

House Bill 2175

Sponsored by Representative COWAN (at the request of Rob Bovett, Lincoln County District Attorney) (Pre-session filed.)

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**.

Requires person who receives certain written notification regarding potentially habituated wildlife to remove food, garbage or other attractants as directed. Provides exceptions.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to potentially habituated wildlife; and declaring an emergency.

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

4 **SECTION 1. Sections 2 and 3 of this 2011 Act are added to and made a part of ORS**
5 **chapter 496.**

6 **SECTION 2. It is the intent of the Legislative Assembly to protect wildlife from becoming**
7 **habituated to humans and to protect the public against the serious health and safety risk**
8 **posed by wildlife that are drawn into contact with humans and infrastructure by individuals**
9 **who knowingly feed wildlife.**

10 **SECTION 3. (1) As used in this section:**

11 (a) **"Officer" means any person authorized to enforce the wildlife laws pursuant to ORS**
12 **496.605, 496.610 or 496.615.**

13 (b) **"Potentially habituated wildlife" means bear, coyote, deer, elk, feral swine, raccoon**
14 **and wild turkey.**

15 (2) **A person who places, deposits, distributes, stores or scatters food, garbage or any**
16 **other attractant so as to knowingly constitute a lure, attraction or enticement for poten-**
17 **tially habituated wildlife may be issued a written notification by an officer requiring the**
18 **person to remove the food, garbage or other attractant within two days of notification.**

19 (3) **A person who receives a written notification under subsection (2) of this section may**
20 **not fail to remove the food, garbage or other attractant as directed.**

21 (4) **This section does not apply to:**

22 (a) **A person who holds the appropriate licenses, tags and permits issued by the State**
23 **Fish and Wildlife Commission to hunt or trap potentially habituated wildlife.**

24 (b) **A person who is engaged in activities related to an agricultural or ranching operation.**

25 (c) **A person who is feeding potentially habituated wildlife with the State Fish and Wildlife**
26 **Director's authorization. The director may authorize the feeding:**

27 (A) **In order to prevent damage to private property;**

28 (B) **In order to mitigate the population loss anticipated by a predicted winter mortality;**

29 **or**

30 (C) **As a part of a research or management program.**

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 **(d) Waste disposal facilities operating in accordance with applicable federal, state and**
2 **local laws.**

3 **(e) Zoos, wildlife refuges and persons that have a permit to keep wildlife in captivity for**
4 **rehabilitation or other purposes pursuant to ORS 497.228, 497.298 or 497.308.**

5 **SECTION 4.** **This 2011 Act being necessary for the immediate preservation of the public**
6 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
7 **on its passage.**

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