

## HB 4034 A STAFF MEASURE SUMMARY

### Senate Committee On Natural Resources and Wildfire

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**Prepared By:** Alexa Piscanio, LPRO Analyst

**Meeting Dates:** 2/17

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#### WHAT THE MEASURE DOES:

The measure removes veterinary facilities from the definition of animal rescue entity (ARE) and transfers enforcement authority over ARE recordkeeping, inspection, investigation, and violation procedures from the State Veterinarian to the Oregon Department of Agriculture (ODA). It directs ODA to develop and implement new rules for these procedures.

Fiscal impact: May have fiscal impact, but no statement yet issued.

Revenue impact: May have revenue impact, but no statement yet issued.

HOUSE VOTE: Ayes, 58; Nays, 0; Excused, 2.

#### Detailed Summary:

Revises the definition of AREs:

- Removes veterinary facilities from the definition of AREs
- Removes fish from the definition of “animal” for ARE regulation purposes
- Removes requirement that AREs have at least 10 animals in legal custody

Transfers enforcement authority over ARE recordkeeping, inspection, investigation, and violation procedures from the State Veterinarian to ODA.

Directs ODA to adopt rules for AREs that keep 10 or more animals in legal custody for more than two consecutive business days, including rules that:

- Require recordkeeping for each animal in custody
- Establish an auditing process
- Implement licensing requirements
- Ensure notice, hearing rights, and access to judicial review for alleged violations

Requires ODA to solicit input during rulemaking from rural and urban AREs and from individuals and organizations that transport animals to or from AREs or provide free or low-cost animal care. Authorizes ODA to inspect ARE records and obtain reports or other information during audits and prohibits AREs from transferring a license to another person.

#### ISSUES DISCUSSED:

#### EFFECT OF AMENDMENT:

No amendment.

#### BACKGROUND:

ORS 609.415 currently defines an ARE as any individual or organization that keeps, houses, and maintains 10 or more animals at one time in its legal custody and solicits or accepts donations. [Senate Bill 883](#) (2019) created the ARE Licensing Program to establish statewide licensing and recordkeeping requirements for AREs and designated the State Veterinarian as the agency responsible for enforcement. Currently, the State Veterinarian is the enforcing agency that regulates AREs.