

# Senate Bill 810

Sponsored by COMMITTEE ON JUDICIARY (at the request of Tom Bucholz)

## 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**.

Transfers authority to enter premises for probable cause in case of animal abuse to police officers.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1 Relating to police officers; amending ORS 167.345; and declaring an emergency.

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

3 **SECTION 1.** ORS 167.345 is amended to read:

4 167.345. (1) As used in this section, [*peace officer*] "**police officer**" has the meaning given that  
5 term in ORS [*161.015*] **133.525**.

6 (2) If there is probable cause to believe that any animal is being subjected to treatment in vio-  
7 lation of ORS 167.315 to 167.333 or 167.340, a [*peace*] **police** officer, after obtaining a search warrant  
8 or in any other manner authorized by law, may enter the premises where the animal is located to  
9 provide the animal with food, water and emergency medical treatment and may impound the animal.  
10 If after reasonable effort the owner or person having custody of the animal cannot be found and  
11 notified of the impoundment, the notice shall be conspicuously posted on the premises and within  
12 72 hours after the impoundment the notice shall be sent by certified mail to the address, if any,  
13 where the animal was impounded.

14 (3) A [*peace*] **police** officer is not liable for any damages for an entry under subsection (2) of this  
15 section, unless the damages were caused by the unnecessary actions of the [*peace*] **police** officer that  
16 were intentional or reckless.

17 (4) A court may order an animal impounded under subsection (2) of this section to be held at  
18 any animal care facility in the state. A facility receiving the animal shall provide adequate food and  
19 water and may provide veterinary care.

20 **SECTION 2. This 2009 Act being necessary for the immediate preservation of the public**  
21 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**  
22 **on its passage.**  
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**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.