

STAFF MEASURE SUMMARY

CARRIER: Sen. Gelser

Senate Committee On Human Services and Early Childhood

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 06/04/15

Action: Do Pass With Amendments To The A-Eng Bill. (Printed B-Eng.)

Meeting Dates: 05/26, 06/02, 06/04

Vote:

Yeas: 4 - Dembrow, Gelser, Monnes Anderson, President Courtney

Exc: 2 - Kruse, Olsen

Prepared By: Cheyenne Ross, Committee Administrator

WHAT THE MEASURE DOES:

Prohibits devocalizing animals except for medical necessity. Prohibits declawing animals with some exceptions: if medically necessary; if removing dog's dew claws; if clawing exacerbates severe medical condition suffered by person living in same household and is documented by person's physician; and if clawing poses risk to physical health of person and veterinarian verifies prior attempts to alter/stop clawing have failed and fully explains procedure. Requires veterinarians to provide written confirmation of compliance. Allows complaints to Oregon Veterinary Medical Association. Requires report to legislature by December 31, 2016.

ISSUES DISCUSSED:

- Origination of measure in landlord/tenant law, as prohibition against rental or lease condition
- Appropriateness of placement within statutes governing property rights and transactions
- Consensus to ban devocalization outright; lack of consensus to ban declawing outright
- Veterinarians' professional discretion and relationships
- Potential that owner will abandon animal or animal will not be adopted if procedures are not available
- Ability of certain pet owners to obtain procedures regardless
- Potential alternatives for further amendment

EFFECT OF COMMITTEE AMENDMENT:

Removes reference to statutes governing real property transactions. Broadens applicability to more animals. Makes minor change to medical necessity to relieve *physical* illness, disease or injury. Prohibits debarking outright except for medical necessity. Modifies exceptions to prohibition against declawing: permits removal of dog's dew claws; accounts for risk/damage to *person* only (not property); requires cohabiting person to provide physician's documentation of severe medical condition made worse and requires veterinarians to verify previous failed attempts to stop/alter clawing. Permits complaints to Oregon Veterinary Medical Association. Requires report to legislature by December 31, 2016.

BACKGROUND:

"Devocalization" is the severing or removal of an animal's vocal cords. Declawing is accomplished by removing the last bone at the tip of an animal's toe.

House Bill 3494-B bars the declawing and devocalization of animals, except under specified circumstances.