

Senate Bill 667

Sponsored by Senator STARR (at the request of former state Representative John Meek)

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**.

Prohibits keeping of pit bull. Creates exception for pit bulls currently in state upon meeting certain conditions. Declares pit bull dangerous dog and makes keeping of pit bull punishable by euthanization of dog and by maximum of \$6,250 fine, one year's imprisonment, or both. If dog kills person, punishes by maximum of \$125,000 fine, five years' imprisonment, or both.

A BILL FOR AN ACT

1
2 Relating to pit bulls; creating new provisions; and amending ORS 609.098.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Keep" means to be a "keeper," as that term is defined in ORS 609.035.**

6 (b) **"Pit bull" means a dog that:**

7 (A) **Is registered or otherwise listed as an American pit bull terrier, Staffordshire bull**
8 **terrier or American Staffordshire terrier with a dog breed club or league, dog fanciers as-**
9 **sociation, breed registry or similar organization; or**

10 (B) **Has an appearance and physical characteristics that substantially conform to the**
11 **breed standards of the United Kennel Club for an American pit bull terrier or of the Ameri-**
12 **can Kennel Club for a Staffordshire bull terrier or an American Staffordshire terrier, as**
13 **those standards existed on January 1, 2009.**

14 (2) **A person may not keep a pit bull in this state unless the person has obtained a permit**
15 **to keep the pit bull from the dog control district in which the pit bull is kept or, if the pit**
16 **bull is kept outside of a dog control district, from the county sheriff of the county in which**
17 **the pit bull is kept. A person may obtain a permit under this subsection to keep a pit bull**
18 **only if:**

19 (a) **The person applies for the permit no later than 90 days after the effective date of this**
20 **2009 Act; and**

21 (b) **The person presents the dog control district or county sheriff with a certificate from**
22 **a veterinarian showing that the animal has been sterilized.**

23 (3) **A permit to keep a pit bull is nontransferable.**

24 (4) **The fee charged by a dog control district for a permit under this section may not**
25 **exceed the amount of the fee that the district charges for issuing dog licenses. The fee**
26 **charged by a county sheriff for a permit under this section may not exceed the actual cost**
27 **of issuing the permit.**

28 **SECTION 2. ORS 609.098 is amended to read:**

29 609.098. (1) As used in this section, "dangerous dog" means a dog that:

30 (a) Without provocation and in an aggressive manner inflicts serious physical injury, as defined

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 in ORS 161.015, on a person or kills a person;
- 2 (b) Acts as a potentially dangerous dog, as defined in ORS 609.035, after having previously
3 committed an act as a potentially dangerous dog that resulted in the keeper being found to have
4 violated ORS 609.095; [or]
- 5 (c) Is used as a weapon in the commission of a crime; **or**
- 6 **(d) Is a pit bull, as defined in section 1 of this 2009 Act.**
- 7 (2) A person commits the crime of maintaining a dangerous dog if the person:
- 8 (a) Is the keeper of a dog and the person[,] with criminal negligence[,] fails to prevent the dog
9 from engaging in an act described in subsection (1)(a) **or** (b) of this section[.];
- 10 **(b) Uses the dog in the commission of a crime; or**
- 11 **(c) Is the keeper of a dog described in subsection (1)(d) of this section for which the**
12 **person does not have a permit issued under section 1 of this 2009 Act.**
- 13 (3) Maintaining a dangerous dog is punishable as described in ORS 609.990.
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