

A-Engrossed
Senate Bill 638

Ordered by the Senate March 25
Including Senate Amendments dated March 25

Sponsored by Senator STEINER HAYWARD; Senators BENTZ, BURDICK, COURTNEY, DEMBROW, FAGAN, GOLDEN, HANSELL, HASS, MANNING JR, RILEY, TAYLOR, WAGNER, Representatives GREENLICK, NOBLE

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.

Requires research facilities [*where*] **that use dogs or cats for** laboratory research [*is conducted*] to offer [*laboratory animals*] **dogs or cats** no longer used for research [*to animal rescue entity*] for adoption prior to euthanization [*of laboratory animal*].

Provides that research facility is immune from civil liability for or resulting from transfer of dog or cat, if research facility acted in good faith concerning health and physical condition of dog or cat.

Requires **certain** research facilities to submit annual report to Secretary of State that provides certain information regarding release of [*laboratory animals*] **dogs and cats** and animal [*rescue entities*] **shelters** with which facilities have entered into written agreements.

A BILL FOR AN ACT

1
2 Relating to the adoption of research animals.

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

4 **SECTION 1. (1)(a) A research facility that uses dogs or cats for laboratory research,**
5 **before euthanizing a dog or cat that is no longer needed for research purposes, shall offer**
6 **the dog or cat for adoption, provided that euthanizing the dog or cat is not required for**
7 **health or safety reasons or is not necessary to complete laboratory research.**

8 **(b) The research facility shall use a veterinarian or similarly qualified staff to determine**
9 **whether the dog or cat is healthy and safe for adoption.**

10 **(c) The research facility may consider and determine if other animals used by the re-**
11 **search facility are adoptable.**

12 **(d) To carry out the duties described in paragraph (a) of this subsection, a research fa-**
13 **ility may:**

14 **(A) Establish and maintain a private adoption process.**

15 **(B) Offer the dog or cat to an animal shelter approved by the research facility that is**
16 **willing to accept the dog or cat, if the research facility is unable to place the dog or cat**
17 **through its private adoption process.**

18 **(C) Enter into a written agreement with an animal shelter to facilitate the adoption**
19 **process.**

20 **(2) A research facility that provides a dog or cat to an animal shelter pursuant to sub-**
21 **section (1) of this section is immune from civil liability for or resulting from the transfer**
22 **of the dog or cat, provided that the research facility acted in good faith concerning the**
23 **health and physical condition of the dog or cat.**

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 **(3) Not later than December 31 of each year, all research facilities described in subsection**
2 **(1) of this section and that are not public bodies as defined in ORS 192.311 shall submit to**
3 **the Secretary of State an annual report that includes the following information for the pre-**
4 **ceding year:**

5 **(a) The total number of dogs and cats owned by the research facility;**

6 **(b) The total number of dogs and cats that are used for research that is conducted at the**
7 **facility;**

8 **(c) The total number of dogs and cats released to animal shelters for adoption;**

9 **(d) The name and address of each animal shelter to which a dog or cat was released; and**

10 **(e) The name and address of each animal shelter with which the research facility has**
11 **entered into an agreement under subsection (1) of this section.**

12 **(4) As used in this section:**

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

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

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

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

18 **(ii) Placing animals into permanent homes or rescue organizations.**

19 **(b) “Laboratory research” means research, tests or experiments conducted for educa-**
20 **tional, scientific, medical or experimental purposes.**

21 **(c) “Research facility” means any institution of higher education or any facility, whether**
22 **privately or publicly owned, leased or operated, where laboratory research is performed.**

23 **SECTION 2. Federal requirements supersede any inconsistent provisions of section 1 of**
24 **this 2019 Act to the extent of the inconsistency.**

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