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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1624 Session of  
2021

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INTRODUCED BY HANBIDGE, MALAGARI, ISAACSON, HOHENSTEIN, SANCHEZ,  
SOLOMON, KINKEAD, SCHLOSSBERG AND BURGOS, JUNE 14, 2021

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REFERRED TO COMMITTEE ON JUDICIARY, JUNE 14, 2021

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AN ACT

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

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

7 Section 1. Section 5542 of Title 18 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a subsection to read:  
9 § 5542. Animal mutilation and related offenses.

10 \* \* \*

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

12 (1) A person commits an offense under section 5533 if  
13 the person performs an onychectomy, a declawing, partial  
14 digital amputation, phalangectomy or tendonectomy procedure  
15 by any means unless the procedure is deemed necessary for a  
16 therapeutic purpose by a licensed doctor of veterinary  
17 medicine. The offense under this subsection shall include any  
18 procedure to alter a cat's toes, claws or paws to prevent the  
19 normal functioning of the cat's toes, claws or paws. The

1 offense under this subsection shall not include the trimming  
2 of a nonviable claw husk or placing a nonpermanent nail cap  
3 on a cat.

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

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

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

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

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

30 "Tendonectomy." A procedure in which the tendons to the

1 limbs, paws or toes of a cat are cut or modified so that the  
2 cat's claws cannot function normally.

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

10 \* \* \*

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