

**HB 3283 B\* STAFF MEASURE SUMMARY**

**Carrier:** Rep. Sprenger

**Conference Committee on HB 3283**

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**Action Date:** 06/22/17

**Action:** Senate recede from Senate amendments dated 05-24, further amend and repass.

**House Vote**

**Yeas:** 3 - Barker, McLain, Sprenger

**Senate Vote**

**Yeas:** 3 - Linthicum, Manning Jr, Prozanski

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Josh Nasbe, Counsel

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**WHAT THE MEASURE DOES:**

Increases, from five to 15 years, length of time person convicted of felony animal neglect is prohibited from possessing certain animals. Authorizes court to reduce 15-year prohibition resulting from any felony animal conviction 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. Classifies parrots as domestic animals, rather than livestock, for purposes of animal neglect and abuse statutes. Excludes, from definition of insurance applicable to Insurance Code, contracts under which animal is rented or leased, when owner of animal retains obligation to provide for veterinary care or other needs of animal. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Provisions of the bill
- Protections for livestock producers

**EFFECT OF AMENDMENT:**

Amends A-engrossed version of House Bill 3283. Excludes from definition of "insurance" animals that are rented or leased to person or public body, when owner of animal retains an obligation to provide veterinary or other care for animal. Applies to contracts entered into before, on or after effective date. Classifies parrots as domestic animals, rather than livestock, for purposes of animal neglect and abuse statutes. Declares emergency, effective on passage.

**BACKGROUND:**

ORS 167.332 prohibits a person convicted of certain animal crimes from possessing certain animals for a period of five or 15 years, depending on the conviction. House Bill 3283-B\* increases the length of the prohibition, from five to 15 years, for persons convicted of felony 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-B\* prohibits the court from reducing the amount of the order based on any donations to or fundraising received by the agency for that care. In addition, House Bill 3283-B\* classifies parrots as domestic animals, rather than livestock, for purposes of the animal abuse and neglect statutes.

Finally, House Bill 3283-B\* expressly excludes from the definition of "insurance" found in the Insurance Code, contracts under which an animal is rented or leased, when the owner of the animal retains an obligation to provide

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for veterinary care or other needs of the animal.