S T A T E O F N E W Y O R K

1297--A

2015-2016 Regular Sessions

I N A S S E M B L Y

January 9, 2015

Introduced by M. of A. ROSENTHAL, DINOWITZ, MOSLEY, GOTTFRIED, BRINDISI, LAVINE, GALEF, RAIA, MURRAY, LUPARDO, QUART, SEAWRIGHT, LINARES, GOLDFEDER, SEPULVEDA, SANTABARBARA, RIVERA -- Multi-Sponsored by -- M. of A. CERETTO, COOK, CURRAN, FITZPATRICK, GARBARINO, GLICK, KEARNS, LUPINACCI, McDONOUGH, SIMON, SOLAGES, THIELE, WEINSTEIN -- read once and referred to the Committee on Agriculture -- recommitted to the Committee on Agriculture in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law, in relation to prohibiting the declawing of cats

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The agriculture and markets law is amended by adding a new section 380 to read as follows:

S 380. PROHIBITION OF THE DECLAWING OF CATS. 1. NO PERSON SHALL PERFORM AN ONYCHECTOMY (DECLAWING), PARTIAL OR COMPLETE PHLANGECTOMY OR TENDONECTOMY PROCEDURE BY ANY MEANS ON A CAT WITHIN THE STATE OF NEW YORK, EXCEPT WHEN NECESSARY FOR A THERAPEUTIC PURPOSE. THERAPEUTIC PURPOSE MEANS THE NECESSITY TO ADDRESS THE PHYSICAL MEDICAL CONDITION OF THE CAT, SUCH AS AN EXISTING OR RECURRING ILLNESS, INFECTION, DISEASE, INJURY OR ABNORMAL CONDITION IN THE CLAW THAT COMPROMISES THE CAT'S HEALTH. THERAPEUTIC PURPOSE DOES NOT INCLUDE COSMETIC OR AESTHETIC REASONS OR REASONS OF CONVENIENCE IN KEEPING OR HANDLING THE CAT.

2. ANY PERSON WHO PERFORMS AN ONYCHECTOMY, PARTIAL OR COMPLETE PHLANGECTOMY OR TENDONECTOMY PROCEDURE ON ANY CAT WITHIN THE STATE OF NEW YORK SHALL BE GUILTY OF A VIOLATION OF THIS SECTION WHICH SHALL BE PUNISHABLE BY A CIVIL PENALTY NOT TO EXCEED ONE THOUSAND DOLLARS.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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