

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 3494**

1 On page 1 of the printed A-engrossed bill, delete line 4.

2 In line 5, delete “2” and insert “1”.

3 In line 6, delete “dog or a cat” and insert “feline, dog, rabbit, ferret,
4 iguana or bird”.

5 In line 15, delete “a dog or a cat” and insert “an animal”.

6 In line 17, after the semicolon insert “and”.

7 Delete lines 18 through 26 and insert:

8 “(c) The procedure is medically necessary to treat or relieve an illness,
9 disease or injury or to correct a congenital abnormality that is causing or
10 will cause the animal physical harm or pain.”.

11 On page 2, delete line 1.

12 In line 2, delete “a cat” and insert “an animal”.

13 In line 4, after the semicolon insert “and”.

14 Delete lines 5 through 16 and insert:

15 “(c) The procedure:

16 “(A) Is medically necessary to treat or relieve an illness, disease or injury
17 or to correct a congenital abnormality that is causing or will cause the an-
18 imal physical harm or pain;

19 “(B) Is performed on a dog for the sole purpose of removing the animal’s
20 dew claws; or

21 “(C) Is necessary to modify destructive use of the animal’s claws where:

22 “(i) Attempts to prevent the animal from destructively using its claws

1 have failed; or

2 “(ii) The animal’s destructive use of its claws presents a serious health
3 risk to the animal or its owner.

4 “(4) For a procedure performed for the reason described in subsection
5 (3)(c)(C) of this section, prior to performing the procedure, the veterinarian
6 performing the procedure must:

7 “(a) Fully explain the surgical procedure and potential complications to
8 the owner of the animal; and

9 “(b) Require a 48-hour waiting period before performing the procedure.

10 “(5) Veterinarians may report any declawing procedures performed to the
11 Oregon Veterinary Medical Association. The association shall report the
12 data collected from these reports to interim legislative committees related
13 to human services by December 31, 2016.

14 “(6) A veterinarian that performs a procedure described in subsection (2)
15 or (3) of this section shall provide the owner written documentation attesting
16 that the veterinarian has complied with the requirements of this section.

17 **“SECTION 2.** Section 1 of this 2015 Act is amended to read:

18 **“Sec. 1.** (1) As used in this section:

19 “(a) ‘Animal’ means a feline, dog, rabbit, ferret, iguana or bird.

20 “(b) ‘Claw’ means a hardened, keratinized modification of the epidermis,
21 or a hardened, keratinized growth extending from the end of the digits, of
22 certain mammals, birds, reptiles or amphibians, commonly referred to as a
23 claw, talon or nail.

24 “(c) ‘Declaw’ means to remove, or to prevent the normal function of, a
25 claw of an animal by a surgical procedure such as onychectomy,
26 tendonectomy or phalangectomy.

27 “(d) ‘Devocalize’ means to remove, or to prevent the normal function of,
28 the vocal cords of an animal by a surgical procedure such as vocal
29 cordectomy, debarking, devoicing, silencing, ventriculocordectomy, bark re-
30 duction or bark softening.

1 “(2) A person may not devocalize an animal unless:
2 “(a) The person performing the procedure is a licensed veterinarian;
3 “(b) Anesthesia is administered to the animal during the procedure; and
4 “(c) The procedure is medically necessary to treat or relieve an illness,
5 disease or injury or to correct a congenital abnormality that is causing or
6 will cause the animal physical harm or pain.
7 “(3) A person may not declaw an animal unless:
8 “(a) The person performing the procedure is a licensed veterinarian;
9 “(b) Anesthesia is administered to the animal during the procedure; and
10 “(c) The procedure:
11 “(A) Is medically necessary to treat or relieve an illness, disease or injury
12 or to correct a congenital abnormality that is causing or will cause the an-
13 imal physical harm or pain; **or**
14 “(B) Is performed on a dog for the sole purpose of removing the animal’s
15 dew claws[; *or*].
16 [“(C) *Is necessary to modify destructive use of the animal’s claws where:*]
17 [“(i) *Attempts to prevent the animal from destructively using its claws have*
18 *failed; or*]
19 [“(ii) *The animal’s destructive use of its claws presents a serious health risk*
20 *to the animal or its owner.*]
21 [“(4) *For a procedure performed for the reason described in subsection*
22 *(3)(c)(C) of this section, prior to performing the procedure, the veterinarian*
23 *performing the procedure must:*]
24 [“(a) *Fully explain the surgical procedure and potential complications to the*
25 *owner of the animal; and*]
26 [“(b) *Require a 48-hour waiting period before performing the procedure.*]
27 [“(5) *Veterinarians may report any declawing procedures performed to the*
28 *Oregon Veterinary Medical Association. The association shall report the data*
29 *collected from these reports to interim legislative committees related to human*
30 *services by December 31, 2016.*]

1 “[6] (4) A veterinarian that performs a procedure described in subsection
2 (2) or (3) of this section shall provide the owner written documentation at-
3 testing that the veterinarian has complied with the requirements of this
4 section.

5 **“SECTION 3. The amendments to section 1 of this 2015 Act by sec-**
6 **tion 2 of this 2015 Act become operative on January 1, 2018.”.**

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