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HOUSE BILL NO. 1354

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources
on February 27, 2024)

(Patron Prior to Substitute—Delegate Martinez)

A BILL to amend the Code of Virginia by adding in Chapter 38 of Title 54.1 a section numbered 54.1-3814, relating to declawing cats; prohibition.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 38 of Title 54.1 a section numbered 54.1-3814 as follows:

§ 54.1-3814. Declawing cats; prohibition.

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 (i) 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, as documented by a licensed veterinarian, or (ii) to protect the owner's life or health, as documented by a licensed physician, when such owner has been diagnosed with an infection, disease, disorder, or similar condition that could reasonably be expected to worsen if such owner were to be scratched by a cat. For purposes of this definition, "owner" includes members of the owner's household.

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