

## HOUSE AMENDMENTS TO HOUSE BILL 3111

By COMMITTEE ON GENERAL GOVERNMENT AND CONSUMER PROTECTION

April 26

1 On page 1 of the printed bill, line 2, after “animals” insert “; creating new provisions; and  
2 amending ORS 87.172”.

3 Delete lines 4 through 31 and delete page 2 and insert:

4 **“SECTION 1. (1) As used in this section:**

5 **“(a) ‘Domestic animal’ means an animal that has a keeper and is not livestock.**

6 **“(b) ‘Keeper’ means the owner of a domestic animal or an agent of the owner who has  
7 apparent authority to secure care for the domestic animal.**

8 **“(c) ‘Livestock’ means equines, bovines, llamas, alpacas, sheep, goats and swine, and  
9 chickens, turkeys and other domesticated fowl.**

10 **“(2) A veterinary facility may provide for the removal of a domestic animal from the fa-  
11 cility if the keeper does not retake possession of the domestic animal. Prior to the removal  
12 of a domestic animal under this section, the veterinary facility must send the keeper a letter  
13 by certified mail notifying the keeper that the domestic animal will be removed from the  
14 facility if the keeper does not arrange to retake possession of the domestic animal. The letter  
15 must be addressed to the last address for the keeper known to the veterinary facility.**

16 **“(3) If the keeper does not contact the veterinary facility and arrange to retake pos-  
17 session of the domestic animal, the facility may provide for removal of the domestic animal  
18 four or more days after the keeper has received or refused delivery of the letter sent under  
19 subsection (2) of this section, as evidenced by the certified mail receipt or upon the return  
20 of the letter as undeliverable. If the keeper contacts the veterinary facility but fails to retake  
21 possession of the domestic animal as arranged, the facility may provide for removal of the  
22 domestic animal four or more days after the date on which the keeper fails to retake pos-  
23 session of the domestic animal. The removal of a domestic animal under this section may:**

24 **“(a) Be by means of placing the domestic animal with a rescue group or animal shelter;**

25 **“(b) Be by means of adopting out the domestic animal; or**

26 **“(c) If the removal cannot reasonably be performed under paragraph (a) or (b) of this  
27 subsection, be by means of humanely euthanizing the domestic animal.**

28 **“(4) A veterinary facility providing for the removal of a domestic animal under this sec-  
29 tion shall keep a record of the date and method of removal of the domestic animal, including  
30 but not limited to contact information for any person or entity taking possession of the do-  
31 mestic animal from the facility.**

32 **“(5) The Oregon State Veterinary Medical Examining Board may adopt rules governing  
33 veterinary facility removal of a domestic animal under this section.**

34 **“SECTION 2. ORS 87.172 is amended to read:**

35 **“87.172. (1) Except as otherwise provided in this section, a person claiming a lien under ORS**

1 87.152 to 87.162 must retain the chattel that is subject to the lien for at least 60 days after the lien  
2 attaches to the chattel before foreclosing the lien.

3 **“(2) Except as otherwise provided in this subsection,** a person claiming a lien under ORS  
4 87.152 for cost of care, materials and services bestowed on an animal must retain the animal for at  
5 least 30 days after the lien attaches to the animal before foreclosing the lien. *[If the animal is a dog*  
6 *or cat, the period shall be at least 15 days.]* **If the lien is for veterinary services to a domestic**  
7 **animal, the person must retain the animal for at least five days after the lien attaches to**  
8 **the animal before foreclosing the lien. As used in this subsection, ‘domestic animal’ means**  
9 **an animal that is not livestock as defined in ORS 72.1030 and for which the veterinary ser-**  
10 **vices were requested by an owner or other person with apparent authority regarding care**  
11 **of the animal.**

12 **“(3)** A person claiming a lien under ORS 87.152 for the cost of removing, towing or storage of  
13 a vehicle that is appraised by a person who holds a certificate issued under ORS 819.480 to have a  
14 value of:

15 **“(a)** \$1,000 or less but more than \$500, must retain the vehicle at least 30 days after the lien  
16 attaches to the vehicle before foreclosing the lien.

17 **“(b)** \$500 or less, must retain the vehicle at least 15 days after the lien attaches to the vehicle  
18 before foreclosing the lien.”.

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