

**HB 4034 A STAFF MEASURE SUMMARY****Carrier:** Rep. Levy B**House Committee On Agriculture, Land Use, Natural Resources, and Water****Action Date:** 02/04/26**Action:** Do pass with amendments and rescind subsequent referral to Ways and Means. (Printed A-Eng.)**Vote:** 11-0-0-0**Yea:** 11 - Boice, Cate, Hartman, Helm, Levy B, Marsh, McDonald, McLain, Munoz, Owens, Scharf**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Anna Glueder, LPRO Analyst**Meeting Dates:** 2/2, 2/4**WHAT THE MEASURE DOES:**

The measure removes veterinary facilities from the definition of an animal rescue entity (ARE). It also replaces existing recordkeeping requirements and associated violation procedures with a direction to the Oregon Department of Agriculture (ODA) to develop and implement new rules.

Detailed Summary

- Excludes veterinary facilities from the definition of AREs
- Removes fish from the definition of animals in regard to ARE regulations
- Removes the requirement to have at least 10 animals in legal custody from the definition of AREs
- Removes existing recordkeeping requirements and associated violation procedures for AREs and instead directs ODA, through rulemaking, to develop and implement the following new rules that apply to AREs that keep, house, and maintain at least 10 animals in their legal custody for more than two consecutive days:
  - Require AREs to maintain records for each animal in their legal custody
  - Establish an auditing process for AREs
  - Establish a licensing requirement for AREs
  - Ensure notice requirements, a hearing opportunity, and an opportunity for judicial review for AREs that are the subject of an alleged violation
- Directs ODA during the rulemaking process to solicit input from AREs in rural and urban areas, as well as from individuals and organizations that provide transportation to or from AREs or that deliver free or low-cost animal care
- Authorizes ODA to inspect an ARE's records and furnish any reports and information during an audit
- Removes permission for an ARE to transfer its license to another person

**ISSUES DISCUSSED:**

- Types of organizations involved in developing the measure

**EFFECT OF AMENDMENT:**

The amendment updates the regulation of AREs by refining definitions, narrowing licensing and recordkeeping requirements, and directing ODA to solicit inclusive stakeholder input during rulemaking.

Detailed Summary

- Applies the exclusion of veterinary facilities from the definition of an ARE to all veterinary facilities as defined in ORS 686.010
- Changes the definition of an ARE by restoring the existing definition but excluding veterinary facilities and removing the requirement that entities have at least 10 animals in legal custody

## **HB 4034 A STAFF MEASURE SUMMARY**

- Limits recordkeeping and licensing requirements to AREs that keep, house, and maintain at least 10 animals in their legal custody for more than two consecutive days
- Directs ODA during the rulemaking process to solicit input from AREs in rural and urban areas, as well as from individuals and organizations that provide transportation to or from AREs or that deliver free or low-cost animal care

### **BACKGROUND:**

AREs are currently defined as any individual or organization that keeps, houses, and maintains in the individual's or organization's legal custody 10 or more animals at a time and that solicits or accepts donations. Senate Bill 883 (2019) established the ARE Licensing Program to regulate statewide recordkeeping and licensing requirements for AREs.