

STAFF MEASURE SUMMARY

House Committee On Judiciary

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 04/14/15

Action: Do Pass.

Meeting Dates: 03/18, 04/14

Vote:

Yeas: 9 - Barker, Barton, Greenlick, Krieger, Lininger, Olson, Post, Sprenger, Williamson

Prepared By: Laura Handzel, Administrator

WHAT THE MEASURE DOES:

Allows action to enjoin or restrain nuisance if place is used for certain crimes against animals.

ISSUES DISCUSSED:

- Groups supporting bill, including Oregon Humane Society, Animal Legal Defense Fund, Humane Society of the United States, and Oregon Veterinary Medical Association
- Reasons bill is needed – limited enforcement resources, importance of timely response, and need to fill enforcement gap
- How bill does and does not changes current law
- Success of North Carolina law
- Safeguards to prevent abuse of abatement system – judicial oversight and award of attorney fees
- Exemptions for good animal husbandry practices
- No present application to horse racing or greyhound racing
- Number of cases that could result

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

Current Oregon law contains provisions to address the abatement of nuisance activities or conditions. (ORS 105.550 through ORS 105.600.) Places and activities addressed under current law include prostitution, patronizing a prostitute, gambling, lottery, properties determined not fit for use and in need of decontamination, as well as any place involving the unauthorized delivery, manufacturing or possession of a controlled substance.

House Bill 2888 adds any place used for crimes against animals to this existing list of activities that may be addressed as a nuisance through civil abatement. The animal crimes addressed by House Bill 2888 include animal fighting (with specific provisions for dogfighting and cockfighting), breeding operations with over 50 animals, as well as other incidents of animal abuse including animal cruelty, torture, sexual assault, abandonment and neglect.