

SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 3283

By COMMITTEE ON JUDICIARY

May 24

- 1 On page 1 of the printed A-engrossed bill, line 2, after “167.305,” insert “167.310,”.
- 2 On page 2, after line 3, insert:
- 3 “**SECTION 2.** ORS 167.310 is amended to read:
- 4 “167.310. As used in ORS 167.310 to 167.351:
- 5 “(1) ‘Adequate bedding’ means bedding of sufficient quantity and quality to permit a domestic
- 6 animal to remain dry and reasonably clean and maintain a normal body temperature.
- 7 “(2)(a) ‘Adequate shelter’ includes a barn, doghouse or other enclosed structure sufficient to
- 8 protect a domestic animal from wind, rain, snow or sun, that has adequate bedding to protect
- 9 against cold and dampness and that is maintained to protect the domestic animal from weather and
- 10 physical injury.
- 11 “(b) ‘Adequate shelter’ does not include:
- 12 “(A) Crawl spaces under buildings or parts of buildings, such as steps, decks or stoops;
- 13 “(B) The space under a vehicle;
- 14 “(C) The inside of a vehicle if the domestic animal is kept in the vehicle in a manner or for a
- 15 length of time that is likely to be detrimental to the domestic animal’s health or safety;
- 16 “(D) Shelters made from cardboard or other materials that are easily degraded by the elements;
- 17 “(E) Animal carriers or crates that are designed to provide temporary housing;
- 18 “(F) Shelters with wire or chain-link floors, unless the domestic animal is a bird; or
- 19 “(G) Shelters surrounded by waste, debris, obstructions or impediments that could adversely af-
- 20 fect an animal’s health.
- 21 “(3) ‘Animal’ means any nonhuman mammal, bird, reptile, amphibian or fish.
- 22 “(4) ‘Domestic animal’ means an animal, other than livestock or equines, that is owned or pos-
- 23 sessed by a person.
- 24 “(5) ‘Equine’ means a horse, pony, donkey, mule, hinny, zebra or a hybrid of any of these ani-
- 25 mals.
- 26 “(6) ‘Good animal husbandry’ includes, but is not limited to, the dehorning of cattle, the docking
- 27 of horses, sheep or swine, and the castration or neutering of livestock, according to accepted prac-
- 28 tices of veterinary medicine or animal husbandry.
- 29 “(7) ‘Law enforcement animal’ means a dog or horse used in law enforcement work under the
- 30 control of a corrections officer, parole and probation officer, police officer or youth correction offi-
- 31 cer, as those terms are defined in ORS 181A.355, who has successfully completed at least 360 hours
- 32 of training in the care and use of a law enforcement animal, or who has passed the demonstration
- 33 of minimum standards established by the Oregon Police Canine Association or other accredited and
- 34 recognized animal handling organization.
- 35 “(8)(a) ‘Livestock,’ **except as provided in paragraph (b) of this subsection,** has the meaning

1 provided in ORS 609.125.

2 **“(b) ‘Livestock’ does not include psittacines.**

3 “(9) ‘Minimum care’ means care sufficient to preserve the health and well-being of an animal
4 and, except for emergencies or circumstances beyond the reasonable control of the owner, includes,
5 but is not limited to, the following requirements:

6 “(a) Food of sufficient quantity and quality to allow for normal growth or maintenance of body
7 weight.

8 “(b) Open or adequate access to potable water in sufficient quantity to satisfy the animal’s
9 needs. Access to snow or ice is not adequate access to potable water.

10 “(c) For a domestic animal other than a dog engaged in herding or protecting livestock, access
11 to adequate shelter.

12 “(d) Veterinary care deemed necessary by a reasonably prudent person to relieve distress from
13 injury, neglect or disease.

14 “(e) For a domestic animal, continuous access to an area:

15 “(A) With adequate space for exercise necessary for the health of the animal;

16 “(B) With air temperature suitable for the animal; and

17 “(C) Kept reasonably clean and free from excess waste or other contaminants that could affect
18 the animal’s health.

19 “(f) For a livestock animal that cannot walk or stand without assistance:

20 “(A) Humane euthanasia; or

21 “(B) The provision of immediate and ongoing care to restore the animal to an ambulatory state.

22 “(10) ‘Physical injury’ means physical trauma, impairment of physical condition or substantial
23 pain.

24 “(11) ‘Physical trauma’ means fractures, cuts, punctures, bruises, burns or other wounds.

25 “(12) ‘Possess’ has the meaning provided in ORS 161.015.

26 “(13) ‘Serious physical injury’ means physical injury that creates a substantial risk of death or
27 that causes protracted disfigurement, protracted impairment of health or protracted loss or impair-
28 ment of the function of a limb or bodily organ.

29 “(14)(a) ‘Tethering’ means to restrain a domestic animal by tying the domestic animal to any
30 object or structure by any means.

31 “(b) ‘Tethering’ does not include using a handheld leash for the purpose of walking a domestic
32 animal.”.

33 In line 4, delete “2” and insert “3”.

34 On page 3, line 17, delete “3” and insert “4”.

35 On page 4, line 8, delete “4” and insert “5” and delete “2” and insert “3”.

36 In line 10, delete “5” and insert “6” and delete “3” and insert “4”.