

## SENATE AMENDMENTS TO SENATE BILL 1052

By COMMITTEE ON RULES

June 8

1 On page 1 of the printed bill, delete lines 4 through 30 and delete page 2 and insert:

2 **“SECTION 1. (1) As used in sections 1 and 2 of this 2005 Act:**

3 **“(a) ‘Humane investigation agency’ means a private, nonprofit animal care agency that**  
4 **has maintained an animal welfare investigation department for at least five years and has**  
5 **had officers commissioned as special agents under ORS 131.805.**

6 **“(b) ‘Humane special agent’ means:**

7 **“(A) The executive director of a humane investigation agency.**

8 **“(B) A person employed by a humane investigation agency, commissioned under sub-**  
9 **section (2) of this section and granted peace officer authority, while on duty, to enforce state**  
10 **law relating to animal welfare.**

11 **“(2) Upon approval by the governing board of the humane investigation agency, the**  
12 **executive director of a humane investigation agency may commission persons employed by**  
13 **the agency to act as humane special agents.**

14 **“(3) A person employed as a humane special agent as defined in subsection (1)(b)(B) of**  
15 **this section must meet the minimum standards of physical, emotional, intellectual and moral**  
16 **fitness established by the Department of Public Safety Standards and Training for a law**  
17 **enforcement officer.**

18 **“(4) A humane investigation agency employing a humane special agent is civilly respon-**  
19 **sible for any abuse of the humane special agent’s authority.**

20 **“SECTION 2. (1) Except for a person who has requested and obtained an extension from**  
21 **the Department of Public Safety Standards and Training pursuant to subsection (2) of this**  
22 **section, a person may not be employed as a humane special agent by a humane investigation**  
23 **agency for more than 18 months unless:**

24 **“(a) The person is a citizen of the United States; and**

25 **“(b) The person has successfully completed the elements of the basic training program**  
26 **for police officers that the department determines are appropriate for humane special**  
27 **agents.**

28 **“(2) The department, upon the facts contained in an affidavit accompanying a request for**  
29 **an extension, may find good cause for the failure of a humane special agent to successfully**  
30 **complete training within the time period described in subsection (1) of this section. If the**  
31 **department finds that there is good cause for the failure, the department may extend for up**  
32 **to one year the period that a person may serve as a humane special agent without success-**  
33 **fully completing training. The grant or denial of an extension is within the sole discretion**  
34 **of the department.**

35 **“(3) Except as provided in subsection (4) of this section, a person employed as a humane**

1 special agent by a humane investigation agency shall commence the training described under  
2 subsection (1)(b) of this section at an academy operated by the department not later than  
3 the 90th day after the date of the agent's employment by the humane investigation agency.

4 “(4) A humane investigation agency may delay the commencement of training of a hu-  
5 mane special agent for up to 120 days from the date of the agent's employment when the  
6 agency considers the delay necessary. When a humane investigation agency delays com-  
7 mencement of a humane special agent's training under this subsection, the agency shall file  
8 a written statement of its reasons with the department.

9 “(5) When a delay in the commencement of training is caused by the inability of the de-  
10 partment, for any reason, to provide the training, the period of the delay may not be counted  
11 as part of the periods set forth in this section within which the training must be commenced.

12 “(6) Notwithstanding subsection (1)(b) of this section, a humane special agent is not re-  
13 quired to complete the field training portions of the basic training program for police officers  
14 and is not thereby deemed eligible for certification as a police officer.

15 “(7) A humane investigation agency shall pay to the department the costs of training the  
16 humane special agents that the agency commissions. Moneys received by the department  
17 under this subsection shall be deposited into the Police Standards and Training Account.”  
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