

Enrolled
Senate Bill 638

Sponsored by Senator STEINER HAYWARD, Representative GREENLICK; Senators BENTZ, BURDICK, COURTNEY, DEMBROW, FAGAN, GOLDEN, HANSELL, HASS, MANNING JR, RILEY, TAYLOR, WAGNER, Representatives HELT, NOBLE, POWER, SOLLMAN, STARK, WILLIAMSON

CHAPTER

AN ACT

Relating to the adoption of research animals.

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

SECTION 1. (1)(a) A research facility that uses dogs or cats for laboratory research, before euthanizing a dog or cat that is no longer needed for research purposes, shall offer the dog or cat for adoption, provided that euthanizing the dog or cat is not required for health or safety reasons or is not necessary to complete laboratory research.

(b) The research facility shall use a veterinarian or similarly qualified staff to determine whether the dog or cat is healthy and safe for adoption.

(c) The research facility may consider and determine if other animals used by the research facility are adoptable.

(d) To carry out the duties described in paragraph (a) of this subsection, a research facility may:

(A) Establish and maintain a private adoption process.

(B) Offer the dog or cat to an animal shelter approved by the research facility that is willing to accept the dog or cat, if the research facility is unable to place the dog or cat through its private adoption process.

(C) Enter into a written agreement with an animal shelter to facilitate the adoption process.

(2) A research facility that provides a dog or cat to an animal shelter pursuant to subsection (1) of this section is immune from civil liability for or resulting from the transfer of the dog or cat, provided that the research facility acted in good faith concerning the health and physical condition of the dog or cat.

(3)(a) Not later than December 31 of each year, all research facilities described in subsection (1) of this section that are not public bodies as defined in ORS 192.311 shall submit to the Secretary of State an annual report that includes the following information for the preceding year:

(A) The total number of dogs and cats owned by the research facility;

(B) The total number of dogs and cats that are used for research that is conducted at the facility;

(C) The total number of dogs and cats released to animal shelters for adoption;

(D) The name and address of each animal shelter to which a dog or cat was released; and

(E) The name and address of each animal shelter with which the research facility has entered into an agreement under subsection (1) of this section.

(b) Reports received by the Secretary of State under this subsection are confidential and exempt from disclosure under ORS 192.311 to 192.478 except that the Secretary of State shall make the aggregate data available to the public upon request.

(4) As used in this section:

(a) "Animal shelter" means an organization or facility, in this or another state, that:

(A) Is maintained by or under contract with a state, county or city or is tax-exempt under section 501(c)(3) of the Internal Revenue Code; and

(B) Is operated for the primary purpose of:

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

(ii) Placing animals into permanent homes or rescue organizations.

(b) "Laboratory research" means research, tests or experiments conducted for educational, scientific, medical or experimental purposes.

(c) "Research facility" means any institution of higher education or any facility, whether privately or publicly owned, leased or operated, where laboratory research is performed.

SECTION 2. Federal requirements supersede any inconsistent provisions of section 1 of this 2019 Act to the extent of the inconsistency.

Passed by Senate March 28, 2019

Received by Governor:

Repassed by Senate June 5, 2019

.....M.,....., 2019

Approved:

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Lori L. Brocker, Secretary of Senate

.....M.,....., 2019

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Peter Courtney, President of Senate

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Kate Brown, Governor

Passed by House May 30, 2019

Filed in Office of Secretary of State:

.....M.,....., 2019

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Tina Kotek, Speaker of House

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Bev Clarno, Secretary of State