

Senate Bill 494

Sponsored by COMMITTEE ON JUDICIARY

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**.

Prohibits use of body-gripping traps to trap animals. Provides exceptions.

Changes time period during which traps must be checked. Requires that traps must be identified with marker or metal tag. Provides that traps may not be set in area that extends 100 feet outside boundary of trails, campgrounds and picnic areas. Requires that person that sets trap must post certain sign. Provides exceptions.

A BILL FOR AN ACT

1
2 Relating to traps; creating new provisions; and amending ORS 498.172.

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

4 **SECTION 1.** Section 2 of this 2013 Act is added to and made a part of ORS chapter 498.

5 **SECTION 2.** (1) As used in this section, "body-gripping trap" means a steel-jawed leghold
6 trap, a padded-jaw leghold trap, a conibear trap, a neck snare or any other trap that grips
7 an animal.

8 (2) A person may not:

9 (a) Set, use or authorize the setting or use of a body-gripping trap to capture any animal
10 for commercial or recreational purposes.

11 (b) Buy, sell, barter or otherwise exchange for profit, or offer to buy, sell, barter or
12 otherwise exchange for profit, an animal, or the fur of an animal, that has been trapped in
13 a body-gripping trap.

14 (3) The provisions of this section do not apply to:

15 (a) Any treaty or right of any federally recognized Indian tribe.

16 (b) The setting of, use of or authorization to set or use body-gripping traps to:

17 (A) Prevent or address damage to livestock or agricultural crops on lands a person owns
18 or leases.

19 (B) Protect public safety.

20 (C) Facilitate research by a public entity.

21 **SECTION 3.** ORS 498.172 is amended to read:

22 498.172. (1) A person [*holding a license issued under ORS 497.142*] may not set, **use or authorize**
23 **the setting or use of** a trap for [*fur-bearing mammals*] **any animal** without checking the trap at
24 least once during [*each 48-hour period*] **the 24-hour period after the trap is set and at least once**
25 **during each 24-hour period thereafter.**

26 [(2) A person may not set a trap for a predatory animal, as defined in ORS 610.002, without
27 checking the trap on a regular basis.]

28 (2) A person that sets, uses or authorizes the setting or use of a trap under the pro-
29 visions of this section:

30 (a) **Must identify the trap with a marker or metal tag that provides the name and tele-**

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 **phone number of the owner of the trap.**

2 **(b) May not set, use or authorize the setting or use of a trap in the area that extends**
3 **100 feet outside of the boundary of any trail, campground, picnic area or other area used or**
4 **frequented by the public.**

5 **(c) Must post and maintain within five feet of the trap a clearly visible and legible sign**
6 **that warns the public of the location of the trap and of the danger posed by the trap to an-**
7 **imals and humans.**

8 **(3) The provisions of this section do not apply to the setting of, use of or authorization**
9 **to set or use traps for gophers, mice, moles, beavers or rats on land owned or leased by the**
10 **person setting, using or authorizing the setting or use of the traps or that person's imme-**
11 **diante family as defined in ORS 496.146.**

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