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HOUSE BILL NO. 1382

Offered January 11, 2023

Prefiled November 7, 2022

A *BILL* to amend the Code of Virginia by adding a section numbered 3.2-6586.1, relating to declawing cats; prohibition; civil penalty.

Patrons—Gooditis, Delaney, Kory, Roem and Convirs-Fowler; Senator: Surovell

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 3.2-6586.1 as follows:

§ 3.2-6586.1. Declawing cats; civil penalty.

A. As used in this section:

"Cat" means any domesticated species of the family Felidae and does not include any wild or nonnative species of the family Felidae.

"Declawing procedure" means (i) an onychectomy, a dactylectomy, a phalangectomy, or any other procedure that removes a portion of the paw or digit of a cat in order to remove a claw; (ii) a tendonectomy or any other procedure that cuts or modifies the tendon of the limb, paw, or digit of a cat in order to prohibit the normal movement of a claw; or (iii) any procedure that prevents the normal functioning of one or more claws of a cat. "Declawing procedure" does not include nail filing, nail trimming, or the placement of temporary nail caps on one or more claws of a cat.

"Therapeutic purpose" means any action intended to address an existing or recurring infection, disease, injury, or abnormal condition in an animal's claw, nail bed, or toe bone that jeopardizes the animal's health and for which addressing the infection, disease, injury, or abnormal condition is a medical necessity. "Therapeutic purpose" does not include any action performed for cosmetic or aesthetic reasons or reasons of convenience in the keeping or handling of a cat.

B. It is unlawful to perform a declawing procedure on a cat, except that a person engaged in the practice of veterinary medicine may perform such a procedure if it is necessary for a therapeutic purpose.

C. Any person who violates the provisions of this section is subject to a civil penalty of \$500 for the first violation, \$1,000 for the second violation, and \$2,500 for the third or any subsequent violation. Any animal control officer, humane investigator, or state or local law-enforcement officer is entitled to bring a civil action for a violation of this section. A civil penalty assessed pursuant to this section shall be paid into the treasury of the city or county where such civil action is brought and used for the purpose of defraying the costs of local animal control.

INTRODUCED

HB1382