

HB 4128 STAFF MEASURE SUMMARY

Senate Committee On Natural Resources and Wildfire Recovery

Prepared By: Beth Patrino, LPRO Analyst

Meeting Dates: 2/15

WHAT THE MEASURE DOES:

Directs the Legislative Policy and Research Office (LPRO) to prepare a report that evaluates Oregon's current framework for monitoring, preventing, and responding to zoonotic diseases and recommends ways to strengthen the framework. Directs LPRO to present the report to a committee committee related to public health by December 31, 2022. Directs the Oregon Health Authority (OHA), Oregon Department of Agriculture, and Oregon Department of Fish and Wildlife to provide consultation and information for the report.

Defines "prohibited species" as a species that may not be imported, possessed, sold, purchased, exchanged, or transported in Oregon, as established by rule of the Oregon Fish and Wildlife Commission (Commission). Directs the Commission to review and update the list of prohibited species as it deems necessary to protect against significant risks to public health from zoonotic disease. Requires OHA to notify the Commission if a wildlife species is identified as posing a significant risk to public health from zoonotic disease. After such notification, requires the Commission to review and update relevant rules and its list of prohibited species, and authorizes the Commission to take any lawful actions it deems necessary to protect the public from zoonotic disease transmission. Exempts species utilized in "farm use" as defined in ORS 308A.056. Authorizes the Commission to institute suit for rule violations related to the prohibited species list and to collect \$2,500 per violation in damages. Prohibits a person from participating in the sale or offer for sale of live wildlife for human consumption; exempts species utilized in farm use and certain fish and marine life that is lawfully raised or harvested. Requires the Commission, when adopting rules prohibiting the removal from its natural habitat or the acquisition or holding in captivity of any wildlife in violation of the wildlife laws, to strive to protect public health and to consider any public health risks relating to holding wildlife or transmitting zoonotic diseases. Declares emergency, effective upon passage.

FISCAL: Fiscal statement issued

REVENUE: No revenue impact

House Vote: Passed. Ayes, 39; Nays, 16--Bonham, Boshart Davis, Breese-Iverson, Cate, George, Goodwin, Hayden, Hieb, Levy, Lewis, Morgan, Reschke, Scharf, Wallan, Wright, Zika; Excused, 5--Alonso Leon, Noble, Prusak, Salinas, Stark.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The majority of infectious diseases in human beings are transmitted zoonotically, from animals to humans. Recent examples include Ebola, Zika, West Nile, HIV/AIDS, and coronaviruses such as SARS and COVID-19. These viruses were originally transmitted to humans by bats, rodents, or primates.

The number and type of zoonotic diseases are increasing according to the Centers for Disease Control and Prevention. In response, the Oregon Department of Fish and Wildlife (ODFW) has developed rules under OAR 635-044 and 635-056 to regulate the holding of wildlife and the importation, possession, confinement, transportation, and sale of nonnative wildlife. ODFW maintains lists of nonnative wildlife species that are

This summary has not been adopted or officially endorsed by action of the committee.

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prohibited, controlled, or noncontrolled in Oregon, and that are subject to those rules. The Oregon Department of Agriculture (ODA) requires all animals transported within the state to obtain a certificate of veterinary inspection, and the State Veterinarian has broad authority to regulate import to preserve animal health. Both agencies - ODFW and ODA - have integrated their administrative rules to provide a framework for protecting the state's domestic and wild animal species from significant diseases. In addition, the Oregon Health Authority has responsibility to protect human populations from disease outbreaks.

House Bill 4128 would require the development of a report on the state's framework for response to zoonotic diseases, the review and update of the prohibited species list and related rules, and would prohibit live wildlife to be sold for human consumption with certain exceptions.