

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass
Vote: 3 - 2 - 0
Yeas: Bonamici, Dingfelder, Prozanski
Nays: Kruse, Whitsett
Exc.: 0
Prepared By: Aaron Knott, Counsel
Meeting Dates: 5/17, 5/24

WHAT THE MEASURE DOES: Authorizes the district attorney to seek forfeiture of animals alleged to have been abused in criminal cases. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Expense assumed by county animal care facilities in caring for forfeited animals
- Lack of county care agencies in some areas can cause a situation where no agency is filing for forfeiture when appropriate
- Procedural requirements and factual showing necessary in order for a prosecutor to receive a forfeiture order

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Current ORS 167.347 allows for the impoundment of abused animals to a county animal shelter or other animal care agency pending the outcome of a criminal action charging various forms of animal abuse under ORS 167.315, 167.340, 167.355, 167.365 or 167.428. The county animal shelter or other facility may also file a petition under this section requesting that the court issue an order forfeiting the animal to the county or animal care agency prior to the final disposition of the criminal charge. House Bill 3041 allows the district attorney to file this petition on behalf of the county animal shelter or other animal care agency.