

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
Senate Committee On Judiciary

MEASURE: SB 913 A
CARRIER: Sen. Hass

Fiscal: Has minimal fiscal impact
Revenue: No Revenue Impact

Action Date: 04/17/15
Action: Do Pass With Amendments. (Printed A-Eng.)
Meeting Dates: 03/24, 04/17
Vote:
Yeas: 3 - Burdick, Gelser, Prozanski
Nays: 2 - Kruse, Thatcher

Prepared By: Laura Handzel, Administrator

WHAT THE MEASURE DOES:

Creates unclassified misdemeanor offense of trafficking animal parts. Provides exemptions. Defines relevant terms. Establishes penalties. Directs court and State Department of Fish and Wildlife regarding forfeiture, transfer, or destruction. Applies to purchases, sales, offerings, possession and imports occurring on or after January 1, 2017.

ISSUES DISCUSSED:

- Need for bill, including discussion of current federal law
- Poaching and Oregon's role
- Ivory, rhino horn, and related products and ties to terrorism, gun trade, and organized crime
- Exemptions provided
- Enforcement challenges
- Illegal trade
- States' roles, as well as New York and New Jersey laws enacted in 2014
- Strengthening of laws against poaching domestically and on international level
- Possible amendments

EFFECT OF COMMITTEE AMENDMENT:

Narrows the bill's application and provides additional exemptions. Removes application to hippopotamus, narwhal, walrus and whale. 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. Extends 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 A creates the unclassified misdemeanor offense of trafficking animal parts, including ivory, ivory product, rhinoceros horn, or rhinoceros horn product. Senate Bill 913 A defines relevant terms, outlines prohibited conduct and exceptions, and lists punishments for first, second and subsequent offenses. Additionally, Senate Bill 913 A 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 on or after January 1, 2017.