

# House Bill 3390

Sponsored by Representative GAMBA; Representative NOSSE

## 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**.

Prohibits sale, offer for sale or trade 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.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to the trade of fur products; and prescribing an effective date.

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

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

8 (2) **As used in this section:**

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

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

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

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

15 (iii) **A toy; or**

16 (iv) **A home accessory or item of home decor.**

17 (B) **"Fur product" does not mean:**

18 (i) **An animal skin or part thereof that is to be converted into leather, or from which**  
19 **hair, fleece or fur fiber will be completely removed during processing;**

20 (ii) **Cowhide with hair attached thereto;**

21 (iii) **Deerskin with hair attached thereto;**

22 (iv) **Lambskin or sheepskin with fleece attached thereto; or**

23 (v) **The pelt or skin of any animal that is preserved through taxidermy or for the purpose**  
24 **of taxidermy.**

25 (c) **"Nonprofit corporation" means a corporation that is organized and operated as de-**  
26 **scribed under section 501(c)(3) of the Internal Revenue Code.**

27 (d) **"Taxidermy" means the practice of:**

28 (A) **Preparing and preserving the skin of an animal that is deceased; and**

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

2       **(e) “Ultimate consumer” means an individual who purchases a fur product for personal**  
3 **use or for use by another, but not for resale or trade.**

4       **(f) “Used fur product” means a fur product that has been worn or used by an ultimate**  
5 **consumer.**

6       **(3) A person may not sell, offer for sale or trade a fur product in this state. For purposes**  
7 **of this section, a sale occurs in this state if:**

8       **(a) The buyer takes physical possession of the fur product in this state; or**

9       **(b) The seller is located in this state.**

10       **(4) Subsection (3) of this section does not apply to the sale, offer for sale or trade of:**

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

12       **(b) A used fur product by a nonprofit corporation, secondhand store or pawn shop;**

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

15       **(d) A fur product the sale, offer for sale or trade of which is expressly authorized by**  
16 **federal law.**

17       **(5) A local government, as defined in ORS 174.116, may adopt and enforce a local pro-**  
18 **vision concerning the trade of fur products that is equivalent to, or provides a higher level**  
19 **of restriction than, the restriction established in subsection (3) of this section.**

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

22       **SECTION 2. This 2023 Act takes effect on the 91st day after the date on which the 2023**  
23 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**

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