

REVENUE: No revenue impact
FISCAL: Minimal fiscal impact
SUBSEQUENT REFERRAL TO: None

Action:

Vote:

Yeas:

Nays:

Exc.:

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Meeting Dates: 3/24, 4/17

WHAT THE MEASURE DOES: Creates unclassified misdemeanor offense of trafficking animal parts. Defines relevant terms. Provides that knowingly purchasing, selling, offering for sale, possessing with intent to sell or importing for purpose of purchasing or selling ivory, rhinoceros horn, ivory products or rhinoceros products is offense. Lists exemptions. Makes first offense punishable by max of 30 days' imprisonment and by max fine of \$1,250 or twice fair market value of ivory, rhinoceros horn, ivory product or rhinoceros horn product, whichever is greater. Makes second or subsequent offense punishable by max of 30 days' imprisonment and by max fine of \$6,250 or twice fair market value of ivory, rhinoceros horn, ivory product or rhinoceros horn product, whichever is greater. Directs court and State Department of Fish and Wildlife regarding forfeiture, transfer, or destruction. Applies to purchases, sales, offerings, possession and imports occurring 180 or more days after effective date.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: Proposed -3 amendment narrow's the bill's application and provides additional exemptions. Specifically, it removes application to hippopotamus, narwhal, walrus and whale. It also provides exemptions for activities expressly authorized by federal law, for zoos, for certain antique guns or knives, and for certain musical instruments and related items. Additionally, the proposed -3 amendment extends the application date to purchases, sales, offerings, possession and imports occurring on or after January 1, 2017.

BACKGROUND: African elephants and other animals such as the rhinoceros have long been hunted for their ivory tusks and teeth or horns, directly leading to significant declines in their populations. Despite decades of international and domestic intervention, populations continue to decline. Consequently, in early 2014, the Interior Department's Fish and Wildlife Service announced a virtual ban with a few exceptions on the trade of ivory within the United States. The United States maintains the second largest market for ivory in the world.

Current Oregon law does not regulate this type of animal parts trafficking. Senate Bill 913 creates the unclassified misdemeanor offense of trafficking animal parts, including ivory, ivory product, rhinoceros horn, or rhinoceros horn product. Senate Bill 913 defines relevant terms, outlines prohibited conduct and exceptions, and lists punishments for first, second and subsequent offenses. Additionally, Senate Bill 913 directs the courts and State Department of Fish and Wildlife on forfeiture, transfer, and destruction of ivory. Senate Bill 913 applies to purchases, sales, offerings, possession and imports occurring 180 or more days after its effective date.

4/17/2015 7:27:00 AM *

This summary has not been adopted or officially endorsed by action of the committee.