

A-Engrossed
House Bill 2221

Ordered by the House April 14
Including House Amendments dated April 14

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for State Department of Fish and Wildlife)

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.

Creates crime of sale or purchase of hunts for feral swine. Punishes by maximum imprisonment of one year, \$6,250 fine, or both, and revocation of hunting licenses, tags and permits for period of 24 months. Makes sale or purchase of hunts for feral swine violation punishable by \$1,000 fine and revocation of hunting licenses, tags and permits for period of 24 months.

Creates crime of knowingly allowing feral swine to roam on private land. Punishes by maximum imprisonment of one year, \$6,250 fine, or both.

A BILL FOR AN ACT

1
2 Relating to feral swine.

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

4 **SECTION 1. Sections 2 and 3 of this 2009 Act are added to and made a part of ORS**
5 **chapter 498.**

6 **SECTION 2. (1) A person may not offer for sale, sell or purchase a hunt for feral swine**
7 **on public or private lands.**

8 **(2) Violation of subsection (1) of this section is a Class A misdemeanor. A person may**
9 **not be convicted under this subsection if a civil penalty has been imposed against the person**
10 **under subsection (3) of this section.**

11 **(3)(a) The State Fish and Wildlife Commission may impose a civil penalty of \$1,000 for a**
12 **violation of subsection (1) of this section.**

13 **(b) Civil penalties described in this subsection shall be imposed in the manner provided**
14 **in ORS 183.745. A civil penalty may not be imposed against a person under this subsection**
15 **if the person has been convicted under subsection (2) of this section.**

16 **(4) Notwithstanding ORS 497.415 (1), (2), (3) and (5) and in addition to any criminal pen-**
17 **alty or civil penalty imposed under this section, when a person is convicted under subsection**
18 **(2) of this section or a civil penalty is imposed under subsection (3) of this section, the**
19 **commission shall revoke all hunting licenses, tags and permits issued to the person under**
20 **the wildlife laws, and the person may not apply for or obtain any hunting license, tag or**
21 **permit for a period of 24 months after the conviction or imposition of the civil penalty.**

22 **SECTION 3. (1) A person, or an employee of that person who acts as a land manager,**
23 **may not knowingly, as defined in ORS 161.085, allow feral swine to roam on land owned or**
24 **controlled by that person.**

25 **(2) A person, or an employee of that person who acts as a land manager, shall hunt or**

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 **trap, or cause to be hunted or trapped, any feral swine that roams on land owned or con-**
2 **trolled by that person if the person or employee knows that feral swine roam on land owned**
3 **or controlled by that person. ORS 497.075 does not apply to this subsection.**

4 **(3) A person, or an employee of that person who acts as a land manager, is not in vio-**
5 **lation of this section if the person or employee:**

6 **(a) Contacts the State Department of Fish and Wildlife within 72 hours after discovering**
7 **feral swine on land owned or controlled by that person and cooperates with the department**
8 **to hunt or trap the feral swine; or**

9 **(b) Provides the department with a plan that details, to the satisfaction of the depart-**
10 **ment, specific tasks and deadlines to confine the feral swine to the land or to hunt or trap**
11 **the feral swine.**

12 **(4) Violation of this section is a Class A misdemeanor.**

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