

AMENDED IN ASSEMBLY JANUARY 5, 2004

AMENDED IN ASSEMBLY APRIL 10, 2003

AMENDED IN ASSEMBLY MARCH 20, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 395

Introduced by Assembly Member Koretz

February 14, 2003

An act to add Section 4826.5 to the Business and Professions Code, relating to veterinarians.

LEGISLATIVE COUNSEL'S DIGEST

AB 395, as amended, Koretz. Surgical procedures: ~~eats~~ *native, wild, or exotic cat species*.

Existing law regulates the licensure of veterinarians and the practice of veterinary medicine and defines the practice of veterinary medicine. These provisions are administered by the Veterinary Medical Board, and a violation of the provisions governing veterinarians is a crime.

This bill would prohibit a licensee of the board from performing, procuring, or arranging for surgical claw removal, declawing, onychectomy, or tendonectomy on a cat, ~~including a cat~~ that is a member of a native, wild, or exotic cat species, as defined, or from altering such a cat's toes, claws, or paws in order to prevent their normal functioning. The bill would exempt from the prohibition procedures performed solely for a therapeutic purpose, ~~as defined~~.

Because a violation of this prohibition would be a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4826.5 is added to the Business and
2 Professions Code, to read:

3 4826.5. (a) A licensee shall not perform, or otherwise
4 procure or arrange for the performance of, surgical claw removal,
5 declawing, onychectomy, or tendonectomy on any cat, ~~including~~
6 ~~a cat~~ that is a member of a native, wild, or exotic cat species, and
7 shall not otherwise alter such a cat’s toes, claws, or paws to prevent
8 the normal function of the cat’s toes, claws, or paws. This
9 subdivision does not apply to a procedure performed solely for a
10 therapeutic purpose.

11 (b) For purposes of this section, the following terms have the
12 following meanings:

13 (1) “Declawing” and “onychectomy” mean any surgical
14 procedure in which a portion of the animal’s paw is amputated in
15 order to remove the animal’s claws.

16 (2) “Tendonectomy” means a procedure in which the tendons
17 to an animal’s limbs, paws, or toes are cut or modified so that the
18 claws cannot be extended.

19 (3) “Native, wild, or exotic cat species” include, ~~but are not~~
20 ~~limited to~~, lions, tigers, cougars, leopards, lynxes, bobcats,
21 *caracals, ocelots, margays, servals*, and jaguars, or any hybrid
22 thereof, ~~and the board may designate other species that qualify as~~
23 ~~falling within this category.~~ *“Native, wild, or exotic cat species”*
24 *does not include domestic cats (felis cattus or felis domesticus),*
25 *and does not include hybrids of wild and domestic cats that are*
26 *greater than three generations removed from a native, wild, or*
27 *exotic cat species.*

28 (4) “Therapeutic purpose” means for the purpose of
29 addressing an existing or recurring infection, disease, injury, or



1 abnormal condition in the claw that jeopardizes the cat's health,
2 where addressing the infection, disease, injury, or abnormal
3 condition is a medical necessity.

4 SEC. 2. No reimbursement is required by this act pursuant to
5 Section 6 of Article XIII B of the California Constitution because
6 the only costs that may be incurred by a local agency or school
7 district will be incurred because this act creates a new crime or
8 infraction, eliminates a crime or infraction, or changes the penalty
9 for a crime or infraction, within the meaning of Section 17556 of
10 the Government Code, or changes the definition of a crime within
11 the meaning of Section 6 of Article XIII B of the California
12 Constitution.

O

