79th OREGON LEGISLATIVE ASSEMBLY--2018 Regular Session

House Bill 4050

Sponsored by Representative BARKER (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor’s brief statement of the essential features of the measure as introduced.

Consolidates provisions prohibiting commercial transactions related to cockfighting equipment.

A BILL FOR AN ACT

Relating to animals; creating new provisions; and amending ORS 167.428 and 167.431.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 167.428 is amended to read:

167.428. (1) A person commits the crime of cockfighting if the person knowingly:

(a) Owns, possesses, keeps, rears, trains, buys, sells or advertises or otherwise offers to sell a fighting bird.

(b) Promotes or participates in, or performs services in furtherance of, the conducting of a cockfight. As used in this paragraph, “services in furtherance” includes, but is not limited to, transporting spectators to a cockfight, handling fighting birds, organizing, advertising or refereeing a cockfight and providing, or acting as stakeholder for, money wagered on a cockfight.

(c) Keeps, uses or manages, or accepts payment of admission to, a place for the conducting of a cockfight.

(d) Suffers or permits a place in the possession or control of the person to be occupied, kept or used for the conducting of a cockfight.

[(e) Manufactures, buys, sells, barters, exchanges, possesses, advertises or otherwise offers to sell a gaff, slasher or other sharp implement designed for attachment to a fighting bird with the intent that the gaff, slasher or other sharp implement be used in cockfighting.]

(2) Subsection (1)(a) of this section does not apply to the owning, possessing, keeping, rearing, buying, selling, advertising or otherwise offering for sale of a bird for purposes other than training the bird as a fighting bird, using or intending to use the bird in cockfighting or supplying the bird knowing that the bird is intended to be used in cockfighting.

(3) Cockfighting is a Class C felony.

SECTION 2. ORS 167.431 is amended to read:

167.431. (1) A person commits the crime of participation in cockfighting if the person knowingly:

(a) Attends a cockfight or pays admission at any location to view or bet on a cockfight; or

(b) Manufactures, buys, sells, barters, exchanges, possesses, advertises or otherwise offers to sell a gaff, slasher or other sharp implement designed for attachment to a fighting bird, or other equipment, with the intent that the gaff, slasher, implement or equipment be used in training or handling a fighting bird or for enhancing the fighting ability of a fighting bird. [This paragraph does not apply to a gaff, slasher or other sharp implement designed for attachment to a fighting bird.]

(2) Participation in cockfighting is a Class C felony.

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted. New sections are in boldfaced type.

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SECTION 3. The amendments to ORS 167.428 and 167.431 by sections 1 and 2 of this 2018 Act apply to conduct engaged in on or after the effective date of this 2018 Act. The amendments to ORS 167.428 by section 1 of this 2018 Act do not exempt any person from prosecution or from criminal penalties provided for in ORS 167.428, as set forth in the 2015 Edition of Oregon Revised Statutes, with regard to conduct occurring prior to the effective date of this 2018 Act.