

Requested by Representative GOMBERG

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2804**

1 On page 1 of the printed bill, delete lines 4 through 28 and delete page  
2 2 and insert:

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

4 **“(a) ‘Animal shelter’ means an organization or facility, in this or  
5 another state, that:**

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

9 **“(B) Is operated for the primary purpose of:**

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

12 **“(ii) Placing animals into permanent homes or with rescue organ-  
13 izations.**

14 **“(b) ‘Cat’ means a member of the species Felis catus.**

15 **“(c) ‘Dog’ means a member of the subspecies Canis lupus familiaris  
16 or a hybrid of that subspecies.**

17 **“(d) ‘Domestic animal’ has the meaning given that term in ORS  
18 167.310.**

19 **“(e) ‘Rescue organization’ means a nonprofit corporation that:**

20 **“(A) Provides rescue services for animals including, at a minimum,  
21 dogs or cats;**

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

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

5       **“(f) ‘Retail pet store’:**

6       **“(A) Means a retail establishment open to the public that sells or**  
7 **offers to sell domestic animals.**

8       **“(B) Does not include a person that sells or offers to sell only do-**  
9 **mestic animals that the person breeds or raises.**

10       **“(2) A retail pet store may not sell or offer to sell a dog or cat.**

11       **“(3) The sale or offering for sale of a dog or cat at a retail pet store**  
12 **as part of an adoption event held by an animal shelter or rescue or-**  
13 **ganization is not a sale or offer to sell by the retail pet store for pur-**  
14 **poses of subsection (2) of this section if the retail pet store does not**  
15 **receive any payment from the sale or offering or for the use of the**  
16 **store or store resources in connection with the adoption event.**

17       **“(4) A sale or offer for sale of a dog or cat in violation of this sec-**  
18 **tion is a Class A violation. For purposes of this subsection, each event**  
19 **or transaction in which a dog or cat is sold or offered for sale in vio-**  
20 **lation of this section constitutes a separate offense.**

21       **“(5) Subsections (1) to (4) of this section do not prohibit a city or**  
22 **county from adopting provisions of law that are more protective of**  
23 **animal welfare.**

24       **“SECTION 2. ORS 646A.075 is repealed.**

25       **“SECTION 3. Section 1 of this 2019 Act applies to retail pet store**  
26 **sales or offers to sell made on or after the effective date of this 2019**  
27 **Act.”.**

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