

A-Engrossed
House Bill 3494

Ordered by the House April 24
Including House Amendments dated April 24

Sponsored by Representative BARTON; Representatives BUEHLER, GOMBERG

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.

[Prohibits landlord from requiring applicant or tenant to declaw or devocalize animal otherwise allowed on premises or to advertise in manner that discourages application from potential applicant with otherwise allowed animal that has not been declawed or devocalized.]

Prohibits declawing or devocalizing of animal unless procedure is performed by licensed veterinarian under certain conditions.

A BILL FOR AN ACT

1
2 Relating to animals.

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

4 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS 90.100 to 90.465.**

5 **SECTION 2. (1) As used in this section:**

6 (a) **"Animal" means a dog or a cat.**

7 (b) **"Claw" means a hardened, keratinized modification of the epidermis, or a hardened,**
8 **keratinized growth extending from the end of the digits, of certain mammals, birds, reptiles**
9 **or amphibians, commonly referred to as a claw, talon or nail.**

10 (c) **"Declaw" means to remove, or to prevent the normal function of, a claw of an animal**
11 **by a surgical procedure such as onychectomy, tendonectomy or phalangectomy.**

12 (d) **"Devocalize" means to remove, or to prevent the normal function of, the vocal cords**
13 **of an animal by a surgical procedure such as vocal cordectomy, debarking, devoicing, si-**
14 **lencing, ventriculocordectomy, bark reduction or bark softening.**

15 (2) **A person may not devocalize a dog or a cat unless:**

16 (a) **The person performing the procedure is a licensed veterinarian;**

17 (b) **Anesthesia is administered to the animal during the procedure;**

18 (c) **The procedure:**

19 (A) **Is medically necessary to treat or relieve an illness, disease or injury or to correct**
20 **a congenital abnormality that is causing or will cause the animal physical harm or pain; or**

21 (B) **After behavioral modification to correct excessive vocalization has failed, is per-**
22 **formed to correct the excessive vocalization;**

23 (d) **For a procedure performed for the reason described in paragraph (c)(B) of this sub-**
24 **section, the veterinarian performing the procedure discusses with the owner of the animal**
25 **the potential complications resulting from the procedure; and**

26 (e) **The veterinarian performing the procedure provides the owner written documentation**

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 **attesting that the veterinarian has complied with the requirements of this subsection.**

2 **(3) A person may not declaw a cat unless:**

3 **(a) The person performing the procedure is a licensed veterinarian;**

4 **(b) Anesthesia is administered to the animal during the procedure;**

5 **(c) The procedure is performed because:**

6 **(A) The procedure is medically necessary to treat or relieve an illness, disease or injury**
7 **or to correct a congenital abnormality that is causing or will cause the animal physical harm**
8 **or pain;**

9 **(B) Attempts to prevent the animal from destructively using its claws have failed; or**

10 **(C) The animal's destructive use of its claws presents a serious health risk to the animal**
11 **or its owner;**

12 **(d) For a procedure performed for the reason described in paragraph (c)(B) or (C) of this**
13 **subsection, the veterinarian performing the procedure discusses with the owner of the ani-**
14 **mal the potential complications resulting from the procedure; and**

15 **(e) The veterinarian performing the procedure provides the owner written documentation**
16 **attesting that the veterinarian has complied with the requirements of this subsection.**

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