

HB 4034 -2 STAFF MEASURE SUMMARY

House Committee On Agriculture, Land Use, Natural Resources, and Water

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/2, 2/4

WHAT THE MEASURE DOES:

The measure removes certain veterinary facilities from the definition of 'Animal Rescue Entity' and replaces existing record keeping requirements and associated violation procedures with a direction to the Oregon Department of Agriculture to develop and implement new rules through rulemaking.

Detailed Summary

- Removes fish from the definition of 'animal' in regard to animal rescue entity (ARE) regulations.
- Excludes all veterinary facilities that keep, house, and maintain animals in their legal custody and solicit or accept donations from the definition of animal rescue entity.
- Limits the definition of 'Animal Rescue Entity' to an individual or organization, including but not limited to an animal control agency, humane society, animal shelter, animal sanctuary, or boarding kennel not subject to ORS 167.374.
- Removes existing recordkeeping requirements and associated violation procedures for AREs and instead directs the Oregon Department of Agriculture, through rulemaking, to develop and implement new rules that:
 - Require AREs to maintain records for each animal in their legal custody
 - Establish an auditing process for AREs
 - Establish a licensing requirement for AREs
 - Ensure notice requirements, a hearing opportunity, and an opportunity for judicial review for AREs subject of an alleged violation
- Authorizes ODA to inspect records of an ARE and furnish any reports and information during an audit
- Removes permission for an ARE to transfer their license to another person

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 The amendment updates the regulation of animal rescue entities by refining definitions, narrowing licensing and recordkeeping requirements, and directing the Oregon Department of Agriculture to solicit inclusive stakeholder input during rulemaking.

Detailed Summary

- Applies the exclusion of veterinary facilities from the definition of animal rescue entity to all veterinary facilities as defined in ORS 686.010.
- Changes the definition of animal rescue entities by restoring the existing definition, but excluding veterinary facilities, and removing the requirement that entities have at least 10 animals in legal custody.
- Limits record keeping and licensing requirements to AREs that keep, house, and maintain 10 or more animals in their legal custody for more than two consecutive days.
- Directs ODA to solicit input during rulemaking from AREs in both rural and urban areas, as well as from individuals and organizations that provide transportation to or from AREs or that deliver free or low-cost

animal care.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

BACKGROUND:

AREs are currently defined as any individual or organization that keeps, houses, and maintains in the individual's or organization's legal custody 10 or more animals at any given time, and solicits or accepts donations of any kind. Senate Bill 883 (2019) established the ARE Licensing Program to regulate statewide record keeping and licensing requirements for AREs.