

**ASSEMBLY BILL**

**No. 1857**

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**Introduced by Assembly Member Koretz**

February 2, 2004

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An act to add Section 597.6 to the Penal Code, relating to animals.

LEGISLATIVE COUNSEL'S DIGEST

AB 1857, as introduced, Koretz. Animal cruelty: exotic or native wild cat species: declawing.

Existing law proscribes cruelty to animals, as specified.

This bill would make it a misdemeanor, punishable as specified, for any person to perform, procure, or arrange for surgical claw removal, declawing, onychectomy, or tendonectomy on an exotic or native wild 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 597.6 is added to the Penal Code, to  
2 read:

3 597.6. (a) (1) No person may perform, or otherwise procure  
4 or arrange for the performance of, surgical claw removal,  
5 declawing, onychectomy, or tendonectomy on any cat that is a  
6 member of an exotic or native wild cat species, and shall not  
7 otherwise alter such a cat’s toes, claws, or paws to prevent the  
8 normal function of the cat’s toes, claws, or paws.

9 (2) This subdivision does not apply to a procedure performed  
10 solely for a therapeutic purpose.

11 (b) Any person who violates this section is guilty of a  
12 misdemeanor punishable by imprisonment in a county jail for a  
13 period not to exceed one year, by a fine of ten thousand dollars  
14 (\$10,000), or by both that imprisonment and fine.

15 (c) For purposes of this section, the following terms have the  
16 following meanings:

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

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

23 (3) “Exotic or native wild cat species” include all members of  
24 the taxonomic family Felidae, except domestic cats (*Felis catus* or  
25 *Felis domesticus*) or hybrids of wild and domestic cats that are  
26 greater than three generations removed from an exotic or native  
27 cat. “Exotic or native wild cat species” include, but are not limited  
28 to, lions, tigers, cougars, leopards, lynxes, bobcats, caracals,  
29 ocelots, margays, servals, cheetahs, snow leopards, clouded  
30 leopards, jungle cats, leopard cats, and jaguars, or any hybrid  
31 thereof.

32 (4) “Therapeutic purpose” means for the purpose of  
33 addressing an existing or recurring infection, disease, injury, or  
34 abnormal condition in the claw that jeopardizes the cat’s health,  
35 where addressing the infection, disease, injury, or abnormal  
36 condition is a medical necessity.

37 SEC. 2. No reimbursement is required by this act pursuant to  
38 Section 6 of Article XIII B of the California Constitution because



1 the only costs that may be incurred by a local agency or school  
2 district will be incurred because this act creates a new crime or  
3 infraction, eliminates a crime or infraction, or changes the penalty  
4 for a crime or infraction, within the meaning of Section 17556 of  
5 the Government Code, or changes the definition of a crime within  
6 the meaning of Section 6 of Article XIII B of the California  
7 Constitution.

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