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S.0250: CROPPING A DOG'S EARS FOR NONTHERAPEUTIC PURPOSES

Bill As Introduced

BILL AS INTRODUCED

2005-2006

S.250

Introduced by Senator Cummings of Washington District Referred to Committee on

Judiciary

Date:

Subject: Crimes and criminal procedure; humane treatment of animals; cropping dog ears

Statement of purpose: This bill proposes to prohibit cropping a dog's ears for cosmetic purposes. A violation would result in a civil fine unless the person has a prior violation or the cropping was conducted by someone who is not a licensed veterinarian or was done without providing the dog with anesthesia, in which case it would constitute cruelty under Vermont's existing statute prohibiting mutilation. The bill does not prohibit owning, harboring, selling, buying, or adopting a dog with cropped ears or showing a dog with cropped ears in a dog show or competition.

AN ACT RELATING TO CROPPING A DOG'S EARS FOR NONTHERAPEUTIC PURPOSES

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. LEGISLATIVE INTENT

According to the American Veterinary Medical Association, ear cropping in dogs for nontherapeutic reasons is neither medically indicated nor of benefit to the patient. This procedure causes pain and distress and, as with all surgical procedures, is accompanied by inherent risks associated with or related to anesthesia, blood loss, and infection.

Sec. 2. 13 V.S.A. § 367 is added to read:

§ 367. CROPPING DOGS' EARS

(a) As used in this section:

(1) "Ear cropping" means the surgical alteration, manipulation, or removal of any part of a dog's ear so that the ear then heals in a pointed, erect, or severed state.

(2) "Therapeutic purpose" means a medically necessary procedure to address disease or injury of the dog's ear or to address a condition that jeopardizes the dog's health. Therapeutic purpose does not include the prevention of an ear infection.

(b) No person shall perform or otherwise arrange for the performance of an ear-cropping procedure on a dog.

(c)(1) A person who violates subsection (b) of this section shall be assessed a civil penalty of not more than \$3,000.00 for a first offense. A second offense shall constitute mutilation under subdivision 352(2) of this title, and a person who violates that subdivision shall be punished in accordance with that section.

(2) A violation of subsection (b) of this section conducted by a person who is not a licensed veterinarian or without providing the dog with appropriate anesthesia shall constitute mutilation under subdivision 352(2) of this title, and a person who violates that subdivision shall be punished in accordance with that section.

(d) This section shall not apply to a procedure performed by a licensed veterinarian, with appropriate anesthesia, solely for therapeutic purpose.

(e) Nothing in this section shall prohibit any of the following:

(1) Showing a dog with cropped ears in a dog show or competition.

(2) Owning or harboring a dog with cropped ears.

(3) Selling, buying, or adopting a dog with cropped ears.

Sec. 3. 4 V.S.A. § 1102 is amended to read:

§ 1102. JUDICIAL BUREAU; JURISDICTION

* * *

(b) The judicial bureau shall have jurisdiction of the following matters:

* * *

(8) violations of 20 V.S.A. § § 2056a, 2056b, and 2056c, relating to unauthorized disclosure of criminal record information;

(9) violations of 7 V.S.A. § 656, relating to illegal possession of alcoholic beverages;

(10) violations under 7 V.S.A. § 658(c)(1), relating to an employee of a second class licensee selling alcohol to a minor during a compliance check; and

(11) violations under 13 V.S.A. § 367(b)(1), relating to cropping a dog's ears, first offense.

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