

A-Engrossed
Senate Bill 1052

Ordered by the Senate June 8
Including Senate Amendments dated June 8

Sponsored by COMMITTEE ON RULES

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.

[Authorizes Department of Public Safety Standards and Training to appoint and commission humane special agents. Directs department and Board on Public Safety Standards and Training to establish standards of fitness and training and certification program for humane special agents. Directs department to provide training.]

Authorizes executive director of humane investigation agency to commission employees of agency to act as humane special agents. Requires person employed as humane special agent to meet minimum fitness standards established by Department of Public Safety Standards and Training and to undergo training by department. Limits employment of humane special agent to 18 months unless certain conditions are met.

A BILL FOR AN ACT

1
2 Relating to humane special agents.

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

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

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

8 (b) **"Humane special agent"** means:

9 (A) The executive director of a humane investigation agency.

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

13 (2) Upon approval by the governing board of the humane investigation agency, the execu-
14 tive director of a humane investigation agency may commission persons employed by the
15 agency to act as humane special agents.

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

20 (4) A humane investigation agency employing a humane special agent is civilly responsi-
21 ble for any abuse of the humane special agent's authority.

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

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 agency for more than 18 months unless:

2 (a) The person is a citizen of the United States; and

3 (b) The person has successfully completed the elements of the basic training program for
4 police officers that the department determines are appropriate for humane special agents.

5 (2) The department, upon the facts contained in an affidavit accompanying a request for
6 an extension, may find good cause for the failure of a humane special agent to successfully
7 complete training within the time period described in subsection (1) of this section. If the
8 department finds that there is good cause for the failure, the department may extend for up
9 to one year the period that a person may serve as a humane special agent without success-
10 fully completing training. The grant or denial of an extension is within the sole discretion
11 of the department.

12 (3) Except as provided in subsection (4) of this section, a person employed as a humane
13 special agent by a humane investigation agency shall commence the training described under
14 subsection (1)(b) of this section at an academy operated by the department not later than
15 the 90th day after the date of the agent's employment by the humane investigation agency.

16 (4) A humane investigation agency may delay the commencement of training of a humane
17 special agent for up to 120 days from the date of the agent's employment when the agency
18 considers the delay necessary. When a humane investigation agency delays commencement
19 of a humane special agent's training under this subsection, the agency shall file a written
20 statement of its reasons with the department.

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

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

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

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