

Senate Bill 614

Sponsored by Senators KNOPP, COURTNEY

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**.

Provides that peace officer may enter motor vehicle and impound animal when peace officer is authorized by law and has probable cause to believe animal is being subjected to certain criminal offenses.

A BILL FOR AN ACT

1
2 Relating to animals in motor vehicles; amending ORS 167.345.

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

4 **SECTION 1.** ORS 167.345 is amended to read:

5 167.345. (1) As used in this section, "peace officer" has the meaning given that term in ORS
6 161.015.

7 (2) If there is probable cause to believe that any animal is being subjected to treatment in vio-
8 lation of ORS 167.315 to 167.333, 167.340, 167.355, 167.365 or 167.428, a peace officer, after obtaining
9 a search warrant or in any other manner authorized by law, may enter the premises **or motor ve-**
10 **hicle** where the animal is located to provide the animal with food, water and emergency medical
11 treatment and may impound the animal. If after reasonable effort the owner or person having cus-
12 tody of the animal cannot be found and notified of the impoundment, the notice shall be conspicu-
13 ously posted on the premises **or motor vehicle** and within 72 hours after the impoundment the
14 notice shall be sent by certified mail to the address, if any, where the animal was impounded.

15 (3) A peace officer is not liable for any damages for an entry under subsection (2) of this section,
16 unless the damages were caused by the unnecessary actions of the peace officer that were inten-
17 tional or reckless.

18 (4)(a) A court may order an animal impounded under subsection (2) of this section to be held
19 at any animal care facility in the state. A facility receiving the animal shall provide adequate food
20 and water and may provide veterinary care.

21 (b) A court may order a fighting bird impounded under subsection (2) of this section to be held
22 on the property of the owner, possessor or keeper of the fighting bird in accordance with ORS
23 167.433.

24

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.