including sitting, standing,
27 and turning around;

28 b. Sufficient lighting shall be provided to facilitate the cleaning
29 of pets and facilities;

30 c. The premises of the pet grooming facility shall be
31 maintained in a sanitary condition;

32 d. An adequate water supply shall be available for drinking;
33 and

34 e. Drying cages ¹that use a heat element¹ shall not be utilized
35 ¹unless the owner of the pet grants written prior consent to the use
36 of drying cages for the pet and the business has notified the owner
37 of the danger and risk associated with the use of drying cages prior
38 to the owner granting written consent to the business.

39 Notwithstanding the provisions of subsection a. of this section,
40 two pets not in the grooming process, who are owned by the same
41 owner, may be caged in a structurally sound and clean cage large
42 enough to allow each pet to make normal postural adjustments,
43 including sitting, standing, and turning around¹.

44

45 ¹**[12.] 13.**¹ Every pet grooming business shall maintain a pet
46 incident ¹**[file] report**¹ to be submitted ¹**[annually]**¹ to the board
47 ¹no later than 10 days after the date of the incident¹, in a form as

1 may be prescribed by the board ¹[, which shall contain the
2 following information:

- 3 a. Pet injuries sustained while at the facility that required
4 veterinary contact;
5 b. Severe pet illnesses;
6 c. Veterinary treatment plans relevant to pet grooming
7 procedures and processes;
8 d. Pet deaths; and
9 e. Pet escapes¹ .

10 For the purposes of this section, "incident" means any event in
11 which the skin of any pet or person is broken, a pet sustains an
12 injury of any kind during the course of a grooming session, or a pet
13 has an allergic reaction during the course of a grooming session¹.

14
15 ¹[13.] 14.¹ The board may suspend ¹[or] ¹ ,¹ revoke ¹ , or fail to
16 renew¹ the registration of any business offering pet grooming upon
17 proof showing by a preponderance of the evidence that the business:

- 18 a. ¹[Has made] Made¹ false or misleading statements of a
19 material nature in the application ¹or renewal¹ for registration;
20 b. Failed to demonstrate that each employee of the employer
21 who is engaged in the performance of pet grooming is in possession
22 of a license to practice pet grooming;
23 c. Failed to demonstrate proof of having general liability
24 insurance or ¹[a] an unconditional irrevocable¹ letter of credit of a
25 type and amount required by the board; or
26 d. Failed to comply with the provisions of section ¹[11 or]¹ 12
27 or 13¹ of this act.

28
29 ¹[14.] 15.¹ a. Every holder of a license or registration issued by
30 the board shall display it to the public ¹in a conspicuous place¹ at
31 the location for which it was issued.

32 b. Renewal of licenses and registrations shall be attached to the
33 original license or registration in the lower left-hand corner.

34 ¹c. Any license or registration that is suspended, revoked, or not
35 renewed shall be removed from the premises of the location for
36 which it was issued.¹

37
38 ¹[15.] 16.¹ a. The board shall establish and undertake a public
39 information campaign to educate and inform the consumers of this
40 State of the provisions of this act. The public information campaign
41 shall include, but not be limited to, the preparation, printing, and
42 distribution of booklets, pamphlets or other written pertinent
43 information.

44 b. The board shall provide a toll-free telephone number for
45 consumers making inquiries or complaints regarding pet groomers
46 or pet grooming businesses.

1 ¹**[16. This]** 17. Sections 3 and 4 of this¹ act shall take effect
2 ¹immediately. The remaining sections of this act shall take effect¹
3 on the 360th day next following enactment, but the ¹New Jersey¹
4 State Board of ¹**[Veterinary Medical Examiners]** Pet Groomers¹
5 may take ¹**[such]** any¹ anticipatory ¹**[acts]** action¹ in advance of
6 that date as may be necessary for the timely implementation of this
7 act.