AN ACT

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, further providing for the offense of animal mutilation and related offenses.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 5542 of Title 18 of the Pennsylvania Consolidated Statutes is amended by adding a subsection to read:

§ 5542. Animal mutilation and related offenses.

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(e.1) Declawing of cats.--The following apply:

(1) A person commits an offense under section 5533 if the person performs an onychectomy, a declawing, partial digital amputation, phalangectomy or tendonectomy procedure by any means unless the procedure is deemed necessary for a therapeutic purpose by a licensed doctor of veterinary medicine. The offense under this subsection shall include any procedure to alter a cat's toes, claws or paws to prevent the normal functioning of the cat's toes, claws or paws. The
offense under this subsection shall not include the trimming of a nonviable claw husk or placing a nonpermanent nail cap on a cat.

(2) Notwithstanding the provisions of paragraph (1), if a licensed veterinarian determines that a phalangectomy procedure is necessary for a therapeutic purpose, the licensed veterinarian, on or before 10 business days after performing the procedure, shall file a written statement with the animal control agency with jurisdiction over the area in which the procedure was performed stating the purpose for the phalangectomy, onychectomy, partial digital amputation or tendonectomy procedure, including a laboratory pathology report confirming the pathology, identifying information of the cat, including its microchip number if applicable, age, gender, markings and a photo of the face and current address and telephone number of the owner or keeper of the cat. The licensed veterinarian shall provide a copy of the written statement to the owner or keeper of the cat.

(3) As used in this subsection, the following words and phrases shall have the meanings given to them in this paragraph unless the context clearly indicates otherwise:

"Onychectomy." A procedure in which a portion of the paw of a cat is amputated or removed or disables a claw, including procedures commonly referred to as declawing.

"Partial digital amputation." A procedure for the excision of some or all of one or more of the phalanges of the paw of a cat.

"Phalangectomy." A procedure for the excision of one or more of the phalanges of the paw of a cat.

"Tendonectomy." A procedure in which the tendons to the
limbs, paws or toes of a cat are cut or modified so that the cat's claws cannot function normally.

"Therapeutic purpose." A purpose necessary to address the physical medical condition of the cat, such as an existing or recurring physical illness, infection, disease, injury or abnormal condition in a claw that compromises the cat's health. The term does not mean cosmetic or aesthetic reasons or reasons of convenience in keeping or handling the cat.

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Section 2. This act shall take effect in 60 days.