

# Senate Bill 425

Sponsored by Senator GIROD

## 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**.

Exempts certain facilities from requirement to obtain permit to hold wildlife.

### A BILL FOR AN ACT

Relating to wildlife; creating new provisions; and amending ORS 497.308.

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

**SECTION 1.** ORS 497.308 is amended to read:

497.308. (1) *[No]* **A** person *[shall]* **may not** remove from its natural habitat or acquire and hold in captivity any live wildlife in violation of the wildlife laws or of any rule promulgated pursuant *[thereto]* **to the wildlife laws**.

(2) The State Fish and Wildlife Commission may promulgate rules to carry out the provisions of subsection (1) of this section that include but are not limited to:

(a) Providing for the issuance and form of permits for the holding or removal from habitat of wildlife.

(b) Prescribing the wildlife species for which holding or habitat removal permits are required.

(c) Prescribing the terms and conditions of holding wildlife and removing wildlife from habitat to *[insure]* **ensure** the humane care and treatment of the wildlife.

(3) *[No]* **A** person to whom a wildlife holding **permit** or removal from habitat permit has been issued *[shall]* **may not** violate any of the terms or conditions *[thereof]* **of the permit**.

**(4) A wildlife holding permit is not required under this section for the holding of wildlife in captivity by a facility operated under a license issued by the United States Department of Agriculture pursuant to the federal Animal Welfare Act, 7 U.S.C. 2131 et seq.**

**SECTION 2.** The amendments to ORS 497.308 by section 1 of this 2009 Act apply to all facilities operating under a license issued by the United States Department of Agriculture pursuant to the federal Animal Welfare Act before, on or after the effective date of this 2009 Act.

**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.