

A-Engrossed
Senate Bill 1072

Ordered by the Senate February 13
Including Senate Amendments dated February 13

Sponsored by Senator COURTNEY (Pre-session filed.)

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.

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

Increases maximum penalty for crime of possessing dogfighting paraphernalia to five years' imprisonment, \$125,000 fine, or both.

Expands definition of "dogfighting paraphernalia."

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to dogfighting; amending ORS 167.360, 167.370 and 167.372; and declaring an emergency.

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

4 **SECTION 1.** ORS 167.370 is amended to read:

5 167.370. (1) A person commits the crime of participation in dogfighting if the person knowingly:

6 (a) Attends or has paid admission at any place for the purpose of viewing or betting upon a
7 dogfight.

8 (b) Advertises or otherwise offers to sell equipment [*for the training and handling of a fighting*]
9 **that the person knows or reasonably should know will be used for the purpose of training**
10 **and handling a fighting dog.**

11 (2) Participation in dogfighting is a Class **C felony** [*A misdemeanor*].

12 **SECTION 2.** ORS 167.372 is amended to read:

13 167.372. (1) A person commits the crime of possessing dogfighting paraphernalia if the person
14 owns or possesses dogfighting paraphernalia with the intent that the paraphernalia be used to train
15 a dog as a fighting dog or be used in the furtherance of a dogfight.

16 (2) Possessing dogfighting paraphernalia is a Class **C felony** [*A misdemeanor*].

17 **SECTION 3.** ORS 167.360 is amended to read:

18 167.360. As used in ORS 167.360 to 167.375:

19 (1) "Breaking stick" means a device designed for insertion behind the molars of a dog for the
20 purpose of breaking the dog's grip on another animal or object.

21 (2) "Cat mill" means a device that rotates around a central support with one arm designed to
22 secure a dog and one arm designed to secure a cat, rabbit or other small animal beyond the grasp
23 of the dog.

24 (3) "Dogfight" means a fight, arranged by any person, between two or more dogs the purpose
25 or probable result of which fight is the infliction of injury by one dog upon another.

26 [(4) "*Dogfighting paraphernalia*" means a *breaking stick, cat mill, springpole, weighted or un-*

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.

1 *weighted chain collar weighing 10 pounds or more, leather or mesh collar with a strap more than two*
2 *inches in width, fighting pit or unprescribed veterinary medicine that is a prescription drug as defined*
3 *in ORS 689.005.]*

4 **(4) “Dogfighting paraphernalia” means:**

5 **(a) A breaking stick;**

6 **(b) A springpole;**

7 **(c) A cat mill;**

8 **(d) A treadmill;**

9 **(e) A fighting pit;**

10 **(f) A leather or mesh collar with a strap more than two inches in width;**

11 **(g) A weighted or unweighted chain collar weighing 10 pounds or more; or**

12 **(h) An unprescribed veterinary medicine that is a prescription drug as defined in ORS**
13 **689.005.**

14 (5) “Fighting dog” means a dog that is intentionally bred or trained to be used in, or that is
15 actually used in, a dogfight. A dog does not constitute a fighting dog solely on account of its breed.

16 (6) “Fighting pit” means a walled area designed to contain a dogfight.

17 (7) “Springpole” means a biting surface attached to a stretchable device, suspended at a height
18 sufficient to prevent a dog from reaching the biting surface while touching the ground.

19 **(8) “Treadmill” means:**

20 **(a) A carpet mill made of narrow sections of carpet;**

21 **(b) A modified electric treadmill for the purpose of conditioning dogs; or**

22 **(c) A slat mill with a running surface constructed of slats made of wood, fiberglass,**
23 **plastic or other similar material.**

24 **SECTION 4. This 2008 Act being necessary for the immediate preservation of the public**
25 **peace, health and safety, an emergency is declared to exist, and this 2008 Act takes effect**
26 **on its passage.**

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