

Animal Legal Defense Fund

Animal Laws Legislative Summary: Oregon 2009

(Current through 6/15/09: compiled by Stephan Otto)

OR HB 2470

Title: Relating to dogs.

Sponsor: HOLVEY

Abstract: Prohibits owning, possessing, controlling or having charge of more than 25 sexually intact dogs aged four months or older. Imposes conditions for owning, possessing, controlling or having charge of 10 or more sexually intact dogs aged four months or older. Creates exceptions. Makes violation subject to maximum penalty of six months' imprisonment, \$2,500 fine, or both. Imposes requirements and prohibitions on pet dealers selling, bartering or exchanging dogs. Provides customers of pet dealers Provides customers of pet dealers with specific remedies if purchased dog has disease or congenital disorder. Requires retail pet stores to disclose certain information to purchasers of dogs.

Status: (S) President signed. - 06/11/2009

OR HB 2529

Title: Relating to crimes involving animals; creating new provisions; amending ORS 133.377, 133.379, 167.345, 167.347, 167.

Sponsor: GELSER

Abstract: Modifies procedures related to seizure and forfeiture of criminally mistreated animals. Requires person who commits sexual assault of animal to report as sex offender.

Status: (S) Third reading. Carried by Bonamici. Passed. Ayes, 27; excused, 3--Atkinson, Carter, Walker. - 06/03/2009



OR HB 2627

Title: Relating to crimes involving animals.

Sponsor: WITT

Abstract: Increases standard penalty for animal abuse in first degree to maximum of five years' imprisonment, \$125,000 fine, or both. Increases enhanced penalty to maximum of 10 years' imprisonment, \$250,000 fine, or both. Expands list of predicate offenses permitting imposition of enhanced penalty. Decreases number of predicate convictions required before enhanced penalty may be imposed.

Increases penalty for aggravated animal abuse to maximum of 10 years' imprisonment, \$250,000 fine, or both. Increases standard penalty for animal neglect in second degree to maximum of one year's imprisonment, \$6,250 fine, or both. Creates enhanced penalty of maximum of five years' imprisonment, \$125,000 fine, or both.

Increases standard penalty for animal neglect in first degree to five years' imprisonment, \$125,000 fine, or both. Creates enhanced penalty of maximum of 10 years' imprisonment, \$250,000 fine, or both.

Status: (H) Referred to Judiciary with subsequent referral to Ways and Means. –
02/12/2009

OR HB 2694

Title: Relating to wildlife.

Sponsor: BUCKLEY

Abstract: Requires State Department of Fish and Wildlife to develop and implement program to provide technical assistance to Oregon landowners, businesses and communities regarding nonlethal options to reduce conflict between humans and wildlife.

Status: (H) Agriculture, Natural Resources and Rural Communities with subsequent referral to Ways and Means. - 02/20/2009

OR HB 2852

Title: Relating to dogs; creating new provisions; and amending ORS 609.035, 609.090, 609.093, 609.095, 609.098, 609.

Sponsor: BERGER

Abstract: Requires keeper of pit bull to maintain liability insurance. Makes violation punishable by maximum fine of \$180. Directs court to order keeper found in violation to prove compliance within period established by court. Makes failure to prove compliance with order punishable by maximum fine of \$720 per day. Creates crime of maintaining potentially dangerous dog. Makes first offense punishable by maximum of 30 days' imprisonment, \$1,250 fine, or both. Makes second or subsequent offense punishable by maximum of six months' imprisonment, \$2,500 fine, or both.

Changes elements for crime of maintaining dangerous dog. Makes most violations punishable by maximum of one year's imprisonment, \$6,250 fine, or both. Makes punishable by maximum of five years' imprisonment, \$125,000 fine, or both, if dog kills person or for second or subsequent offense resulting in serious physical injury.

Eliminates potentially dangerous dog behavior from public nuisance statute. Adds menacing behavior to public nuisance statute.

Status: (H) Referred to Consumer Protection. - 03/05/2009

OR HB 3089

Title: Relating to wildlife.

Sponsor: KRIEGER

Abstract: Adds gray wolf, as special status mammal, to definition of ' game mammal.'

Allows moneys made available from specified surcharges to be expended on acquisition of easements for purpose of promoting access to public and private lands.

Directs State Fish and Wildlife Commission to consider giving additional preference points to holders of resident pioneer hunting licenses under preference system that assures individuals who are unsuccessful in certain permit drawings have success in subsequent drawings.

Allows commission to adopt by rule schedule of civil penalties for violations of wildlife laws. Establishes damages for unlawful taking or killing of certain wildlife. Specifies cases in which taking of certain wildlife is punishable by maximum of five years' imprisonment, \$125,000 fine, or both. Changes provisions related to revocation and denial of licenses, tags and permits.

Status: (H) House refused to concur in Senate amendments. – 06/15/2009

OR HB 3383

Title: Relating to wolves.

Sponsor: BENTZ

Abstract: Describes circumstances in which gray wolf may be taken.

Status: (H) Referred to Agriculture, Natural Resources and Rural Communities. - 03/19/2009

OR SB 280

Title: Relating to animal fighting.

Sponsor: COURTNEY

Abstract: Increases maximum penalty for crime of participation in cockfighting to five years' imprisonment, \$125,000 fine, or both.

Increases maximum penalty for crime of involvement in animal fighting to five years' imprisonment, \$125,000 fine, or both.

Status: (H) Assigned to Subcommittee On Public Safety. - 06/02/2009

OR SB 297

Title: Relating to possession of domestic animals.

Sponsor: President of the Senate

Abstract: Provides penalty for unlawfully possessing domestic animal of maximum of one year's imprisonment, \$6,250 fine, or both.

Includes person convicted of sexual assault of animal as person who may not lawfully possess domestic animal for five years following conviction.

Status: (S) Public Hearing held. - 02/11/2009

OR SB 298

Title: Relating to forfeited animals; creating new provisions; and amending ORS 167.348 and 167.350.

Sponsor: President of the Senate

Abstract: Prohibits court and animal care agency from placing forfeited animal in same household as person from whom animal was forfeited.

Requires animal's new owner to execute agreement to provide minimum care to animal.

Creates crime of encouraging animal abuse. Punishes by maximum of 30 days' imprisonment, \$1,250 fine, or both.

Status: (S) President signed. - 06/03/2009

OR SB 299

Title: Relating to possession of domestic animals.

Sponsor: President of the Senate

Abstract: Prohibits person convicted of sexual assault of animal, animal fighting, dogfighting or cockfighting from possessing domestic animals for specified periods of time. Punishes unlawfully possessing domestic animals by maximum of 30 days' imprisonment, \$1,250 fine, or both.

Authorizes court to order removal of domestic animals from residence of person convicted of unlawfully possessing domestic animals.

Status: (S) President signed. - 06/09/2009

OR SB 303

Title: Relating to humane special agents.

Sponsor: President of the Senate

Abstract: Modifies definition of 'law enforcement unit' to include certain private, nonprofit animal care agencies. Requires animal care agencies to bear expense of public safety certification training.

Status: (S) President signed. - 06/08/2009

OR SB 304

Title: Relating to abandoned animals.

Sponsor: President of the Senate

Abstract: Requires mortgagor taking possession of real property to provide minimum care for domestic animal or livestock abandoned at property. Requires mortgagor to arrange for law enforcement agency, animal control agency or animal shelter to take custody of abandoned domestic animal or livestock.

Makes mortgagor that fails to provide abandoned domestic animal or livestock with minimum care subject to animal neglect statutes having maximum penalty of six months' imprisonment, \$2,500 fine, or both, or if failure results in serious physical injury or death of domestic animal or livestock, to maximum penalty of one year's imprisonment, \$6,250 fine, or both. Makes failure of mortgagor to timely arrange for placing domestic animal or livestock in custody of law enforcement agency, animal control agency or animal shelter subject to maximum \$90 fine.

Authorizes animal shelter taking custody of abandoned domestic animal or livestock from mortgagor to petition for legal ownership of abandoned domestic animal or livestock.

Status: (S) Referred to Consumer Protection and Public Affairs (1/23); Public Hearing (2/10)

OR SB 391

Title: Relating to exotic animals; creating new provisions; and amending ORS 609.305, 609.309, 609.312, 609.315, 609.319 and 609.335.

Sponsor: HASS

Abstract: Expands definition of 'exotic animal' to include member of order Crocodylia. Removes from definition 'any wolf.' Prohibits breeding of exotic animals except for small exotic felines. Exempts certain organizations, institutions and facilities from permit requirement or from prohibition against breeding of exotic animal.

Allows possession of exotic animal if person applies for permit by certain date, possessed permit on certain date or meets other specified criteria . Allows State Department of Agriculture to charge fee for permit.

Status: (S) Senate concurred in House amendments and repassed bill. Ayes, 23; nays, 5-- Ferrioli, George, Girod, Kruse, Whitsett; absent, 1--Atkinson; excused, 1--Nelson. Telfer declared potential conflict of interest.

OR SB 398

Title: Relating to equines; creating new provisions; and amending ORS 167.310 and 167.340.

Sponsor: PROZANSKI

Abstract: Modifies crime of animal abandonment to include abandonment of equines.

Status: Governor signed (6/4/2009)

OR SB 667

Title: Relating to pit bulls; creating new provisions; and amending ORS 609.098.

Sponsor: STARR

Abstract: Prohibits keeping of pit bull. Creates exception for pit bulls currently in state upon meeting certain conditions. Declares pit bull dangerous dog and makes keeping of pit bull punishable by euthanization of dog and by maximum of \$6,250 fine, one year's imprisonment, or both. If dog kills person, punishes by maximum of \$125,000 fine, five years' imprisonment, or both.

Status: (S) Referred to Judiciary. - 03/09/2009

OR SB 792

Title: Relating to cougars; providing for criminal sentence reduction that requires approval by a two-thirds majority.

Sponsor: GEORGE

Abstract: Allows use of dogs to hunt cougars during final three months of general cougar hunting season if State Fish and Wildlife Commission determines that harvest quota for particular hunt zone may not be met.

Status: (S) Referred to Environment and Natural Resources (3/12/2009)

OR SB 838

Title: Relating to animals; creating new provisions; and amending ORS 131.602, 167.320, 167.352, 346.687, 609.093, 609.

Sponsor: STARR

Abstract: Creates crime of hindering assistance animal in second degree. Punishes by maximum of one year's imprisonment, \$6,250 fine, or both. Creates crime of hindering assistance animal in first degree. Punishes by maximum of five years' imprisonment, \$125,000 fine, or both. Expands crime of first degree animal abuse to include certain actions relating to assistance animals. Revises enhanced penalty language.

Modifies grounds for statutory civil cause of action for damages arising from certain acts involving assistance animals. Abolishes statutory cause of action for noneconomic damages.

Classifies as public nuisance dog that, without provocation, attempts to injure, injures, attempts to disable, disables, interferes with work of or jeopardizes safety of assistance animal.

Increases maximum fine for maintaining dog that is public nuisance from \$250 to \$360.

Status: (S) Referred to Judiciary. - 03/13/2009

OR SB 875

Title: Relating to assistance animals; amending ORS 346.630, 346.

Sponsor: ROSENBAUM

Abstract: Prohibits person from charging fee or deposit for assistance animal in rented housing.

Status: (S) President signed. - 06/08/2009