

## HOUSE AMENDMENTS TO HOUSE BILL 4021

By COMMITTEE ON JUDICIARY

February 15

1 On page 1 of the printed bill, line 2, delete "133.721,".

2 In line 3, delete "133.726," and delete "165.535,".

3 In line 10, delete "and".

4 Delete lines 11 through 15 and insert:

5 "(b) The superintendent determines that the employee is fit and qualified to perform the duties  
6 of a humane special agent;

7 "(c) The humane investigation agency agrees in writing to save harmless and indemnify the  
8 State of Oregon and its officers, employees and agents from and against any tort claim or demand,  
9 whether groundless or otherwise, arising out of an alleged act or omission of the employee or the  
10 humane investigation agency, that relates to or results from the authority granted by the commis-  
11 sion; and

12 "(d) The humane investigation agency furnishes to the superintendent a copy of an insurance  
13 policy, purchased and maintained by the humane investigation agency, that the superintendent de-  
14 termines is sufficient to satisfy any tort claim or demand described in paragraph (c) of this sub-  
15 section."

16 Delete lines 28 through 30.

17 On page 2, delete lines 1 through 8 and insert:

18 "(4) Except as otherwise provided in subsection (3) of this section, an employee of a humane  
19 investigation agency commissioned under this section holds the commission at the pleasure of the  
20 superintendent. The superintendent may suspend or revoke a commission granted under this section  
21 at any time for good cause, as determined by the superintendent. If the superintendent revokes a  
22 commission granted under this section, the employee of the humane investigation agency is entitled  
23 only to an informal opportunity to be heard by the superintendent, for the purposes of explaining  
24 any factual circumstances related to the revocation and attempting to persuade the superintendent  
25 to reverse the decision to revoke the commission.

26 "(5) Humane special agents commissioned under this section serve at the expense of the humane  
27 investigation agency employing the agent.

28 "(6) The superintendent may adopt rules to carry out the provisions of this section. The rules  
29 may include a description of the circumstances in which a humane special agent is prohibited from  
30 carrying a firearm while engaged in the enforcement of animal welfare laws.

31 "(7) As used in this section:

32 "(a) 'Animal welfare laws' means:

33 "(A) ORS 167.310 to 167.351, 167.352, 167.355, 167.360 to 167.372, 167.374, 167.376, 167.385,  
34 167.388, 167.390 and 167.426 to 167.439; and

35 "(B) ORS 164.043, 164.045, 164.055, 164.057, 164.075, 164.345, 164.354 and 164.365, if the subject

1 of the crime is an animal.”  
2 Delete lines 15 through 18.  
3 In line 19, delete “(3)” and insert “(2)”.  
4 Delete lines 24 through 27.  
5 In line 28, delete “(5)” and insert “(3)”.  
6 On page 4, delete lines 29 through 45.  
7 Delete pages 5 through 9.  
8 On page 10, delete lines 1 through 6.  
9 In line 7, delete “11” and insert “7”.  
10 In line 28, delete “12” and insert “8”.  
11 On page 11, line 3, delete “13” and insert “9”.  
12 In line 38, delete “14” and insert “10”.  
13 On page 12, delete lines 27 through 45.  
14 On page 13, delete lines 1 through 22.  
15 In line 23, delete “17” and insert “11”.  
16 On page 14, line 21, delete “18” and insert “12”.  
17 On page 15, line 18, delete “19” and insert “13”.  
18 On page 17, line 35, delete “20” and insert “14”.  
19 On page 20, line 4, delete “21” and insert “15”.  
20 In line 44, delete “22” and insert “16”.  
21 On page 21, line 28, delete “23” and insert “17”.  
22 On page 22, line 1, delete “22” and insert “18”.  
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