

D R A F T

SUMMARY

Prohibits sale, offer for sale, display for sale, trade or other distribution for consideration of fur product in State of Oregon. Establishes that “fur product” does not include animal skin to be converted into leather, cowhide, deerskin, lambskin or sheepskin or animal pelt or skin preserved through taxidermy or for purpose of taxidermy. Provides exemptions from prohibition.

Provides that violation committed intentionally, knowingly, recklessly or with criminal negligence is punishable by maximum of 364 days’ imprisonment, \$6,250 fine, or both.

A BILL FOR AN ACT

Relating to the trade of fur products.

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

SECTION 1. (1) The Legislative Assembly finds and declares that eliminating the sale of fur products in the State of Oregon will decrease demand for cruel products, reduce public health risks, promote community awareness of animal welfare, foster a more humane environment and enhance the reputation of the state.

(2) As used in this section:

(a) “Fur” means any animal skin or part thereof, in a raw or processed state, to which hair, fleece or fur fiber is attached.

(b)(A) “Fur product” means any of the following that is made in whole or in part of fur:

(i) An article of clothing or other covering for any part of a body;

(ii) A fashion accessory, including jewelry or a handbag, shoe, slipper, hat, earmuff, scarf, shawl, glove or keychain;

(iii) A toy; or

1 (iv) A home accessory or item of home decor.

2 (B) "Fur product" does not mean:

3 (i) An animal skin or part thereof that is to be converted into
4 leather, or from which hair, fleece or fur fiber will be completely re-
5 moved during processing;

6 (ii) Cowhide with hair attached thereto;

7 (iii) Deerskin with hair attached thereto;

8 (iv) Lambskin or sheepskin with fleece attached thereto; or

9 (v) The pelt or skin of any animal that is preserved through
10 taxidermy or for the purpose of taxidermy.

11 (c) "Nonprofit corporation" means a corporation that is organized
12 and operated as described under section 501(c)(3) of the Internal Rev-
13 enue Code.

14 (d) "Taxidermy" means the practice of:

15 (A) Preparing and preserving the skin of an animal that is deceased;
16 and

17 (B) Stuffing and mounting the skin in lifelike form.

18 (e) "Ultimate consumer" means an individual who purchases a fur
19 product for personal use or for use by another, but not for resale or
20 trade.

21 (f) "Used fur product" means a fur product that has been worn or
22 used by an ultimate consumer.

23 (3) A person may not sell, offer for sale, display for sale, trade or
24 otherwise distribute for consideration a fur product in this state. For
25 purposes of this section, a sale occurs at the location where a pur-
26 chaser takes physical possession of a fur product.

27 (4) Subsection (3) of this section does not apply to the sale, offer for
28 sale, display for sale, trade or other distribution for consideration of:

29 (a) A used fur product by an individual not engaged in a retail
30 transaction;

31 (b) A used fur product by a nonprofit corporation, secondhand store

1 or pawn shop;

2 (c) A fur product used or intended to be used for a traditional tribal,
3 cultural or spiritual purpose by a member of a federally recognized
4 Indian tribe or other Indian tribe; or

5 (d) A fur product the sale, offer for sale, display for sale, trade or
6 other distribution of which is expressly authorized by federal law.

7 (5) A local government, as defined in ORS 174.116, may adopt and
8 enforce a local provision concerning the trade of fur products that is
9 equivalent to, or provides a higher level of restriction than, the re-
10 striction established in subsection (3) of this section.

11 (6) A violation of this section is a Class A misdemeanor if a person
12 commits the violation with a culpable mental state, as defined in ORS
13 161.085.

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