

Enrolled
Senate Bill 1072

Sponsored by Senator COURTNEY; Senators CARTER, WALKER (Presession filed.)

CHAPTER

AN ACT

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

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

SECTION 1. ORS 167.370 is amended to read:

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

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

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

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

SECTION 2. ORS 167.372 is amended to read:

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

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

SECTION 3. ORS 167.360 is amended to read:

167.360. As used in ORS 167.360 to 167.375:

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

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

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

[*(4) "Dogfighting paraphernalia" means a breaking stick, cat mill, springpole, weighted or unweighted chain collar weighing 10 pounds or more, leather or mesh collar with a strap more than two inches in width, fighting pit or unprescribed veterinary medicine that is a prescription drug as defined in ORS 689.005.*]

(4) "Dogfighting paraphernalia" means:

(a) A breaking stick;

(b) A springpole;

(c) A cat mill;

(d) A treadmill;

(e) A fighting pit;

- (f) A leather or mesh collar with a strap more than two inches in width;
- (g) A weighted or unweighted chain collar weighing 10 pounds or more; or
- (h) An unapproved veterinary medicine that is a prescription drug as defined in ORS 689.005.

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

(6) "Fighting pit" means a walled area designed to contain a dogfight.

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

(8) "Treadmill" means:

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

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

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

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

Passed by Senate February 15, 2008

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Secretary of Senate

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President of Senate

Passed by House February 22, 2008

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Speaker of House

Received by Governor:

.....M.,....., 2008

Approved:

.....M.,....., 2008

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Governor

Filed in Office of Secretary of State:

.....M.,....., 2008

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Secretary of State