

House Bill 2804

Sponsored by Representatives GOMBERG, SMITH DB, SOLLMAN; Representatives DOHERTY, FAHEY, HELM, KENY-GUYER, MITCHELL, NOSSE, PILUSO, POWER, PRUSAK, RAYFIELD, SALINAS, SANCHEZ, SCHOUTEN, WILDE, Senators BURDICK, FREDERICK, GOLDEN, MANNING JR, OLSEN, STEINER HAYWARD, TAYLOR

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 retail pet store from selling or offering to sell dog, cat or rabbit acquired from source other than animal shelter or rescue organization. Imposes record keeping and signage requirements regarding dogs, cats and rabbits sold or offered for sale by retail pet store.

Makes prohibited sale or offer to sell violation punishable by maximum of \$500 fine.

A BILL FOR AN ACT

1
2 Relating to pets; creating new provisions; and repealing ORS 646A.075.

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

SECTION 1. (1) As used in this section:

4 (a) **“Animal control officer” has the meaning given that term in ORS 609.500.**

5 (b) **“Animal shelter” means an organization or facility, in this or another state, that:**

6 (A) **Is maintained by or under contract with a state, county or city or is tax-exempt**
7 **under section 501(c)(3) of the Internal Revenue Code; and**

8 (B) **Is operated for the primary purpose of:**

9 (i) **Providing shelter and other care for lost, homeless or injured animals; or**

10 (ii) **Placing animals into permanent homes or with retail pet stores or rescue organiza-**
11 **tions.**

12 (c) **“Cat” means a member of the species *Felis catus*.**

13 (d) **“Dog” means a member of the subspecies *Canis lupus familiaris* or a hybrid of that**
14 **subspecies.**

15 (e) **“Humane special agent” has the meaning given that term in ORS 181A.345.**

16 (f) **“Police officer” has the meaning given that term in ORS 181A.355.**

17 (g) **“Rabbit” means any member of the family *Leporidae*.**

18 (h) **“Rescue organization” means a nonprofit corporation that:**

19 (A) **Provides rescue services for animals including, at a minimum, dogs, cats or rabbits;**

20 (B) **Is tax exempt under section 501(c)(3) of the Internal Revenue Code;**

21 (C) **Is licensed under ORS 609.415; and**

22 (D) **Does not obtain dogs, cats or rabbits from a breeder or broker for payment or other**
23 **compensation.**

24 (i) **“Retail pet store”:**

25 (A) **Means a retail establishment open to the public that sells or offers to sell dogs, cats**
26 **or rabbits.**

27 (B) **Does not include a person that sells or offers to sell only animals that the person**
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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 breeds or raises.

2 (2) A retail pet store may not sell or offer to sell a dog, cat or rabbit that the store ac-
3 quired from a source other than:

4 (a) An animal shelter; or

5 (b) A rescue organization.

6 (3) A retail pet store shall:

7 (a) Maintain for a period of not less than one year records of each dog, cat or rabbit sold
8 or offered for sale by the retail pet store that document the source from which the retail
9 pet store acquired the animal; and

10 (b) Post in a conspicuous location on the enclosure of each dog, cat or rabbit offered for
11 sale by the retail pet store a sign bearing the name and address of, and contact information
12 for, the source from which the retail pet store acquired the animal. If the source is a
13 nonprofit organization, the sign must also bear the tax identification number of the organ-
14 ization.

15 (4) A retail pet store shall make the records described in subsection (3)(a) of this section
16 available for inspection by an animal control officer, humane special agent or police officer
17 during normal business hours.

18 (5) A sale or offer for sale of a dog, cat or rabbit in violation of this section is a Class C
19 violation. For purposes of this subsection, each event or transaction in which a dog, cat or
20 rabbit is sold or offered for sale in violation of this section constitutes a separate offense.

21 SECTION 2. ORS 646A.075 is repealed.

22 SECTION 3. Section 1 of this 2019 Act applies to retail pet store sales or offers to sell
23 made on or after the effective date of this 2019 Act.

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