



552886

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/01/2013	.	
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The Committee on Agriculture (Bullard) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Paragraphs (c) through (g) of subsection (1) of section 828.27, Florida Statutes, are redesignated as paragraphs (f) through (j), respectively, new paragraphs (c), (d), and (e) are added to that subsection, a new subsection (7) is added to that section, and present subsection (7) of that section is amended, to read:

828.27 Local animal control or cruelty ordinances;



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13 penalty.-

14 (1) As used in this section, the term:

15 (c) "Community cat" means an outdoor, free-roaming cat that
16 lacks visible owner identification.

17 (d) "Community cat caregiver" means any person other than
18 an owner or custodian who provides food, water, or shelter to
19 one or more community cats as part of a community cat program.

20 (e) "Community cat program" means a program in which an
21 eligible cat is examined by a licensed veterinarian, sterilized,
22 vaccinated for rabies and any other diseases deemed appropriate
23 by the veterinarian, ear-tipped, then returned to the area where
24 it was originally captured immediately after any recovery period
25 as recommended by a veterinarian.

26 (7) (a) Community cats are considered a domestic animal
27 under s. 585.01 and release of a community cat by a community
28 cat caregiver associated with a community cat program is not
29 abandonment or unlawful release of the cat under this chapter.

30 (b) A county or municipality may enact any ordinances
31 necessary to establish a community cat program designed to
32 curtail community cat population growth, and nothing in this
33 subsection shall prevent any county or municipality from
34 enacting such ordinances.

35 (8) ~~(7)~~ Nothing contained in This section does not shall
36 prevent a ~~any~~ county or municipality from enacting an ~~any~~
37 ordinance relating to animal control or cruelty which is
38 identical to ~~the provisions of~~ this chapter or any other state
39 law, except as to penalty. However, no county or municipal
40 ordinance relating to animal control or cruelty ~~may shall~~
41 conflict with ~~the provisions of~~ this chapter or any other state



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42 law. Notwithstanding ~~the provisions of~~ this subsection, the
43 governing body of any county or municipality may is authorized
44 ~~to~~ enact ordinances prohibiting or regulating noise from any
45 domesticated animal, violation of which shall be punishable upon
46 conviction by a fine not to exceed \$500 or by imprisonment in
47 the county jail for a period not to exceed 60 days, or by both
48 such fine and imprisonment, for each violation of such
49 ordinance. This subsection does ~~shall~~ not apply to animals on
50 land zoned for agricultural purposes.

51 Section 2. This act shall take effect upon becoming a law.

52
53 ===== T I T L E A M E N D M E N T =====

54 And the title is amended as follows:

55 Delete everything before the enacting clause
56 and insert:

57 A bill to be entitled
58 An act relating to community cats; amending s. 828.27,
59 F.S.; providing definitions; providing that release of
60 a community cat by a community cat program is not
61 abandonment or unlawful release of the cat under
62 specified provisions; providing that counties and
63 municipalities may enact ordinances relating to
64 community cat programs to curtail community cat
65 population growth; providing immunity for such
66 ordinances; providing an exception; providing an
67 effective date.