

Senate Bill 733

Sponsored by Senator GELSER BLOUIN (Presession 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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act expands the definition of the term "potentially dangerous dog" in dog control. The Act says that the term includes a dog that harms livestock. (Flesch Readability Score: 66.7).

Expands the definition of the term "potentially dangerous dog," for dog control purposes, to include a dog that inflicts serious injury on or kills livestock.

A BILL FOR AN ACT

1
2 Relating to dogs harming livestock; amending ORS 609.035.

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

4 **SECTION 1.** ORS 609.035 is amended to read:

5 609.035. As used in ORS 609.035 to 609.110 and 609.990:

6 (1) "Boarding kennel":

7 (a) Means, except as provided in paragraph (b) of this subsection, a facility that provides care
8 for a fee to dogs that stay at the facility an average of less than 30 days.

9 (b) Does not mean a facility that is subject to ORS 167.374 or 167.376.

10 (2) "Dog control board" means a group of persons whose duties include, but need not be limited
11 to, fulfilling the duties of a dog control district board of supervisors as described in ORS 609.030.

12 (3) "Dog control officer" means a person whose duties include, but need not be limited to, en-
13 forcing the dog control laws for a dog control district.

14 (4) **"Domestic animal" means an animal, other than livestock or equines, that is owned
15 or possessed by a person.**

16 [(4)] (5) "Keeper" means a person who owns, possesses, controls or otherwise has charge of a
17 dog, other than:

18 (a) A boarding kennel;

19 (b) A humane society or other nonprofit animal shelter;

20 (c) A facility impounding dogs on behalf of a city or county; or

21 (d) A veterinary facility.

22 (6) **"Livestock" means ratites, horses, mules, jackasses, cattle, llamas, alpacas, sheep,
23 goats, swine, domesticated fowl and any fur-bearing animal bred and maintained commer-
24 cially or otherwise, within pens, cages or hutches.**

25 [(5)] (7) "Menaces" means lunging, growling, snarling or other behavior by a dog that would
26 cause a reasonable person to fear for the person's safety.

27 [(6)] (8) "Potentially dangerous dog" means a dog that:

28 (a) Without provocation and while not on premises from which the keeper may lawfully exclude
29 others, menaces a person;

30 (b) Without provocation, inflicts physical injury on a person that is less severe than a serious

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 physical injury; or

2 (c) Without provocation and while not on premises from which the keeper may lawfully exclude
3 others, inflicts physical injury on or kills **livestock or** a domestic animal [*as defined in ORS*
4 *167.310*].

5 [(7)] (9) “Running at large” means that a dog is off or outside of the premises from which the
6 keeper of the dog may lawfully exclude others, or is not in the company of and under the control
7 of its keeper, except if the dog is:

8 (a) Being used to legally hunt, chase or tree wildlife while under the supervision of the keeper;

9 (b) Being used to control or protect livestock or for other activities related to agriculture; or

10 (c) Within any part of a vehicle.

11 [(8)] (10) “Serious physical injury” has the meaning given that term in ORS 161.015.

12