

# House Bill 4045

Sponsored by Representatives BOONE, GOMBERG (Presession filed.)

## 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 **as introduced**.

Prohibits retail pet store from selling or offering to sell dog other than dog acquired from animal shelter, humane society, dog control district or nonprofit corporation that provides rescue services. Imposes record keeping and signage requirements regarding dogs sold or offered for sale by retail pet store.

Makes prohibited sale or offer to sell violation punishable by maximum of \$500 fine.

## A BILL FOR AN ACT

Relating to retail pet stores; creating new provisions; and repealing ORS 646A.075.

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

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

(a) **“Animal shelter” means a facility in this or another state operated for the purpose of:**

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

(B) **Serving as an information center concerning missing or found animals; or**

(C) **Protecting animals from neglect, cruelty or abuse.**

(b) **“Dog” means a member of the subspecies *Canis lupus familiaris* or a hybrid of that subspecies.**

(c) **“Dog control district” means a district declared as provided under ORS 609.030.**

(d) **“Humane special agent” has the meaning given that term in ORS 181A.345.**

(e) **“Police officer” has the meaning given that term in ORS 181A.355.**

(f) **“Rescue organization” means a nonprofit corporation that:**

(A) **Provides rescue services for animals including, at a minimum, for dogs;**

(B) **Is tax-exempt under section 501(c)(3) of the Internal Revenue Code; and**

(C) **Does not obtain dogs from a breeder or broker for payment or other compensation.**

(g) **“Retail pet store”:**

(A) **Means a retail establishment open to the public that sells or offers to sell dogs.**

(B) **Does not include a person that sells or offers to sell only dogs that were bred or raised by the person.**

(2) **A retail pet store may not sell or offer to sell a dog that the store acquired from a source other than:**

(a) **An animal shelter;**

(b) **A dog control district;**

(c) **A humane society; or**

(d) **A rescue organization.**

(3) **A retail pet store shall:**

(a) **Maintain for a period of not less than one year records of each dog sold or offered for**

**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 sale by the retail pet store that document the source from which the retail pet store ac-  
2 quired the dog; and

3 (b) Post in a conspicuous location on the enclosure of each dog offered for sale by the  
4 retail pet store a sign naming the entity from which the retail pet store acquired the dog.

5 (4) A retail pet store shall make the records described in subsection (3)(a) of this section  
6 available for inspection by humane special agents or police officers during normal business  
7 hours.

8 (5) A sale of or offer to sell a dog in violation of this section is a Class C violation.

9 SECTION 2. ORS 646A.075 is repealed.

10 SECTION 3. Section 1 of this 2018 Act applies to retail pet store sales or offers to sell  
11 made on or after the effective date of this 2018 Act.

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