

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 4 - 0 - 1

Yeas: Bonamici, Boquist, Whitsett, Prozanski

Nays: 0

Exc.: Dingfelder

Prepared By: Anna Braun, Counsel

Meeting Dates: 2/12, 3/12, 3/26

WHAT THE MEASURE DOES: Prohibits returning a forfeited animal to a person in the same household. Requires written acknowledgment of rights and responsibilities of person receiving a forfeited animal. Requires agreement that the new owner give the animal minimum care and states that giving the animal to the abuser constitutes a crime. Creates the crime of encouraging animal abuse, defined as knowingly allowing the person who forfeited the animal because of abuse to possess the animal. Designates violations as a Class C misdemeanor with a fine of up to \$1,250 and up to 30 days in jail.

ISSUES DISCUSSED:

- Provisions of the measure

EFFECT OF COMMITTEE AMENDMENT: Modifies the document required to be given to new owner. Requires agreement that the new owner give the animal minimum care and states that giving the animal to the abuser constitutes a crime. Creates the crime of encouraging animal abuse defined as knowingly allowing the person who forfeited the animal because of abuse to possess the animal. Designates violations as a Class C misdemeanor with a fine of up to \$1,250 and up to 30 days in jail.

BACKGROUND: After an animal is forfeited, a court or agency may place the animal with a new owner. Under current statute preference should be given to those who had prior contact with the animal. In abuse cases, there is concern that a person living with the abuser may put the animal at risk. Senate Bill 298A prohibits animal placement in the same household as the abuser. In addition, the measure requires a new owner to sign a document stating that they will give the animal minimum care, defined in ORS 167.310(6), and acknowledging that giving possession of the animal to the abuser constitutes a crime. Senate Bill 298A creates a new crime of encouraging animal abuse by knowingly allowing an abuser to possess the animal.