

## SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2915

By COMMITTEE ON JUDICIARY

May 22

1 On page 1 of the printed A-engrossed bill, line 2, after “stores;” insert “creating new  
2 provisions;”.

3 On page 3, delete lines 12 and 13 and insert:

4 “**SECTION 2.** ORS 646A.075, as amended by section 1 of this 2023 Act, is amended to read:

5 “646A.075. (1) As used in this section:

6 “(a) ‘Animal rescue entity’ has the meaning given that term in ORS 609.415.

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

8 “(c) ‘Dog’ means a member of the subspecies *Canis lupus familiaris* or a hybrid of that subspe-  
9 cies.

10 “[*(d) ‘Litter’ means one or more dogs, sold individually or together, that are all or part of a group*  
11 *of dogs born to the same mother at the same time.*]

12 “[*(e)(A) (d)(A) ‘Retail pet store’ means a retail establishment open to the public, either by ap-*  
13 *pointment or during regular business hours, that sells or offers to sell pet animals or food, supplies*  
14 *or accessories for pet animals.*]

15 “(B) ‘Retail pet store’ does not include:

16 “(i) An animal rescue entity; or

17 “(ii) A person that sells or offers to sell only dogs or cats that the person:

18 “(I) Breeds or raises; or

19 “(II) Keeps primarily for the purpose of reproduction.

20 “[*(f) (e) ‘Sell’ means to exchange or offer to exchange for valuable consideration.*]

21 “[*(2)(a) (2) [Except as provided in paragraph (b) of this subsection,] A retail pet store may not*  
22 *sell or offer to sell a dog or cat.*]

23 “[*(b) If a retail pet store sold or offered to sell dogs or cats before the effective date of this 2023*  
24 *Act, the retail pet store may continue to sell or offer to sell dogs or cats after the effective date of this*  
25 *2023 Act if the retail pet store:]*]

26 “[*(A) Makes the offer to sell or conducts the sale at the physical address at which the retail pet*  
27 *store last sold a dog or cat before the effective date of this 2023 Act; and]*]

28 “[*(B) Did not have a change of ownership in the period between the effective date of this 2023 Act*  
29 *and any date on which the retail pet store sells a dog or cat after the effective date of this 2023 Act.]*]

30 “[*(3) A retail pet store that offers a dog for sale shall, prior to accepting an offer to purchase the*  
31 *dog, provide the person making the offer with the following information, in writing, regarding the*  
32 *dog:]*]

33 “[*(a) If known, the breed, age and date of birth for the dog.]*]

34 “[*(b) The sex and color of the dog.]*]

35 “[*(c) A list, and accompanying proof, of all inoculations that have been given to the dog by any*]

1 *person, and the date of those inoculations.]*  
2 *“(d) A list of all medical treatment provided to the dog by any person, the date or treatment and*  
3 *the reasons for the treatment.]*  
4 *“(e) The name and business address of the breeder and of the facility where the dog was born.]*  
5 *“(f) If the breeder holds a license issued by the United States Department of Agriculture, the*  
6 *breeder’s federal number.]*  
7 *“(g) The retail price of the dog.]*  
8 *“(h) Any congenital disorder or hereditary diseases in the parents of the dog known to the retail*  
9 *pet store.]*  
10 *“(i) If the dog is being sold with the representation that the dog qualifies for registration with a*  
11 *pedigree organization:]*  
12 *“(A) The name and registration numbers of the parents of the dog; and]*  
13 *“(B) The name and address of the pedigree organization with which the parents of the dog are*  
14 *registered.]*  
15 *“(j) If the dog has previously been sold by the retail pet store and returned by the purchaser, the*  
16 *reason for the return.]*  
17 *“(k) A statement in substantially the following form, with the applicable provision number*  
18 *circled:]*  
19 “[ \_\_\_\_\_ ]

20  
21 *The facility in which this dog was born has produced:*  
22 *1. 0 to 2 litters during the one-year period preceding the day this dog was born.*  
23 *2. 3 to 10 litters during the one-year period preceding the day this dog was born.*  
24 *3. 11 to 39 litters during the one-year period preceding the day this dog was born.*  
25 *4. 40 or more litters during the one-year period preceding the day this dog was born.*  
26 “[ \_\_\_\_\_ ]

27  
28 *“(4) (3) A retail pet store that violates this section is liable for a civil penalty in an amount*  
29 *that does not exceed \$500 for each violation. The district attorney for the county in which the vio-*  
30 *lation occurs may bring an action in the circuit court for the county to recover the civil penalty*  
31 *set forth in this subsection.*

32 *“(5) (4) This section does not:*  
33 *“(a) Preempt a local government from enacting an ordinance, rule or resolution, or from taking*  
34 *other legislative action, that imposes requirements or prohibitions that are more stringent than the*  
35 *requirements and prohibitions set forth in this section; or*

36 *“(b) Prohibit a retail pet store from cooperating with an animal rescue entity to display on the*  
37 *premises of the retail pet store pet animals that the animal rescue entity offers for adoption if:*

38 *“(A) The retail pet store does not have an ownership interest in any pet animal displayed or*  
39 *offered for adoption on the retail pet store’s premises; and*

40 *“(B) The retail pet store does not receive compensation for the use of the retail pet store’s*  
41 *premises for the purpose described in this paragraph.*

42 **“SECTION 3. The amendments to ORS 646A.075 by section 2 of this 2023 Act become op-**  
43 **erative on September 1, 2028.**

44 **“SECTION 4. This 2023 Act takes effect on the 91st day after the date on which the 2023**  
45 **regular session of the Eighty-second Legislative Assembly adjourns sine die.”**

