

Senate Bill 1076

Sponsored by Senator PROZANSKI, Representatives NERON, GOMBERG; Senators SOLLMAN, STARR

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act tells an agency to impose certain fees for licenses for animal rescue entities. The Act tells the agency to create a program for granting licenses to persons that breed certain animals. The Act gives money for the program. (Flesch Readability Score: 60.0).

Directs the State Department of Agriculture to impose certain fees for licenses and license renewals for animal rescue entities.

Directs the department to adopt rules to establish a licensing program for breeders of certain animals. Punishes a violation of the rules by a maximum of six months' imprisonment, \$2,500 fine, or both.

Authorizes the department to investigate and inspect the breeders.

Appropriates moneys to the department out of the General Fund for purposes related to the new licensing program.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

Relating to animals; creating new provisions; amending ORS 609.420 and 609.992; and declaring an emergency.

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

LICENSE FEES FOR ANIMAL RESCUE ENTITIES

SECTION 1. The State Department of Agriculture shall charge the following for a license or license renewal for an animal rescue entity, as defined in ORS 609.415, that is:

(1) An animal control agency, animal shelter or humane society, a fee of \$600, adjusted annually for inflation for every year after 2026 to account for changes in the Consumer Price Index for All Urban Consumers, West Region (All Items), as published by the Bureau of Labor Statistics of the United States Department of Labor.

(2) An animal sanctuary, a fee of \$400, adjusted annually for inflation for every year after 2026 to account for changes in the Consumer Price Index for All Urban Consumers, West Region (All Items).

(3) Not described in subsection (1) or (2) of this section, a fee of \$350, adjusted annually for inflation for every year after 2026 to account for changes in the Consumer Price Index for All Urban Consumers, West Region (All Items).

SECTION 2. Section 1 of this 2025 Act becomes operative on January 1, 2026.

LICENSING PROGRAM FOR ANIMAL BREEDERS

SECTION 3. (1) As used in this section and ORS 609.420:

(a) "Breeder" means a person that breeds, raises and sells as pets:

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.

- 1 (A) Birds, other than livestock or exotic animals.
- 2 (B) Cats.
- 3 (C) Dogs.
- 4 (D) Small mammals, other than exotic animals.
- 5 (b) “Cat” means a member of the species *Felis catus* or a hybrid of that species.
- 6 (c) “Dog” means a member of the subspecies *Canis lupus familiaris* or a hybrid of that
- 7 subspecies.
- 8 (d) “Exotic animal” has the meaning given that term in ORS 609.305.
- 9 (e) “Livestock” has the meaning given that term in ORS 609.125.
- 10 (2) The State Department of Agriculture shall adopt rules to establish the following for
- 11 breeders:
 - 12 (a) A licensing program.
 - 13 (b) Licensing requirements.
 - 14 (c) Standards of care.
 - 15 (d) Fees for licenses and license renewals, adjusted annually for inflation for every year
 - 16 after 2026 to account for changes in the Consumer Price Index for All Urban Consumers,
 - 17 West Region (All Items), as published by the Bureau of Labor Statistics of the United States
 - 18 Department of Labor.
- 19 (3) In adopting the rules, the department:
 - 20 (a) Shall consider relevant factors, including the sizes of breeders and the costs of regu-
 - 21 lation and enforcement related to breeders.
 - 22 (b) Shall consider whether the fees are proportional to department funding needs for
 - 23 staff, including the potential need to hire a veterinarian.
 - 24 (c) May set fees for licenses and license renewals that differ based on the sizes of
 - 25 breeders.
 - 26 (4) Rules adopted under this section that apply to breeders that breed dogs shall apply
 - 27 in addition to, and not in lieu of, any applicable requirements under ORS 167.374 and 167.376.

28 **SECTION 4.** (1) Section 3 of this 2025 Act becomes operative on January 1, 2027.

29 (2) Notwithstanding the operative date specified in subsection (1) of this section, the
30 State Department of Agriculture:

- 31 (a) Shall adopt the rules described in section 3 of this 2025 Act on or before June 30, 2026.
- 32 (b) May not enforce the provisions of section 3 of this 2025 Act before January 1, 2028.
- 33 (c) May take any action before the operative date specified in subsection (1) of this sec-
- 34 tion that is necessary for the department to exercise, on and after the operative date speci-
- 35 fied in subsection (1) of this section, all of the duties, functions and powers conferred on the
- 36 department by section 3 of this 2025 Act.

37
38 **INVESTIGATION AND INSPECTION**

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40 **SECTION 5.** ORS 609.420 is amended to read:

41 609.420. (1) Whenever an authorized representative of [*an enforcing agency*] **the State Depart-**
42 **ment of Agriculture** is advised or has reason to believe that an animal rescue entity **or a breeder**
43 is operating without a license, the authorized representative may visit and conduct an on-site in-
44 vestigation of the premises of the animal rescue entity **or breeder**. The purpose of an investigation
45 under this section is to determine whether the animal rescue entity **or breeder** is [*subject to*] **in**

1 **compliance with** the requirements of ORS 609.415 **or rules adopted under section 3 of this 2025**
2 **Act.**

3 (2) At any reasonable time, an authorized representative of [*an enforcing agency*] **the depart-**
4 **ment**, a law enforcement agency or the United States Department of Agriculture may conduct an
5 on-site investigation of the premises of any licensed animal rescue entity **or breeder** to determine
6 whether the [*entity*] **animal rescue entity or breeder** is in compliance with ORS 609.415 **or rules**
7 **adopted under section 3 of this 2025 Act.**

8 (3) An authorized representative of the [*enforcing agency*] **department** or a law enforcement
9 agency shall conduct an on-site investigation of the premises of any licensed animal rescue entity
10 **or breeder** if the **authorized representative or law enforcement** agency receives a complaint
11 about the animal rescue entity **or breeder** related to [*the*] a failure to comply with the requirements
12 of ORS 609.415 that the **authorized representative or law enforcement** agency determines is
13 credible and serious. The investigation [*by the agency*] shall be limited to determining if the animal
14 rescue entity **or breeder** has failed to comply with the requirements of ORS 609.415 **or rules**
15 **adopted under section 3 of this 2025 Act.**

16 (4) Any state agency that receives a complaint about a licensed animal rescue entity **or breeder**
17 shall notify the [*enforcing agency*] **department** about the complaint and any subsequent action taken
18 by the state agency based on that complaint.

19 (5) A licensed animal rescue entity **or breeder** shall permit an authorized representative of the
20 [*enforcing agency*] **department** to inspect records of the animal rescue entity **or breeder** and shall
21 furnish any reports and information required by the [*enforcing agency*] **department.**

22 (6) If, during the course of an inspection made under this section, the [*enforcing agency*] **de-**
23 **partment** finds evidence of animal cruelty in violation of ORS 167.310 to 167.351, 167.352, 167.355
24 or 167.360 to 167.372, the [*enforcing agency*] **department** shall seize the evidence and report the vi-
25 olation to law enforcement. Evidence of animal cruelty found through a valid inspection under this
26 section shall be presumed admissible in any subsequent criminal proceeding.

27 **SECTION 6. The amendments to ORS 609.420 by section 5 of this 2025 Act become oper-**
28 **ative on January 1, 2028.**

30 PENALTIES

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32 **SECTION 7.** ORS 609.992 is amended to read:

33 609.992. (1) Violation of ORS 609.341 **or a rule adopted under section 3 of this 2025 Act** is a
34 Class B misdemeanor.

35 (2) In addition to and not in lieu of any jail sentence or fine it may impose, a court may require
36 a defendant convicted under ORS 609.341 **or a rule adopted under section 3 of this 2025 Act** to
37 forfeit any rights of the defendant in any exotic animal **or other animal** kept in violation thereof
38 and to repay reasonable costs incurred by any person, city, county or state agency in caring for the
39 **exotic animal or other** animal prior to judgment.

40 (3) When the court orders the defendant's rights in the exotic animal **or other animal** to be
41 forfeited, the court may further order that those rights be given over to an appropriate person or
42 agency demonstrating a willingness to accept and care for the **exotic animal or other** animal or
43 to the county or an appropriate animal care agency for further disposition in accordance with ac-
44 cepted practices for humane treatment of animals. This subsection shall not constitute or authorize
45 any limitation upon the right of the person or agency to whom rights are granted to resell or oth-

erwise make disposition of the **exotic animal or other** animal. A transfer of rights under this subsection constitutes a transfer of ownership.

SECTION 8. The amendments to ORS 609.992 by section 7 of this 2025 Act become operative on January 1, 2028.

APPROPRIATION

SECTION 9. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the State Department of Agriculture, for the biennium beginning July 1, 2025, out of the General Fund, the amount of \$_____ to be expended for the purposes of:

- (a) Carrying out the provisions of section 3 of this 2025 Act.
- (b) Conducting education and outreach related to implementing section 3 of this 2025 Act.
- (c) Paying any legal fees or costs related to implementing section 3 of this 2025 Act.

(2) This appropriation is available continuously until expended for the purposes specified in this section.

CAPTIONS

SECTION 10. The unit captions used in this 2025 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2025 Act.

EFFECTIVE DATE

SECTION 11. This 2025 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect on its passage.
