

STAFF MEASURE SUMMARY

House Committee On Judiciary

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 05/07/15

Action: Do Pass.

Meeting Dates: 05/07

Vote:

Yeas: 7 - Barker, Greenlick, Krieger, Olson, Post, Sprenger, Williamson

Exc: 2 - Barton, Lininger

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WHAT THE MEASURE DOES:

Modifies definition of “animal rescue entity” to clarify inclusion of animals located off-site.

ISSUES DISCUSSED:

- History and success of Senate Bill 6
- Legislative intent of Senate Bill 6
- North Marion County case and discovery of legal loophole
- Unintended consequences of Senate Bill 6
- Fraudulent animal rescue organizations
- Technical fix provided by Senate Bill 4
- “Legal” versus “physical” custody
- Animal hoarding cases
- Oregon Humane Society humane agents

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

The 77th Legislative Assembly passed Senate Bill 6 during the 2013 regular session. That bill created more comprehensive anti-cruelty, animal impoundment and animal rescue laws. Part of the intent of Senate Bill 6 was to create a mechanism to better regulate unlicensed animal rescue organizations. This is because animal hoarders or individuals with fraudulent intent sometimes exploit animals by posing as reputable animal rescues.

Senate Bill 4 closes a legal loophole unintentionally created by Senate Bill 6 by modifying the definition of “animal rescue entity” created by Senate Bill 6. Senate Bill 4 clarifies that an “animal rescue entity” maintains “legal” custody of 10 or more animals regardless of whether they are kept onsite or in another location.