

2021 -- H 5616

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY - CRUELTY TO ANIMALS

Introduced By: Representative William W. O'Brien

Date Introduced: February 18, 2021

Referred To: House Judiciary

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 performed,
5 an onychectomy (declawing) or flexor tendonectomy procedure by any means on a cat or other
6 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 dollars
9 (\$1,000). In addition to any other penalty provided by law, a person fined under this section may
10 be barred from owning or possessing any animals, or living on the same property with someone
11 who owns or possesses animals, for a period of time deemed appropriate by the court, and be
12 required to take humane education, pet ownership and dog training classes as ordered by the court.

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

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

6 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 of a cat or other animal, unless a licensed veterinarian
2 has determined that the procedure is necessary for a therapeutic purpose. Any person who violates
3 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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