

# Enrolled Senate Bill 373

Sponsored by Senator HANSELL, Representative BARRETO; Senator STEINER HAYWARD, Representatives ESQUIVEL, POST, RESCHKE (Presession filed.)

CHAPTER .....

AN ACT

Relating to urban deer population control.

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

**SECTION 1.** (1) As used in this section, “food bank or other charitable organization” has the meaning given that term in ORS 315.154.

(2) The State Fish and Wildlife Commission shall develop and adopt by rule a pilot program for urban deer population control that:

(a) Following the passage by a city of an ordinance, resolution or order declaring that deer populations have risen to levels that constitute a public nuisance, allows the city to petition the State Department of Fish and Wildlife for assistance in reducing deer population levels within city limits; and

(b) In cities where the department determines that deer populations do constitute a public nuisance, allows a local government body or an appropriate agent to take deer for the purpose of reducing deer population levels.

(3) To implement the pilot program under this section, the department shall consult with:

(a) The governing bodies of cities where high urban deer populations are a concern; and

(b) Food banks or other charitable organizations that serve the governing bodies described in paragraph (a) of this subsection.

(4) Rules for the pilot program adopted by the commission must include, but need not be limited to:

(a) Provisions for the means and manner by which deer may be taken under the pilot program, which must include a prohibition on taking deer by dart or lethal injection;

(b) Provisions for ensuring, to the extent feasible, that the edible portions of any deer taken under the pilot program are distributed, at the expense of the local government, to a local food bank or other charitable organization;

(c) A requirement that, if the hides and antlers of a deer taken under the program are not sold by the local government to persons licensed under ORS 498.019, that the antlers must be surrendered to the department; and

(d) Provisions for ensuring that the number of deer taken under the pilot program do not exceed the number necessary to be taken to reduce the deer population to a level that no longer constitutes a public nuisance.

(5) Prior to exercising any power granted by the pilot program adopted under this section, the governing body of a city shall adopt by ordinance restrictions on placing, depositing,

distributing, storing or scattering food, garbage or any other attractant so as to knowingly constitute a lure, attractant or enticement for deer.

**SECTION 2.** (1) The State Department of Fish and Wildlife shall first allow a local government to engage in activities pursuant to the pilot program adopted under section 1 of this 2017 Act no later than January 1, 2019.

(2) The department shall prepare and submit a report in the manner provided in ORS 192.245 on the implementation of the urban deer population control pilot program, that may include recommendations for legislation, to the committees of the Legislative Assembly related to the environment and natural resources during the 2027 regular session of the Legislative Assembly.

**SECTION 3.** Sections 1 and 2 of this 2017 Act are repealed on January 1, 2029.

**Passed by Senate April 6, 2017**

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House May 31, 2017**

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Tina Kotek, Speaker of House

**Received by Governor:**

.....M.,....., 2017

**Approved:**

.....M.,....., 2017

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M.,....., 2017

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Dennis Richardson, Secretary of State