

HB 3283 A STAFF MEASURE SUMMARY

Carrier: Rep. Williamson

House Committee On Judiciary

Action Date: 04/14/17

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 10-0-1-0

Yeas: 10 - Barker, Gorsek, Greenlick, Lininger, Olson, Post, Sanchez, Stark, Vial, Williamson

Exc: 1 - Sprenger

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Josh Nasbe, Counsel

WHAT THE MEASURE DOES:

Increases, from five to 15 years, length of time person convicted of felony animal neglect is prohibited from possessing an animal of the same type as he or she neglected. Authorizes court to reduce length of prohibition if defendant successfully completes mental health treatment. Prohibits court from reducing order to repay cost of caring for animal pending trial, based on donations or funding for care received by government agency or humane investigation agency.

ISSUES DISCUSSED:

- Multi-year criminal cases involving numerous dogs, cats, horses and cattle; costs of care
- Donations to nonprofit organizations to house and feed animals
- Reduction of restitution owed by defendant
- Financial incentives of fundraising organizations
- Judicial discretion to fairly allocate costs

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

ORS 167.332 prohibits a person convicted of certain animal crimes from possessing an animal of the same type that was the subject of the crime for five or 15 years, depending on the conviction. House Bill 3283-A increases the length of the prohibition, from five to 15 years, for persons convicted of animal neglect in the first or second degree. The bill also allows the court to reduce this 15-year period, for any of the crimes subject to this penalty, if the defendant successfully completes mental health treatment approved by the court.

ORS 167.350 authorizes the court to order a person convicted of certain animal crimes to repay the costs incurred by a government agency or a humane investigation agency in caring for an animal during the criminal proceeding. House Bill 3283-A prohibits the court from reducing the amount of the order based on any donations to or fundraising received by the agency for that care.