

SENATE No. 2552

The Commonwealth of Massachusetts

—
**In the One Hundred and Ninety-Third General Court
(2023-2024)**
—

SENATE, January 16, 2024.

The committee on Senate Ways and Means to whom was referred the Senate Bill prohibiting inhumane feline declawing (Senate, No. 190), - reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2552).

For the committee,
Michael J. Rodrigues

SENATE No. 2552

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**In the One Hundred and Ninety-Third General Court
(2023-2024)**

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:

1 SECTION 1. Section 137D of chapter 140 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by striking out, in lines 6 to 8, inclusive, the words “sections
3 seventy-seven, 80 ½, eighty A, ninety-four or ninety-five of chapter two hundred and seventy-
4 two” and inserting in place thereof the following words:- section 174G of this chapter or sections
5 77, 80½, 80A, 94 or 95 of chapter 272.

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

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

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

11 “Declawing procedure”, an onychectomy, dactylectomy, phalangectomy or any other
12 procedure that removes a portion of the paw or digit of an animal in order to remove a claw,

13 including, but not limited to, a tendonectomy or any other procedure that cuts or modifies the
14 tendon of the limb, paw or digit of an animal in order to prohibit the normal function of a claw or
15 prevents the normal functioning of 1 or more claws; provided, however, that “declawing
16 procedure” shall not include nail filing, nail trimming or the placement of temporary nail caps on
17 1 or more claws of an animal.

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

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

28 (c) A veterinarian who performs a declawing procedure on an animal shall keep a record
29 of the procedure for a period of 4 years after the last contact with the animal. The record shall
30 include the name and address of the animal’s owner, the name and address of the person from
31 whom payment is received for the procedure and a description of the animal, including, but not
32 limited to: (i) the animal’s name, breed, date of birth, sex, color, markings and current weight;
33 (ii) the date and time of the procedure; (iii) the reason the procedure was performed; and (iv) any

34 diagnostic opinion, analysis or test result to support the diagnosis. The record shall be subject to
35 audit by the board.

36 Any person who performs a declawing procedure on an animal shall report the number of
37 performed procedures to the board annually not later than March 30. The board shall maintain all
38 notices received under this subsection for 4 years from the date of receipt.

39 Records maintained under this subsection shall not be publicly disseminated and shall not
40 be considered a public record as defined in clause twenty-sixth of section 7 of chapter 4 or
41 section 10 of chapter 66.

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

45 (e) Whoever violates subsection (b) shall be punished by a fine of not more than: (i)
46 \$1,000 for a first offense; (ii) \$1,500 for a second offense; and (iii) \$2,500 for a third or
47 subsequent offense.

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

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

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