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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3733

02/24/2020 Authored by Cantrell, Tabke, Edelson and Freiberg
The bill was read for the first time and referred to the Agriculture and Food Finance and Policy Division

1.1 A bill for an act
1.2 relating to animals; prohibiting the declawing of cats except for therapeutic
1.3 purposes; providing penalties; requiring reports; proposing coding for new law in
1.4 Minnesota Statutes, chapter 156.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [156.21] DEFINITIONS.

1.7 (a) For the purposes of section 156.22, the following terms have the meanings given.

1.8 (b) "Declawing" and "onychectomy" mean any surgical procedure in which a portion
1.9 of a cat's paw is amputated in order to remove the cat's claws.

1.10 (c) "Tendonectomy" means a procedure in which the tendons to a cat's limbs, paws, or
1.11 toes are cut or modified so that the claws cannot be extended.

1.12 (d) "Therapeutic purpose" means for the purpose of addressing:

1.13 (1) an existing or recurring infection, disease, injury, or abnormal condition in the claw
1.14 that jeopardizes a cat's health; or

1.15 (2) any medical condition that in the professional judgment of a veterinarian is a condition
1.16 that is medically necessary to treat.

1.17 Sec. 2. [156.22] DECLAWING PROHIBITION; RECORD KEEPING; REPORTS.

1.18 (a) No person shall perform, or cause to be performed, the declawing, onychectomy, or
1.19 tendonectomy of a cat, unless the following apply:

1.20 (1) the person performing such declawing, onychectomy, or tendonectomy is licensed
1.21 under this chapter; and

2.1 (2) declawing, onychectomy, or tendonectomy of a cat is for a therapeutic purpose; or

2.2 (3) the person who causes a declawing, onychectomy, or tendonectomy procedure to be
2.3 performed is relying upon the written opinion of a licensee that declawing, onychectomy,
2.4 or tendonectomy of the cat is required for a therapeutic purpose.

2.5 (b) A licensee who performs a declawing, onychectomy, or tendonectomy procedure on
2.6 a cat must keep a record of the procedure for a period of four years after the last contact
2.7 with the cat. This record must include the name and address of the cat's owner; the name
2.8 and address of the person from whom payment is received for the procedure; a description
2.9 of the cat, including its name, breed, date of birth, sex, color, markings, and current weight;
2.10 the date and time of the procedure; the reason the procedure was performed; and any
2.11 diagnostic opinion, analysis, or test result to support the diagnosis. The records required to
2.12 be maintained under this paragraph are subject to audit by the board.

2.13 (c) Any person who performs a declawing, onychectomy, or tendonectomy procedure
2.14 on a cat must report the number of all such procedures to the board annually on or before
2.15 March 30. The board must maintain all notices received under this paragraph for four years
2.16 from the date of receipt.

2.17 (d) Records maintained under this section are private data on individuals or nonpublic
2.18 data as defined in section 13.02.

2.19 (e) Annually by March 1, the board must report to the legislative committees with
2.20 jurisdiction over companion animals the number of cats that were the subject of a declawing,
2.21 onychectomy, or tendonectomy procedure as reported to the board under paragraph (c).

2.22 (f) Any person who violates this section must be fined not more than \$1,000 for a first
2.23 offense, not more than \$1,500 for a second offense, and not more than \$2,500 for a third or
2.24 subsequent offense. In addition, a court may order that any person who violates this section
2.25 must successfully complete a course of instruction relative to the humane treatment of
2.26 animals or be barred from owning or keeping a cat or sharing a residence with another
2.27 person who owns or keeps a cat for a period of time as determined by the court.

2.28 (g) If a licensee violates any provision of this section, the licensee is subject to the
2.29 suspension or revocation of the licensee's license as provided under section 156.081.

2.30 **EFFECTIVE DATE.** This section is effective August 1, 2020, and applies to actions
2.31 committed on or after that date.