

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 3283**

1 On page 1 of the printed A-engrossed bill, line 2, after “167.305,” insert
2 “167.310.”

3 On page 2, after line 3, insert:

4 **“SECTION 2.** ORS 167.310 is amended to read:

5 “167.310. As used in ORS 167.310 to 167.351:

6 “(1) ‘Adequate bedding’ means bedding of sufficient quantity and quality
7 to permit a domestic animal to remain dry and reasonably clean and main-
8 tain a normal body temperature.

9 “(2)(a) ‘Adequate shelter’ includes a barn, doghouse or other enclosed
10 structure sufficient to protect a domestic animal from wind, rain, snow or
11 sun, that has adequate bedding to protect against cold and dampness and
12 that is maintained to protect the domestic animal from weather and physical
13 injury.

14 “(b) ‘Adequate shelter’ does not include:

15 “(A) Crawl spaces under buildings or parts of buildings, such as steps,
16 decks or stoops;

17 “(B) The space under a vehicle;

18 “(C) The inside of a vehicle if the domestic animal is kept in the vehicle
19 in a manner or for a length of time that is likely to be detrimental to the
20 domestic animal’s health or safety;

21 “(D) Shelters made from cardboard or other materials that are easily de-

1 graded by the elements;

2 “(E) Animal carriers or crates that are designed to provide temporary
3 housing;

4 “(F) Shelters with wire or chain-link floors, unless the domestic animal
5 is a bird; or

6 “(G) Shelters surrounded by waste, debris, obstructions or impediments
7 that could adversely affect an animal’s health.

8 “(3) ‘Animal’ means any nonhuman mammal, bird, reptile, amphibian or
9 fish.

10 “(4) ‘Domestic animal’ means an animal, other than livestock or equines,
11 that is owned or possessed by a person.

12 “(5) ‘Equine’ means a horse, pony, donkey, mule, hinny, zebra or a hybrid
13 of any of these animals.

14 “(6) ‘Good animal husbandry’ includes, but is not limited to, the dehorn-
15 ing of cattle, the docking of horses, sheep or swine, and the castration or
16 neutering of livestock, according to accepted practices of veterinary medicine
17 or animal husbandry.

18 “(7) ‘Law enforcement animal’ means a dog or horse used in law enforce-
19 ment work under the control of a corrections officer, parole and probation
20 officer, police officer or youth correction officer, as those terms are defined
21 in ORS 181A.355, who has successfully completed at least 360 hours of
22 training in the care and use of a law enforcement animal, or who has passed
23 the demonstration of minimum standards established by the Oregon Police
24 Canine Association or other accredited and recognized animal handling or-
25 ganization.

26 “(8)(a) ‘Livestock,’ **except as provided in paragraph (b) of this sub-**
27 **section,** has the meaning provided in ORS 609.125.

28 “(b) ‘Livestock’ **does not include psittacines.**

29 “(9) ‘Minimum care’ means care sufficient to preserve the health and
30 well-being of an animal and, except for emergencies or circumstances beyond

1 the reasonable control of the owner, includes, but is not limited to, the fol-
2 lowing requirements:

3 “(a) Food of sufficient quantity and quality to allow for normal growth
4 or maintenance of body weight.

5 “(b) Open or adequate access to potable water in sufficient quantity to
6 satisfy the animal’s needs. Access to snow or ice is not adequate access to
7 potable water.

8 “(c) For a domestic animal other than a dog engaged in herding or pro-
9 tecting livestock, access to adequate shelter.

10 “(d) Veterinary care deemed necessary by a reasonably prudent person to
11 relieve distress from injury, neglect or disease.

12 “(e) For a domestic animal, continuous access to an area:

13 “(A) With adequate space for exercise necessary for the health of the
14 animal;

15 “(B) With air temperature suitable for the animal; and

16 “(C) Kept reasonably clean and free from excess waste or other contam-
17 inants that could affect the animal’s health.

18 “(f) For a livestock animal that cannot walk or stand without assistance:

19 “(A) Humane euthanasia; or

20 “(B) The provision of immediate and ongoing care to restore the animal
21 to an ambulatory state.

22 “(10) ‘Physical injury’ means physical trauma, impairment of physical
23 condition or substantial pain.

24 “(11) ‘Physical trauma’ means fractures, cuts, punctures, bruises, burns
25 or other wounds.

26 “(12) ‘Possess’ has the meaning provided in ORS 161.015.

27 “(13) ‘Serious physical injury’ means physical injury that creates a sub-
28 stantial risk of death or that causes protracted disfigurement, protracted
29 impairment of health or protracted loss or impairment of the function of a
30 limb or bodily organ.

1 “(14)(a) ‘Tethering’ means to restrain a domestic animal by tying the do-
2 mestic animal to any object or structure by any means.

3 “(b) ‘Tethering’ does not include using a handheld leash for the purpose
4 of walking a domestic animal.”.

5 In line 4, delete “2” and insert “3”.

6 On page 3, line 17, delete “3” and insert “4”.

7 On page 4, line 8, delete “4” and insert “5” and delete “2” and insert
8 “3”.

9 In line 10, delete “5” and insert “6” and delete “3” and insert “4”.

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