

House Bill 4050

Sponsored by Representative BARKER (Pre-session filed.)

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**.

Consolidates provisions prohibiting commercial transactions related to cockfighting equipment.

A BILL FOR AN ACT

Relating to animals; creating new provisions; and amending ORS 167.428 and 167.431.

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

SECTION 1. ORS 167.428 is amended to read:

167.428. (1) A person commits the crime of cockfighting if the person knowingly:

(a) Owns, possesses, keeps, rears, trains, buys, sells or advertises or otherwise offers to sell a fighting bird.

(b) Promotes or participates in, or performs services in furtherance of, the conducting of a cockfight. As used in this paragraph, "services in furtherance" includes, but is not limited to, transporting spectators to a cockfight, handling fighting birds, organizing, advertising or refereeing a cockfight and providing, or acting as stakeholder for, money wagered on a cockfight.

(c) Keeps, uses or manages, or accepts payment of admission to, a place for the conducting of a cockfight.

(d) Suffers or permits a place in the possession or control of the person to be occupied, kept or used for the conducting of a cockfight.

[(e) Manufactures, buys, sells, barter, exchanges, possesses, advertises or otherwise offers to sell a gaff, slasher or other sharp implement designed for attachment to a fighting bird with the intent that the gaff, slasher or other sharp implement be used in cockfighting.]

(2) Subsection (1)(a) of this section does not apply to the owning, possessing, keeping, rearing, buying, selling, advertising or otherwise offering for sale of a bird for purposes other than training the bird as a fighting bird, using or intending to use the bird in cockfighting or supplying the bird knowing that the bird is intended to be used in cockfighting.

(3) Cockfighting is a Class C felony.

SECTION 2. ORS 167.431 is amended to read:

167.431. (1) A person commits the crime of participation in cockfighting if the person knowingly:

(a) Attends a cockfight or pays admission at any location to view or bet on a cockfight; or

(b) Manufactures, buys, sells, barter, exchanges, possesses, advertises or otherwise offers to sell **a gaff, slasher or other sharp implement designed for attachment to a fighting bird, or other equipment**, with the intent that the **gaff, slasher, implement or** equipment be used in training or handling a fighting bird or for enhancing the fighting ability of a fighting bird. *[This paragraph does not apply to a gaff, slasher or other sharp implement designed for attachment to a fighting bird.]*

(2) Participation in cockfighting is a Class C felony.

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 **SECTION 3.** The amendments to ORS 167.428 and 167.431 by sections 1 and 2 of this 2018
2 Act apply to conduct engaged in on or after the effective date of this 2018 Act. The amend-
3 ments to ORS 167.428 by section 1 of this 2018 Act do not exempt any person from prose-
4 cution or from criminal penalties provided for in ORS 167.428, as set forth in the 2015 Edition
5 of Oregon Revised Statutes, with regard to conduct occurring prior to the effective date of
6 this 2018 Act.

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