

B-Engrossed House Bill 3494

Ordered by the Senate June 10
Including House Amendments dated April 24 and Senate Amendments
dated June 10

Sponsored by Representative BARTON; Representatives BUEHLER, GOMBERG

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.

Prohibits declawing or devocalizing of animal unless procedure is performed by licensed veterinarian under certain conditions.

Requires Oregon Veterinary Medical Association to report data collected from veterinarians regarding performance of declawing procedures to interim committees related to human services.

A BILL FOR AN ACT

Relating to animals.

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

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

(a) **"Animal" means a feline, dog, rabbit, ferret, iguana or bird.**

(b) **"Claw" means a hardened, keratinized modification of the epidermis, or a hardened, keratinized growth extending from the end of the digits, of certain mammals, birds, reptiles or amphibians, commonly referred to as a claw, talon or nail.**

(c) **"Declaw" means to remove, or to prevent the normal function of, a claw of an animal by a surgical procedure such as onychectomy, tendonectomy or phalangectomy.**

(d) **"Devocalize" means to remove, or to prevent the normal function of, the vocal cords of an animal by a surgical procedure such as vocal cordectomy, debarking, devoicing, silencing, ventriculocordectomy, bark reduction or bark softening.**

(2) A person may not devocalize an animal unless:

(a) **The person performing the procedure is a licensed veterinarian;**

(b) **Anesthesia is administered to the animal during the procedure; and**

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

(3) A person may not declaw an animal unless:

(a) **The person performing the procedure is a licensed veterinarian;**

(b) **Anesthesia is administered to the animal during the procedure; and**

(c) **The procedure:**

(A) Is medically necessary to treat or relieve a physical illness, disease or injury or to correct a congenital abnormality that is causing or will cause the animal physical harm or pain;

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 **(B) Is performed on a dog for the sole purpose of removing the animal's dew claws;**

2 **(C) Is necessary to modify destructive use of the animal's claws that presents a physical**
3 **health risk to an individual living in the same household as the animal, provided the animal's**
4 **owner submits to the veterinarian documentation from a physician that the animal's de-**
5 **structive use of its claws exacerbates a severe medical condition suffered by the affected**
6 **individual; or**

7 **(D) Is necessary to modify destructive use of the animal's claws that presents a physical**
8 **health risk to a human.**

9 **(4) Before performing a procedure for the reason described in subsection (3)(c)(D) of this**
10 **section, the veterinarian performing the procedure shall:**

11 **(a) Verify that attempts to prevent the animal from destructively using its claws have**
12 **failed; and**

13 **(b) Fully explain to the owner of the animal the surgical procedure and its potential**
14 **complications.**

15 **(5) A veterinarian may report any declawing procedure the veterinarian performs to the**
16 **Oregon Veterinary Medical Association.**

17 **(6) A veterinarian that performs a procedure described in subsection (2) or (3) of this**
18 **section shall provide to the owner of the animal written documentation attesting that the**
19 **veterinarian has complied with the requirements of this section.**

20 **SECTION 2.** **The Oregon Veterinary Medical Association shall report the data collected**
21 **under section 1 (5) of this 2015 Act to the interim committees of the Legislative Assembly**
22 **related to human services on or before December 31, 2016.**