

House Bill 3430

Sponsored by Representative SPRENGER; Representatives BENTZ, CAMERON, ESQUIVEL, LINDSAY, SCHAUFLEER, J SMITH, THOMPSON

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**.

Expands application of laws regarding estray animals to include all bovines.

A BILL FOR AN ACT

Relating to estray animals; creating new provisions; and amending ORS 607.007 and 607.300.

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

SECTION 1. ORS 607.007 is amended to read:

607.007. As used in this chapter, unless the context requires otherwise:

(1) "Adequate fence" means a continuous barrier consisting of natural barriers, structures, masonry, rails, poles, planks, wire or the combination thereof, installed and maintained in a condition so as to form a continuous guard and defense against the ingress or egress of [*cattle*] **bovines** or equines into or from the lands enclosed by the barrier. Natural barriers may include hedges, ditches, rivers, streams, ponds or lakes.

(2) "Estray animal" means [*cattle*] **bovines** or equines that are unlawfully running at large or being permitted to do so, or that are found to be trespassing on land enclosed by an adequate fence.

(3) "Taking up" means the intentional exertion of control over an estray animal, including but not limited to the restriction of movement, holding under herd, feeding, pasturing or sheltering of the animal.

SECTION 2. ORS 607.300 is amended to read:

607.300. If [*cattle*] **bovines** or equines break through a fence on the open range and a determination of the adequacy of the fence is necessary in order to determine whether the [*cattle*] **bovines** or equines are estray animals, the State Department of Agriculture shall make the determination of the adequacy of the fence and shall consider, among other things, the customs and practices of good animal husbandry in the particular area with reference to fences. The department may adopt rules establishing fees for determining the adequacy of a fence. Fees must be reasonably calculated to compensate the department for the costs of the determination.

SECTION 3. The amendments to ORS 607.007 and 607.300 by sections 1 and 2 of this 2011 Act apply to estray animals taken up on or after the effective date of this 2011 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.