

By the Committee on Agriculture; and Senator Book

575-02755-20

202048c1

1 A bill to be entitled  
2 An act relating to the declawing of cats; creating s.  
3 828.095, F.S.; defining terms; prohibiting a person  
4 from performing a declawing on a cat within this  
5 state; providing an exception; providing a civil  
6 penalty; providing that a veterinarian who performs a  
7 prohibited declawing is subject to disciplinary action  
8 by the Board of Veterinary Medicine; amending s.  
9 474.214, F.S.; providing that a veterinarian who  
10 performs a prohibited declawing is subject to certain  
11 disciplinary action; providing an effective date.  
12

13 Be It Enacted by the Legislature of the State of Florida:  
14

15 Section 1. Section 828.095, Florida Statutes, is created to  
16 read:

17 828.095 Prohibition on the declawing of cats; penalty.-

18 (1) DEFINITIONS.-As used in this section, the term:

19 (a) "Declawing" means any of the following:

20 1. An onychectomy, dactylectomy, phalangectomy, partial  
21 digital amputation, or any other surgical procedure by which a  
22 portion of a cat's paw is amputated to remove the cat's claw.

23 2. A tendonectomy or another surgical procedure by which  
24 the tendons of a cat's limbs, paws, or toes are cut or modified  
25 so that the cat's claws cannot be extended.

26 3. Any other procedure that prevents the normal functioning  
27 of a cat's claws.

28 (b) "Therapeutic purpose" means the necessity of addressing  
29 the physical medical condition of a cat, such as an existing or

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30 recurring illness, infection, disease, injury, or abnormal  
31 condition of the cat which compromises the cat's health. The  
32 term does not include a cosmetic or an aesthetic reason or  
33 reasons of convenience for keeping or handling the cat.

34 (2) PROHIBITION.—A person may not perform a declawing by  
35 any means on a cat within this state unless the procedure is  
36 necessary for a therapeutic purpose.

37 (3) PENALTIES.—

38 (a) A person, other than a veterinarian licensed under ch.  
39 474, who violates this section is subject to a civil penalty of  
40 up to \$1,000 for each violation.

41 (b) A veterinarian licensed under ch. 474 who violates this  
42 section is subject to disciplinary action by the Board of  
43 Veterinary Medicine pursuant to s. 474.214(2).

44 (c) Each incident in which a cat is declawed or partially  
45 declawed in violation of this section constitutes a separate  
46 violation.

47 Section 2. Paragraph (qq) is added to subsection (1) of  
48 section 474.214, Florida Statutes, and subsection (2) of that  
49 section is republished, to read:

50 474.214 Disciplinary proceedings.—

51 (1) The following acts shall constitute grounds for which  
52 the disciplinary actions in subsection (2) may be taken:

53 (qq) Performing a declawing, as defined in s. 828.095,  
54 which is not necessary for a therapeutic purpose, as defined in  
55 s. 828.095.

56 (2) When the board finds any applicant or veterinarian  
57 guilty of any of the grounds set forth in subsection (1),  
58 regardless of whether the violation occurred prior to licensure,

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59 it may enter an order imposing one or more of the following  
60 penalties:

61 (a) Denial of certification for examination or licensure.

62 (b) Revocation or suspension of a license.

63 (c) Imposition of an administrative fine not to exceed  
64 \$5,000 for each count or separate offense.

65 (d) Issuance of a reprimand.

66 (e) Placement of the veterinarian on probation for a period  
67 of time and subject to such conditions as the board may specify,  
68 including requiring the veterinarian to attend continuing  
69 education courses or to work under the supervision of another  
70 veterinarian.

71 (f) Restricting the authorized scope of practice.

72 (g) Imposition of costs of the investigation and  
73 prosecution.

74 (h) Requiring the veterinarian to undergo remedial  
75 education.

76

77 In determining appropriate action, the board must first consider  
78 those sanctions necessary to protect the public. Only after  
79 those sanctions have been imposed may the disciplining authority  
80 consider and include in its order requirements designed to  
81 rehabilitate the veterinarian. All costs associated with  
82 compliance with any order issued under this subsection are the  
83 obligation of the veterinarian.

84 Section 3. This act shall take effect July 1, 2020.