

HB 3384 -3 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 3/13, 4/4

WHAT THE MEASURE DOES:

Creates a class C felony crime of aggravated animal neglect in the first degree. Directs the Oregon Criminal Justice Commission to classify the offense as crime category 6 if up to 40 animals were the subject of the neglect and as a crime category 7 if more than 40 animals were the subject of the neglect. Creates a class A misdemeanor crime of interfering with an investigation into an offense against an animal. Prohibits a person convicted of violating certain animal cruelty statutes from owning, exerting control over or residing on same property as an animal of same genus or domestic animal against which the underlying crime was committed. Establishes mandatory fine of \$100 for each animal a person is convicted of having committed a listed offense against. Establishes Proper Animal Husbandry Fund and directs mandatory fine be deposited into the Fund. Requires Department of State Police to establish program for awarding grants to organizations that teach proper animal husbandry to youths.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-3 Replaces the measure. Creates a class A misdemeanor crime of interfering with an investigation into an offense against an animal. Amends statute to provide that the crime of animal abuse in the first degree and aggravated animal abuse in the first degree are a category 7 felony in certain circumstances. Prohibits a person convicted of violating certain animal cruelty statutes from owning, exerting control over or residing on same property as an animal of same genus or domestic animal against which the underlying crime was committed. Establishes mandatory fine of \$100 for each animal a person is convicted of having committed a listed offense against. Establishes Proper Animal Husbandry Fund and directs mandatory fine be deposited into the Fund. Requires the Oregon State University Extension Service to establish a program for awarding grants to organizations that teach proper animal husbandry and animal care to youths.

BACKGROUND:

Current Oregon law includes the crimes of Animal neglect in the first and second degree.

A person commits the crime of animal neglect in the first degree if the person intentionally, knowingly, recklessly or with criminal negligence: Fails to provide minimum care for an animal in the person's custody or control and the failure to provide care results in serious physical injury or death to the animal; or tethers a domestic animal in the person's custody or control and the tethering results in serious physical injury or death to the domestic animal. A person commits the crime of animal neglect in the second degree if the person intentionally, knowingly, recklessly or with criminal negligence: Fails to provide minimum care for an animal or tethers a domestic animal and the tethering results in physical injury to the domestic animal. Animal neglect in the second degree is a Class B misdemeanor.

HB 3384 would create a class C felony crime of aggravated animal neglect in the first degree and classify the offense as crime category 6 or 7. Creates a class A misdemeanor crime of interfering with an investigation into an offense against an animal.