

2019 -- H 5073

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY - CRUELTY TO ANIMALS

Introduced By: Representatives O'Brien, Marshall, Williams, Serpa, and Lima

Date Introduced: January 10, 2019

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 4-1 of the General Laws entitled "Cruelty to Animals" is hereby
2 amended by adding thereto the following section:

3 **4-1-41.1. Declawing prohibited.**

4 (a) It is unlawful for any person, as defined in § 4-1-1, to perform or cause to be
5 performed, an onychectomy (declawing) or flexor tendonectomy procedure by any means on a cat
6 or other animal, unless the procedure is deemed necessary for a therapeutic purpose by a licensed
7 veterinarian.

8 (b) A person who violates this provision shall be fined not more than one thousand
9 dollars (\$1,000). In addition to any other penalty provided by law, a person fined under this
10 section may be barred from owning or possessing any animals, or living on the same property
11 with someone who owns or possesses animals, for a period of time deemed appropriate by the
12 court, and be required to take humane education, pet ownership and dog training classes as
13 ordered by the court.

14 (c) Whenever a licensed veterinarian determines that an onychectomy or flexor
15 tendonectomy is necessary for a therapeutic purpose, the veterinarian shall prepare and file a
16 written statement with the department of environmental management setting forth the purpose for
17 performing the procedure and providing the name and address of the owner or keeper of the
18 animal, and provide a copy of that statement to the owner of the animal. A veterinarian who fails
19 to comply with the provisions of this section shall be subject to disciplinary action by the

1 department of health, board of veterinary medicine.

2 (d) As used in this section, "therapeutic purpose" means for purpose of necessity to
3 address the medical condition of the animal, such as an existing or recurring illness, infection,
4 disease, injury, or abnormal condition in a claw that compromises the animal's health.
5 "Therapeutic purpose" shall not mean cosmetic or aesthetic reasons or reasons of convenience in
6 keeping or handling the animal.

7 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would prohibit declawing on a cat or other animal, unless a licensed veterinarian
2 has determined that the procedure is necessary for a therapeutic purpose. Any person who
3 violates this section would be subject to a fine of not more than one thousand dollars (\$1,000).

4 This act would take effect upon passage.

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