

Senate Bill 350

Sponsored by Senators ROSENBAUM, COURTNEY (Presession 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**.

Creates offense of animal neglect in third degree. Establishes elements of offense to be confinement of unattended domestic animal in motor vehicle under circumstances likely to endanger animal through exposure to unsuitable air temperature. Punishes by maximum fine of \$720.

Authorizes certain persons acting within scope of official duties to remove unattended domestic animal from motor vehicle if animal is confined under circumstances likely to endanger animal through exposure to unsuitable air temperature.

A BILL FOR AN ACT

1
2 Relating to domestic animals.

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

4 **SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS 167.310 to**
5 **167.351.**

6 **SECTION 2. (1) A person commits the crime of animal neglect in the third degree if the**
7 **person intentionally, knowingly, recklessly or with criminal negligence leaves a domestic**
8 **animal unattended within an enclosed part of a motor vehicle under conditions, and for a**
9 **period of time, that may be likely to endanger the health or welfare of the animal through**
10 **exposure to air temperature unsuitable for the animal.**

11 **(2) Animal neglect in the third degree is a Class A violation.**

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

13 **(a) "Domestic animal" has the meaning given that term in ORS 167.310.**

14 **(b) "Keeper" means a person who owns, possesses, controls or otherwise has control of**
15 **a domestic animal.**

16 **(2) The following persons acting within the course of official duties may remove a do-**
17 **mestic animal from a motor vehicle if the animal has been left unattended in the motor ve-**
18 **hicle under circumstances likely to endanger the health or welfare of the animal through**
19 **exposure to air temperature unsuitable for the animal:**

20 **(a) A peace officer as defined in ORS 161.015.**

21 **(b) Humane society investigators appointed as special agents under ORS 131.805.**

22 **(c) An animal control officer as defined in ORS 609.500.**

23 **(d) Public safety personnel as defined in ORS 181.610.**

24 **(e) Firefighters or volunteer firefighters for governmental subdivisions as defined in ORS**
25 **476.005.**

26 **(f) Persons engaged in search and rescue activities under the supervision of a sheriff.**

27 **(3) A person described in subsection (2) of this section may take all steps reasonably**
28 **necessary for the removal of a domestic animal from a motor vehicle, including, but not**
29 **limited to, breaking into the motor vehicle, after a reasonable effort to locate the operator**

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 of the motor vehicle.

2 (4) A person who removes a domestic animal from a motor vehicle shall, in a secure and
3 conspicuous location on or within the motor vehicle, leave written notice bearing the name
4 of and contact information for the person, and the address of the location where the animal
5 can be claimed.

6 (5) A person described in subsection (2) of this section who removes a domestic animal
7 from a motor vehicle shall take the animal to an animal shelter or other place of safekeeping
8 or, if the person deems necessary, to a veterinary hospital for treatment. The keeper of the
9 domestic animal is responsible for the payment of all charges that accrue for the mainte-
10 nance, care, medical treatment or impoundment of the animal.

11 **SECTION 4.** Section 2 of this 2011 Act applies to confinement of an animal in a vehicle
12 that commences on or after the effective date of this 2011 Act.

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