

SB 1076 -1 STAFF MEASURE SUMMARY

Senate Committee On Natural Resources and Wildfire

Prepared By: Alexa Piscanio, LPRO Analyst

Meeting Dates: 3/18, 4/8

WHAT THE MEASURE DOES:

The measure authorizes the Department of Agriculture (ODA) to charge annual, inflation-adjusted fees for animal rescue entity licenses and directs ODA to establish an animal breeder licensing program. It authorizes ODA to investigate animal breeders and ensure compliance and appropriates General Fund moneys to ODA for the animal breeder licensing program. Declares an emergency, effective upon passage.

Fiscal impact: Fiscal impact issued.

Revenue impact: No revenue impact.

Detailed Summary:

License Fees for Animal Rescue Entities

Authorizes the Department of Agriculture (ODA) to charge the following animal rescue entity license or license renewal fees, adjusted yearly for inflation:

- \$600 for an animal control agency, animal shelter, or humane society
- \$400 for an animal sanctuary
- \$350 for all other entities not covered in the first two categories

Becomes operative January 1, 2026.

Establishment of a Breeder Licensing Program

Directs ODA to create a licensing program for animal breeders that includes licensing requirements, care standards, and fees for both licenses and renewals, adjusted yearly for inflation. The program must consider factors such as breeder size, regulatory costs, staff funding needs (including potentially hiring a veterinarian) and allow for varying fees based on breeder size. Requires ODA to adopt rules before June 30, 2026, and states that ODA cannot enforce provisions before January 1, 2028. Becomes operative January 1, 2027.

Adds breeders to existing ODA authority to investigate and inspect animal rescue entities to ensure that breeders are operating with a license and in compliance with licensing program requirements. Becomes operative January 1, 2028.

Continuously appropriates General Fund moneys to ODA for the animal breeder licensing program.

Declares an emergency, effective upon passage.

ISSUES DISCUSSED:

- Fee not set in bill currently
- Definition of an animal breeder
- Animal Rescue Entity (ARE) definition in ORS 619.415, and ARE licensing and regulations
- House pet and Agricultural breeding differences
- Oregon Revised Statutes 167.374 (Possession or control of dogs for purpose of reproduction; records; exceptions)

EFFECT OF AMENDMENT:

-1 **amendment** modifies provisions of the Department of Agriculture's (ODA) Animal Rescue Entity licensing program, as well as the animal breeder licensing program.

Detailed Summary:

Modifies the definition of "Animal Rescue Entity" (ARE) to include entities that house and maintain animals in their custody for more than 48 hours. Requires AREs to maintain a record for each animal in their legal custody, but removes requirements to document specific details such as the animal's date of birth or age, the date of acquisition, source, breed, weight, number of offspring produced, a photograph taken within 24 hours of intake, and details about the animal's disposition, including the name and address of any individual or organization receiving the animal. Requires ARE's to provide any reports or information to an authorized representative of the Department of Agriculture (ODA) if ODA conducts an on-site investigation of the ARE, or audits the ARE.

Modifies requirements for ARE's that keep, house and maintain 10 or more animals; removing provision allowing ARE's to transfer its license to another person or entity with ODA's consent. Authorizes ODA to deny, suspend or revoke an ARE's license if the entity is found to be non-compliant with ODA requirements.

Requires ODA to adopt rules requiring ARE's to maintain a record for each animal in legal custody of the ARE, including:

- A process for auditing animal rescue entities, considering their compliance history, with audits conducted at least once every three years.
- Licensing requirements for animal rescue entities.
- A requirement for notifying an animal rescue entity of alleged violations and potential civil penalties.
- The opportunity for an animal rescue entity to have a hearing before civil penalties are imposed.
- The opportunity for judicial review of civil penalties imposed on an animal rescue entity.

Becomes operative January 1, 2026.

Modifies definition of breeder to mean "a person that possesses, controls or otherwise has charge of, for the primary purpose of reproduction and sale or transfer as pets," such as birds other than livestock or exotic animals, cats, dogs, or small mammals. Defines a "litter" as one or more cats or dogs born to the same mother at the same time, whether sold or transferred individually or together. States that a person who sells, transfers, or offers for sale more than two litters of cats or dogs in a 12-month period is considered a breeder.

Requires licensing under ODA's animal breeder licensing program for the following breeder's:

- Dog breeders who sell or transfer more than two litters of dogs in a 12-month period.
- Cat breeders who sell or transfer more than two litters of cats in a 12-month period.
- Breeders of birds or small mammals who sell or transfer more than a number of animals set by the department.

Declares an emergency, effective upon passage.

BACKGROUND:

Generally, an animal breeder refers to any individual or organization engaged in the intentional mating of animals to produce specific qualities and characteristics, such as size, color, temperament, or performance abilities. Under current law, the term "animal breeder" is not explicitly defined in statute. An "Animal Rescue Entity" is defined in Oregon Revised Statutes 609.415 as any individual or organization that keeps, houses, and maintains in its legal custody 10 or more animals at any given time and that solicits or accepts donations in any form. This includes but is not limited to animal control agencies, humane societies, animal shelters, animal sanctuaries, and some boarding kennels.

The Department of Agriculture's (ODA) Animal Rescue Entity Licensing Program (ARE), established in 2021, ensures that animal rescue entities meet record keeping and licensing requirements.

PRELIMINARY