

Acts (2024)

Chapter 345

AN ACT PROHIBITING INHUMANE FELINE DECLAWING

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 137D of chapter 140 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in lines 6 to 8, inclusive, the words “sections seventy-seven, 80½, eighty A, ninety-four or ninety-five of chapter two hundred and seventy-two” and inserting in place thereof the following words:- section 174G or sections 77, 80½, 80A, 94 or 95 of chapter 272.

SECTION 2. Said chapter 140 is hereby further amended by inserting after section 174G the following section:-

Section 174H. (a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Board”, the board of registration in veterinary medicine.

“Cat”, an animal of the taxonomic family Felidae.

“Declawing procedure”, an onychectomy, dactylectomy, phalangectomy or any other procedure that removes a portion of the paw or digit of a cat in order to remove a claw, including, but not

limited to, 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 function of a claw or prevents the normal functioning of 1 or more claws; provided, however, that “declawing procedure” shall not include nail filing, nail trimming or the placement of temporary nail caps on 1 or more claws of a cat.

“Therapeutic purpose”, addressing, as a matter of medical necessity, an existing or recurring infection, disease, injury or abnormal condition in the claw, nail bed or toe bone that jeopardizes the afflicted cat’s health; provided, however, that “therapeutic purpose” shall not include cosmetic or aesthetic reasons or reasons of convenience in the keeping or handling of the cat.

(b) No person shall perform, or cause to be performed, a declawing procedure of a cat unless: (i) the declawing procedure is being performed by a veterinarian licensed under section 55 of chapter 112 for a therapeutic purpose; or (ii) the person who causes a declawing procedure to be performed is relying on the written opinion of a veterinarian licensed under said section 55 of said chapter 112 that such declawing procedure is required for a therapeutic purpose.

(c)(1) A veterinarian who performs a declawing procedure on a cat shall keep a record of the procedure for a period of 4 years after the last contact with the cat. The record shall include the name and address of the cat’s owner, the name and address of the person from whom payment is received for the procedure and a description of the cat, including, but not limited to: (i) the cat’s name, breed, date of birth, sex, color, markings and current weight; (ii) the date and time of the procedure; (iii) the reason the procedure was performed; and (iv) any diagnostic opinion, analysis or test result to support the diagnosis.

The record shall be subject to audit by the board.

(2) Annually, not later than March 30, any person who performs a declawing procedure on a cat shall report the number of performed procedures to the board. The board shall maintain all notices received under this subsection for 4 years from the date of receipt.

(3) Records maintained under this subsection shall not be publicly disseminated and shall not be considered a public record as defined in clause Twenty-sixth of section 7 of chapter 4 or section 10 of chapter 66.

(d) Annually, not later than March 1, the board shall report to the joint committee on environment and natural resources on the number of cats that underwent a declawing procedure based on notices received under subsection (c).

(e) Whoever violates subsection (b) shall be punished by a fine of not more than: (i) \$1,000 for a first offense; (ii) \$1,500 for a second offense; and (iii) \$2,500 for a third or subsequent offense.

(f) A veterinarian licensed under section 55 of chapter 112 who violates any provision of this section may be subject to disciplinary action under section 59 of said chapter 112 and 256 CMR 7.00.

(g) Nothing in this section shall preclude prosecution under section 77 of chapter 272.

(h) A city or town shall enforce this section through its animal control officers or police officers in a manner consistent with the disposition provisions of section 21D of chapter 40.

Approved, January 8, 2025.