

**SB 509 STAFF MEASURE SUMMARY**

**Carrier:** Sen. Johnson, Sen. Roblan

**Senate Committee On Judiciary**

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**Action Date:** 02/26/19

**Action:** Do pass.

**Vote:** 7-0-0-0

**Yeas:** 7 - Bentz, Fagan, Gelser, Linthicum, Manning Jr, Prozanski, Thatcher

**Fiscal:** No fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Gillian Fischer, Counsel

**Meeting Dates:** 2/18, 2/26

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**WHAT THE MEASURE DOES:**

Repeals ORS 164.815, the crime of unlawfully transporting hay.

**ISSUES DISCUSSED:**

- Unlawful taking of hay prosecutable as a theft crime
- Historical problem with hay theft
- Instances of people being cited for crime
- Provisions of measure

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

This measure removes the requirement that anyone hauling more than 20 bales of hay on a public highway to have possession of a transportation certificate signed by the producer or the agent of the producer. Failure to do so is considered a crime of the unlawfully transporting hay is a Class C misdemeanor.

This originally assisted in preventing the theft of hay bales that, at the time, generally weighed 75-90 pounds. Theft of bales was prevalent due to their size, weight, and ease of access. Today, the average hay bale weighs typically 1,000 pounds and requires specialized equipment in the field to move. The change in industry, proponents of the measure say, have eliminated the need for additional regulation on the transport of hay designed to prevent theft.