

Senate Bill 1004

Sponsored by COMMITTEE ON JUDICIARY (at the request of Rob Schwartz)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Defines "person" and "take" in law prohibiting transactions in threatened or endangered species.

A BILL FOR AN ACT

1
2 Relating to wildlife; amending ORS 498.026.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 498.026 is amended to read:

5 498.026. (1) Except as provided in subsection (2) of this section, no person shall take, import,
6 export, transport, purchase or sell, or attempt to take, import, export, transport, purchase or sell,
7 any threatened species or endangered species, or the skin, hides or other parts thereof, or any ar-
8 ticle made in whole or in part from the skin, hide or other parts of any threatened species or en-
9 dangered species.

10 (2) Nothing in subsection (1) of this section is intended to prevent the taking, importation,
11 transportation or sale of any threatened species or endangered species in such manner as may be
12 authorized in ORS 496.172, 497.218 to 497.238, 497.298 or 497.308.

13 (3) Nothing in this section applies to the resale of used skins, hides or other parts of a threat-
14 ened species or endangered species or an article made in whole or part thereof if the seller acquired
15 the item sold prior to October 5, 1973.

16 **(4) As used in this section:**

17 **(a) "Person" means:**

18 **(A) An association, corporation, individual, partnership, trust or any other private entity;**
19 **and**

20 **(B) A public body as defined in ORS 174.109 or any agent, employee, department,**
21 **instrumentality or officer of a public body as defined in ORS 174.109.**

22 **(b) "Take" means to capture, collect, harass, harm, hunt, kill, obtain possession or con-**
23 **trol, pursue, shoot, trap or wound.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.