

Tab 1	SB 1576 by Steube (CO-INTRODUCERS) Perry; (Identical to H 00823) Lost or Stray Dogs or Cats					
176710	A	S	RCS	AG, Steube	btw L.79 - 80:	02/01 04:38 PM
475346	AA	S	RCS	AG, Steube	Delete L.5 - 6.	02/01 04:38 PM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

AGRICULTURE
Senator Grimsley, Chair
Senator Rader, Vice Chair

MEETING DATE: Thursday, February 1, 2018
TIME: 11:30 a.m.—1:30 p.m.
PLACE: 301 Senate Office Building

MEMBERS: Senator Grimsley, Chair; Senator Rader, Vice Chair; Senators Baxley, Farmer, Hukill, Mayfield, Powell, Rouson, and Steube

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Presentation by the Future Farmers of America		Presented
2	SB 1576 Steube (Identical H 823, Compare CS/H 473)	Lost or Stray Dogs or Cats; Requiring specified entities that take receivership of lost or stray dogs or cats to adopt written policies and procedures to ensure that every reasonable effort is made to quickly and reliably return owned animals to their owners, etc. AG 02/01/2018 Fav/CS CA RC	Fav/CS Yeas 7 Nays 0

Other Related Meeting Documents

Biographies

Kyle Garner was born on January 14, 1999 in Lakeland, Florida. Kyle was raised in Groveland, Florida and is a 5th generation Florida native, all of whom have been involved in Florida Agriculture. Kyle is a 2017 graduate of South Lake High School in Groveland, Florida where he earned Summa Cum Laude academic honors. Kyle was elected as the 2017-18 State President of the Florida FFA Association where he serves nearly 18,000 FFA members across the state as an advocate for Florida FFA and Florida Agriculture. Kyle was accepted into the University of Florida, where he will attend upon the conclusion of his year of service to the Florida FFA Association and plans to major in Agriculture Education and Communication with a specialization in Communication and Leadership Development.

Kaylin Kleckner was born in Lewisburg, Pennsylvania and raised in Ocala, Florida. Kaylin was an FFA member for seven years while attending Liberty Middle School and West Port High School. Inside the classroom, Kaylin pursued her passions for learning and public speaking, while outside of the classroom she participated in livestock production and worked on a local cattle operation. After finishing her year of service as the Florida FFA State Secretary, Kaylin will be attending the University of Florida to pursue a degree in molecular biology and a career in scientific research.



FLORIDA FFA ASSOCIATION

The Next Generation of Agriculturalists

70%

By 2050, agricultural production will need to increase by 70% in order to feed 9 billion people. With less land, water, and resources.

The future of agriculture is much more than farming. It's about the next generation of agriculturalists and a new age of discovery.





We are addressing a very key issue: the growing need for young, talented people in a variety of fields to consider a career in agriculture.



FFA is only part of a comprehensive strategy to build a heroic workforce and reconnect people with agriculture.

1928

33 farm boys started the organization in 1928, and now over 610,000 members are developing their potential for premier leadership, personal growth, and career success through agricultural education and FFA.

FFA is the most recognized component of agricultural education, but Supervised Agricultural Experiences and the classroom create a complete experience for our students.





Students can choose from eight different career pathways, preparing them for the workforce and college.



Supervised Agricultural Experiences allow students to gain real-world experience and apply their skills and knowledge from FFA and the classroom.



Agricultural education proudly provides students with one of the most complete educational experiences available.

We've got some work to do before 2050, but we're up for the challenge. Our growing pains are a positive sign:

- Record membership
- Record participation



As we continue to grow and close the gap, we face some challenges we hope to overcome:

- FFA has reached its capacity in regards to the services and opportunities we provide our members
 - Recruiting and retaining qualified and certified teachers
 - Classroom size and funding
- 



Together, we'll face these issues in an effort to tackle a global challenge.



THE FFA MISSION

FFA makes a positive difference in the lives of students by developing their potential for premier leadership, personal growth and career success through agricultural education.

THE AGRICULTURAL EDUCATION MISSION

Agricultural education prepares students for successful careers and a lifetime of informed choices in the global agriculture, food, fiber and natural resource systems.

The Florida FFA Association is a resource and support organization that does not select, control, supervise or approve local chapter or individual member activities except as expressly provided for in the Florida FFA Constitution and Bylaws.

The Florida FFA Association affirms its belief in the value of all human beings and seeks diversity in its membership, leadership and staff as an equal opportunity employer.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: CS/SB 1576

INTRODUCER: Agriculture Committee and Senator Steube

SUBJECT: Animal Welfare

DATE: February 1, 2018

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Akhavein</u>	<u>Becker</u>	<u>AG</u>	<u>Fav/CS</u>
2.	_____	_____	<u>CA</u>	_____
3.	_____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1576 requires animal shelters that take in stray dogs and cats to adopt written policies and procedures to ensure that every reasonable effort is made to quickly and reliably return the animals to their owners.

The bill allows a court to prohibit a person convicted of animal cruelty from owning, possessing, keeping, harboring, having contact with, or having custody or control over any animal. It leaves the time frame for the prohibition within the court's discretion.

The bill also increases the severity ranking for aggravated animal cruelty from a level three to a level five under the Criminal Punishment Code.

II. Present Situation:

In 2017, Hurricane Irma resulted in hundreds of lost or stray dogs and cats across Florida, putting an added strain on already beleaguered Florida families and overburdened animal shelters in the storm's aftermath.¹ During disasters and at other times, family pets have been euthanized before

¹ Ryan, Patti. September 15, 2017. "As Irma Howled, Hundreds of Tampa Bay Area Cats and Dogs Got Lost." *Tampa Bay Times*. Accessed online January 17, 2018, at <http://www.tampabay.com/news/humaninterest/as-irma-howled-hundreds-of-tampa-bay-area-cats-and-dogs-got-lost/2337541>.

the shelter's hold period has ended, before the owners could be notified of the animal's location, or before the animal could be claimed.² In Escambia County, a woman has sued the county over claims that the county animal shelter euthanized her dog even though she had called the shelter to inform the staff that she would pick up the dog as soon as possible.³

Under section 828.12, F.S., the following acts are considered animal cruelty:

- Overloading, overdriving, or tormenting any animal;
- Depriving any animal of necessary sustenance or shelter;
- Unnecessarily mutilating or killing any animal; and
- Carrying any animal, on a vehicle or otherwise, in a cruel or inhumane manner.

Animal cruelty is a first degree misdemeanor, punishable by up to one year in the county jail and a \$1,000 fine.⁴

A person commits aggravated animal cruelty, a third degree felony,⁵ by intentionally committing an act to an animal – or failing to act if the person is the owner having custody and control of the animal – and such action or omission results in:

- The cruel death of the animal, or
- The excessive or repeated infliction of unnecessary pain or suffering on an animal.⁶

Aggravated animal cruelty carries minimum mandatory sanctions of a \$2,500 fine and psychological testing or anger management for a first conviction,⁷ and a \$5,000 fine and six months of incarceration for a second or subsequent conviction.⁸ A person convicted a second or subsequent time of aggravated animal cruelty is ineligible for any form of early release, including gain time.⁹

Felony offenses subject to the Criminal Punishment Code¹⁰ are listed in a single offense severity ranking chart, which uses 10 offense levels to rank felonies from least severe to most severe. Each felony offense is assigned to a level according to the severity of the offense, commensurate with the harm or potential for harm to the community that is caused by the offense, as determined by statute. Aggravated animal cruelty is level three on the offense severity ranking chart.¹¹

²Aronson, Claire. "His lost best friend was found and taken to animal shelter—and killed the same day." *Bradenton Herald*. Accessed online January 17, 2018, at <http://www.bradenton.com/news/local/article124559479.html>.

³Robinson, Kevin. August 17, 2015. "Woman Sues Escambia over Mistakenly Euthanized Dog." *Pensacola News Journal*, Accessed online January 17, 2018, at <http://www.pnj.com/story/news/local/escambia-county/2015/08/17/woman-sues-escambia-mistakenly-euthanized-dog/31868803/>.

⁴ ss. 775.082 and 775.083, F.S.

⁵ A third degree felony is punishable by up to five years imprisonment and a \$5,000 fine. Sections 775.082 and 775.083, F.S.

⁶ s. 828.12(2), F.S.

⁷ s. 838.12(2)(a), F.S.

⁸ s. 828.12(2)(b), F.S.

⁹ *Id.*

¹⁰ All felony offenses, with the exception of capital felonies, committed on or after October 1, 1998, are subject to the Criminal Punishment Code.

¹¹ s. 921.0022, F.S.

III. Effect of Proposed Changes:

Section 1 creates s. 823.151, F.S., to provide that the Legislature finds that natural disasters may result in an increase in owned dogs and cats becoming lost or stray. It also directs animal control agencies and humane organizations to adopt policies and procedures to help return lost cats or dogs to identified owners. This would include the following:

- Screening for identification;
- A process for matching pets coming into the shelter with reports of lost pets made by pet owners;
- Public notice of stray dogs and cats at a location in the shelter or on the Internet;
- Reasonable efforts to notify identified pet owners;
- Public notice of shelter location, hours, fees, and return-to-owner process;
- Access for owners to claim lost pets outside of normal business hours;
- Direct return-to-owner protocols that allow animal control officers to directly return lost dogs and cats to their owners when the owners have been identified;
- Procedural safeguards to minimize the euthanasia of owned dogs and cats; and
- Temporary extension of local stray hold periods when an emergency is declared, if deemed appropriate by a local government.

The bill requires records of animals lost after a disaster to be made available to the public pursuant to public records provisions in chapter 119, F.S.

Section 2 amends s. 828.12, F.S., to permit a court to prohibit a person convicted of animal cruelty from owning, possessing, keeping, harboring, having contact with, or having custody or control over any animal. The bill leaves the time frame for the prohibition within the court's discretion.

Section 3 amends s. 921.0022, F.S., to increase the severity ranking for aggravated animal cruelty from a level three to a level five under the Criminal Punishment Code.

Section 4 provides that this act shall take effect July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Pet owners would have more assurance that lost pets would be more quickly and reliably returned to their families.

C. Government Sector Impact:

City and county animal shelters and animal control agencies may have an increase in costs to comply with the notice requirements and shelter of lost animals.

To the extent that persons are arrested for, charged with, and convicted of the criminal offenses modified in the bill, this bill will have an indeterminate fiscal impact of state and local governments. The Criminal Justice Impact Conference met on January 8, 2018, and determined that the bill will insignificantly increase the need for prison beds.¹²

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends sections 828.12 and 921.0022 of the Florida Statutes.
This bill creates section 823.151 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS by Agriculture Committee on February 1, 2018:**

The committee substitute:

- Permits a court to prohibit a person convicted of animal cruelty from owning, possessing, keeping, harboring, having contact with, or having custody or control over any animal. The bill leaves the time frame for the prohibition within the court's discretion; and

¹² An insignificant change in prison beds means a change of 10 or fewer.

- Increases the severity ranking for aggravated animal cruelty from a level three to a level five under the Criminal Punishment Code.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/01/2018	.	
	.	
	.	
	.	

The Committee on Agriculture (Steube) recommended the following:

Senate Amendment (with title amendment)

Between lines 79 and 80
insert:

Section 2. The amendment to s. 828.12, Florida Statutes, by this act may be cited as "Ponce's law."

Section 3. Section 828.12, Florida Statutes, is amended to read:

828.12 Cruelty to animals.—

(1) A person who unnecessarily overloads, overdrives, torments, deprives of necessary sustenance or shelter, or



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12 unnecessarily mutilates, or kills any animal, or causes the same
13 to be done, or carries in or upon any vehicle, or otherwise, any
14 animal in a cruel or inhumane manner, commits animal cruelty, a
15 misdemeanor of the first degree, punishable as provided in s.
16 775.082 or by a fine of not more than \$5,000, or both.

17 (2) A person who intentionally commits an act to any
18 animal, or a person who owns or has the custody or control of
19 any animal and fails to act, which results in the cruel death,
20 or excessive or repeated infliction of unnecessary pain or
21 suffering, or causes the same to be done, commits aggravated
22 animal cruelty, a felony of the third degree, punishable as
23 provided in s. 775.082 or by a fine of not more than \$10,000, or
24 both.

25 (a) A person convicted of a violation of this subsection,
26 where the finder of fact determines that the violation includes
27 the knowing and intentional torture or torment of an animal that
28 injures, mutilates, or kills the animal, shall be ordered to pay
29 a minimum mandatory fine of \$2,500 and undergo psychological
30 counseling or complete an anger management treatment program.

31 (b) A person convicted of a second or subsequent violation
32 of this subsection shall be required to pay a minimum mandatory
33 fine of \$5,000 and serve a minimum mandatory period of
34 incarceration of 6 months. In addition, the person shall be
35 released only upon expiration of sentence, is not eligible for
36 parole, control release, or any form of early release, and must
37 serve 100 percent of the court-imposed sentence. Any plea of
38 nolo contendere shall be considered a conviction for purposes of
39 this subsection.

40 (3) A person who commits multiple acts of animal cruelty or



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41 aggravated animal cruelty against an animal may be charged with
42 a separate offense for each such act. A person who commits
43 animal cruelty or aggravated animal cruelty against more than
44 one animal may be charged with a separate offense for each
45 animal such cruelty was committed upon.

46 (4) A veterinarian licensed to practice in the state shall
47 be held harmless from either criminal or civil liability for any
48 decisions made or services rendered under the provisions of this
49 section. Such a veterinarian is, therefore, under this
50 subsection, immune from a lawsuit for his or her part in an
51 investigation of cruelty to animals.

52 (5) A person who intentionally trips, fells, ropes, or
53 lassos the legs of a horse by any means for the purpose of
54 entertainment or sport commits a ~~shall be guilty of a third~~
55 ~~degree~~ felony of the third degree, punishable as provided in s.
56 775.082, s. 775.083, or s. 775.084. As used in this subsection,
57 the term "trip" means any act that consists of the use of any
58 wire, pole, stick, rope, or other apparatus to cause a horse to
59 fall or lose its balance, and the term "horse" means any animal
60 of any registered breed of the genus *Equus*, or any recognized
61 hybrid thereof. ~~The provisions of This subsection~~ does ~~shall~~ not
62 apply when tripping is used:

63 (a) To control a horse that is posing an immediate threat
64 to other livestock or human beings;

65 (b) For the purpose of identifying ownership of the horse
66 when its ownership is unknown; or

67 (c) For the purpose of administering veterinary care to the
68 horse.

69 (6) In addition to other penalties prescribed by law, a



70 person who is convicted of a violation of this section may be
71 prohibited by the court from owning, possessing, keeping,
72 harboring, or having custody or control over any animal for a
73 period of time determined by the court.

74 Section 4. Paragraphs (c) and (e) of subsection (3) of
75 section 921.0022, Florida Statutes, are amended to read:

76 921.0022 Criminal Punishment Code; offense severity ranking
77 chart.—

78 (3) OFFENSE SEVERITY RANKING CHART

79 (c) LEVEL 3

80

Florida Statute	Felony Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
316.066 (3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
319.30(4)	3rd	Possession by junkyard of motor

81

82

83

84

85



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86

vehicle with identification
number plate removed.

319.33(1)(a)

3rd

Alter or forge any certificate
of title to a motor vehicle or
mobile home.

87

319.33(1)(c)

3rd

Procure or pass title on stolen
vehicle.

88

319.33(4)

3rd

With intent to defraud,
possess, sell, etc., a blank,
forged, or unlawfully obtained
title or registration.

89

327.35(2)(b)

3rd

Felony BUI.

90

328.05(2)

3rd

Possess, sell, or counterfeit
fictitious, stolen, or
fraudulent titles or bills of
sale of vessels.

91

328.07(4)

3rd

Manufacture, exchange, or
possess vessel with counterfeit
or wrong ID number.

92

376.302(5)

3rd

Fraud related to reimbursement
for cleanup expenses under the
Inland Protection Trust Fund.



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105	806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
106	806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
107	810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
108	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
109	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
110	815.04(5)(b)	2nd	Computer offense devised to defraud or obtain property.
111	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
112			



113	817.233	3rd	Burning to defraud insurer.
	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
114			
	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
115			
	817.236	3rd	Filing a false motor vehicle insurance application.
116			
	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
117			
	817.413 (2)	3rd	Sale of used goods as new.
118			
	828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
119			
	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
120			



121	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
122	838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
123	843.19	3rd	Injure, disable, or kill police dog or horse.
124	860.15(3)	3rd	Overcharging for repairs and parts.
125	870.01(2)	3rd	Riot; inciting or encouraging.
126	893.13(1)(a)2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).
	893.13(1)(d)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of university.



127	893.13(1)(f)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of public housing facility.
128	893.13(4)(c)	3rd	Use or hire of minor; deliver to minor other controlled substances.
129	893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
130	893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
131	893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
132	893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled



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substance.

133

893.13(7)(a)11. 3rd Furnish false or fraudulent material information on any document or record required by chapter 893.

134

893.13(8)(a)1. 3rd Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.

135

893.13(8)(a)2. 3rd Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.

136

893.13(8)(a)3. 3rd Knowingly write a prescription for a controlled substance for a fictitious person.

137

893.13(8)(a)4. 3rd Write a prescription for a controlled substance for a



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patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.

138

918.13(1)(a) 3rd Alter, destroy, or conceal investigation evidence.

139

944.47 3rd Introduce contraband to (1)(a)1. & 2. correctional facility.

140

944.47(1)(c) 2nd Possess contraband while upon the grounds of a correctional institution.

141

985.721 3rd Escapes from a juvenile facility (secure detention or residential commitment facility).

142

143

144 (e) LEVEL 5

145

Florida Statute	Felony Degree	Description
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146

316.027(2)(a)	3rd	Accidents involving personal injuries other than serious
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bodily injury, failure to stop;
leaving scene.

147

316.1935(4)(a) 2nd Aggravated fleeing or eluding.

148

316.80(2) 2nd Unlawful conveyance of fuel;
obtaining fuel fraudulently.

149

322.34(6) 3rd Careless operation of motor
vehicle with suspended license,
resulting in death or serious
bodily injury.

150

327.30(5) 3rd Vessel accidents involving
personal injury; leaving scene.

151

379.365(2)(c)1. 3rd Violation of rules relating to:
willful molestation of stone
crab traps, lines, or buoys;
illegal bartering, trading, or
sale, conspiring or aiding in
such barter, trade, or sale, or
supplying, agreeing to supply,
aiding in supplying, or giving
away stone crab trap tags or
certificates; making, altering,
forging, counterfeiting, or
reproducing stone crab trap
tags; possession of forged,



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counterfeit, or imitation stone
crab trap tags; and engaging in
the commercial harvest of stone
crabs while license is
suspended or revoked.

152

379.367(4) 3rd Willful molestation of a
commercial harvester's spiny
lobster trap, line, or buoy.

153

379.407(5)(b)3. 3rd Possession of 100 or more
undersized spiny lobsters.

154

381.0041(11)(b) 3rd Donate blood, plasma, or organs
knowing HIV positive.

155

440.10(1)(g) 2nd Failure to obtain workers'
compensation coverage.

156

440.105(5) 2nd Unlawful solicitation for the
purpose of making workers'
compensation claims.

157

440.381(2) 2nd Submission of false,
misleading, or incomplete
information with the purpose of
avoiding or reducing workers'
compensation premiums.

158



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159	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
160	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
161	790.01 (2)	3rd	Carrying a concealed firearm.
162	790.162	2nd	Threat to throw or discharge destructive device.
163	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
164	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
165	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
166	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
	800.04 (6) (c)	3rd	Lewd or lascivious conduct;



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\$20,000 to \$50,000.

175

817.234 (1) (b) 2nd Insurance fraud; property value
\$20,000 or more but less than
\$100,000.

176

817.2341 (1), 3rd Filing false financial
(2) (a) & (3) (a) statements, making false
entries of material fact or
false statements regarding
property values relating to the
solvency of an insuring entity.

177

817.568 (2) (b) 2nd Fraudulent use of personal
identification information;
value of benefit, services
received, payment avoided, or
amount of injury or fraud,
\$5,000 or more or use of
personal identification
information of 10 or more
persons.

178

817.611 (2) (a) 2nd Traffic in or possess 5 to 14
counterfeit credit cards or
related documents.

179

817.625 (2) (b) 2nd Second or subsequent fraudulent
use of scanning device,



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186	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
187	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
188	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
189	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
190	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
191	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
	893.13 (1) (a) 1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4. drugs).



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192

893.13(1)(c)2. 2nd Sell, manufacture, or deliver
cannabis (or other s.
893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)5.,
(2)(c)6., (2)(c)7., (2)(c)8.,
(2)(c)9., (3), or (4) drugs)
within 1,000 feet of a child
care facility, school, or
state, county, or municipal
park or publicly owned
recreational facility or
community center.

193

893.13(1)(d)1. 1st Sell, manufacture, or deliver
cocaine (or other s.
893.03(1)(a), (1)(b), (1)(d),
(2)(a), (2)(b), or (2)(c)4.
drugs) within 1,000 feet of
university.

194

893.13(1)(e)2. 2nd Sell, manufacture, or deliver
cannabis or other drug
prohibited under s.
893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)5.,
(2)(c)6., (2)(c)7., (2)(c)8.,
(2)(c)9., (3), or (4) within
1,000 feet of property used for



176710

210 and procedures to ensure that every reasonable effort
211 is made to quickly and reliably return owned animals
212 to their owners; providing requirements for such
213 policies and procedures; requiring that specified
214 records be available to the public; providing a short
215 title; amending s. 828.12, F.S.; authorizing a court
216 to prohibit certain offenders from owning or having
217 custody or control over animals; amending s. 921.0022,
218 F.S.; revising the ranking of offenses on the offense
219 severity ranking chart of the Criminal Punishment
220 Code; providing an effective date.



475346

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/01/2018	.	
	.	
	.	
	.	

The Committee on Agriculture (Steube) recommended the following:

1 **Senate Amendment to Amendment (176710) (with title**
2 **amendment)**

3
4 Delete lines 5 - 6.

5
6 ===== T I T L E A M E N D M E N T =====

7 And the title is amended as follows:

8 Delete lines 214 - 215

9 and insert:

10 records be available to the public; amending s.
11 828.12, F.S.; authorizing a court

By Senator Steube

23-01207-18

20181576__

1 A bill to be entitled
2 An act relating to lost or stray dogs or cats;
3 creating s. 823.151, F.S.; providing legislative
4 findings; requiring specified entities that take
5 receivership of lost or stray dogs or cats to adopt
6 written policies and procedures to ensure that every
7 reasonable effort is made to quickly and reliably
8 return owned animals to their owners; providing
9 requirements for such policies and procedures;
10 requiring that specified records be made available to
11 the public; providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Section 823.151, Florida Statutes, is created to
16 read:

17 823.151 Lost or stray dogs and cats.—

18 (1) The Legislature finds that natural disasters, such as
19 hurricanes, may result in an increase in owned dogs and cats
20 becoming lost or stray. The Legislature further finds that dog
21 and cat owners statewide should be afforded the opportunity to
22 quickly and reliably claim their lost pets. It is therefore
23 declared to be the public policy of the state that animal
24 control agencies and humane organizations shall adopt policies
25 and procedures to help return lost cats or dogs to identified
26 owners.

27 (2) (a) A public or private animal shelter, humane
28 organization, or animal control agency operated by a humane
29 organization or by a county, municipality, or other incorporated

23-01207-18

20181576__

30 political subdivision that takes receivership of any lost or
31 stray dogs or cats shall adopt written policies and procedures
32 to ensure that every reasonable effort is made to quickly and
33 reliably return owned animals to their owners. Such policies and
34 procedures shall include:

35 1. Upon intake, screening of lost or stray dogs and cats
36 for identification, including tags, licenses, implanted
37 microchips, and tattoos.

38 2. A process for matching received lost or stray dogs and
39 cats with any reports of lost pets received by the shelter from
40 owners.

41 3. Public notice of lost or stray dogs and cats received,
42 provided at the shelter or on the Internet, as appropriate,
43 within 48 hours of the animal's admission.

44 4. Reasonable efforts to notify identified owners of lost
45 or stray dogs and cats within 48 hours of identification. Such
46 reasonable efforts may include, but are not limited to, attempts
47 to contact identified owners by telephone, by electronic mail,
48 by United States mail, or by personal service at the owner's
49 last known phone number and address.

50 5. Notice to the public of the shelter's location, hours,
51 fees, and the return-to-owner process posted on the Internet,
52 with the shelter's business hours posted outside the shelter
53 facility and recorded on the shelter's telephone answering
54 system message.

55 6. Access for owners to retrieve dogs and cats at least 1
56 weekend day per week and after 5:00 p.m. 1 weekday per week,
57 provided that complying with the requirements of this
58 subparagraph does not require an increase in total operating

23-01207-18

20181576__

59 hours.

60 7. Direct return-to-owner protocols that allow animal
61 control officers in the field to directly return lost or stray
62 dogs and cats to their owners when the owners have been
63 identified.

64 8. Procedural safeguards to minimize the euthanasia of
65 owned dogs and cats. Such safeguards shall include, but are not
66 limited to, record verification to ensure that each animal to be
67 euthanized is the correct animal designated for the procedure
68 and proper scanning for an implanted microchip using a universal
69 scanner immediately prior to the procedure.

70 9. Temporary extension of local minimum stray hold periods
71 after a disaster is declared by the President of the United
72 States or a state of emergency is declared by the Governor, if
73 deemed necessary by a local government in the area of the
74 declaration.

75 (b) Records related to this section and maintained by a
76 public or private animal shelter, humane organization, or animal
77 control agency operated by a humane society or by a county,
78 municipality, or other incorporated political subdivision must
79 be made available to the public pursuant to chapter 119.

80 Section 2. This act shall take effect July 1, 2018.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Agriculture
Appropriations Subcommittee on Higher Education
Appropriations Subcommittee on Pre-K - 12 Education
Education
Environmental Preservation and Conservation

SENATOR GARY M. FARMER, JR.

34th District

January 30, 2018

Chair Grimsely
Senate Committee on Agriculture
335 Knott Building
Tallahassee, FL 32399-1100

Chair Grimsley,

I respectfully request for an excused absence from Thursday's scheduled Agriculture Committee meeting. Unfortunately, I will not be in the Capitol at that time.

Respectfully,

A handwritten signature in black ink that reads "Gary M. Farmer, Jr." in a cursive style.

Senator Gary Farmer
District 34

CC

Katherine Becker, Staff Director
Kim Bonn, Administrative Assistant
Anne Bell, Legislative Assistant
Andrea Jahna, Legislative Assistant
Marty Mielke, Legislative Assistant
Jae Williams, Legislative Assistant

REPLY TO:

- Broward College Campus, 111 East Las Olas Boulevard, Suite 913, Fort Lauderdale, Florida 33301 (954) 467-4227
- 216 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5034

Senate's Website: www.flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Agriculture, *Vice Chair*
Appropriations Subcommittee on Health and Human Services
Appropriations Subcommittee on Transportation, Tourism, and Economic Development
Governmental Oversight and Accountability
Transportation

JOINT COMMITTEE:

Joint Administrative Procedures Committee,
Alternating Chair

SENATOR KEVIN J. RADER
29th District

February 1, 2018

The Honorable Denise Grimsley
413 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1300

Dear Chairwoman Grimsley:

In accordance with Senate Rule 1.21, I am writing to you to be excused from the Agriculture Committee meeting that will be held on Thursday February 1, 2018, at 11:30am due to a family matter that needs my immediate attention. I sincerely apologize for any inconvenience this may cause.

Thank you for your consideration. Please feel free to contact me at 561-866-4020 if you have any questions.

Sincerely

A handwritten signature in cursive script that reads "Kevin Rader".

Kevin Rader
State Senator
District 29

cc: Katherine Becker, Staff Director

REPLY TO:

- 5301 N. Federal Hwy, Suite 135, Boca Raton, Florida 33487
- 222 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5029

Senate's Website: www.flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02/01/18
Meeting Date

Bill Number (if applicable)

Topic Florida FFA Association

Amendment Barcode (if applicable)

Name Kaylin Kleckner

Job Title Florida FFA State Secretary

Address 5000 SW 34th St
Street

Phone 352-484-5368

Gainesville FL 32608
City State Zip

Email kaylin-kleckner@flaffa.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida FFA Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/1/18
Meeting Date

Bill Number (if applicable)

Topic Florida FFA Association

Amendment Barcode (if applicable)

Name Kyle Garner

Job Title Florida FFA State President

Address 5600 SW 34th St.
Street

Phone (352) 250-7332

Gainesville FL 32608
City State Zip

Email kyle.garner@flaffa.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Future Farmers of America

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1576
Bill Number (if applicable)

Meeting Date _____

Topic Fly Florida

Amendment Barcode (if applicable) _____

Name JACQ COO

Job Title _____

Address 730 East Pines Ave
Street

Phone _____

City

State

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Fly Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/1/18
Meeting Date

1576
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Diana Ferguson

Job Title Attorney

Address 119 S Monroe St Ste 202

Phone 850-481-6788

Ta 00 FL 32301

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Animal law section of the Florida Bar

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/1/18

Meeting Date

1576

Bill Number (if applicable)

Topic Lost a stray Dogs / cats

Amendment Barcode (if applicable)

Name Kate Macfall

Job Title State driver

Address 1624 Metropolis Circle

Phone 850 508-1001

Street

Tallahassee FL 32308

Email _____

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Humane Society of the United States

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/1/17
Meeting Date

1576
Bill Number (if applicable)

Topic LOST OR STRAY DOGS OR CATS

Amendment Barcode (if applicable)

Name JENNIFER HOBGOOD, PH.D.

Job Title DIRECTOR, STATE LEGISLATION, SOUTHEAST REGION

Address P O Box 20554
Street

Phone 445 5245

TALLAHASSEE FL 32316
City State Zip

Email jen.hubgood@aspc.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing ASPCA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/1/18

Meeting Date

1576

Bill Number (if applicable)

176710

Amendment Barcode (if applicable)

Topic Lost or Stray Dogs or Cats

Name Chief Keith Touchberry

Job Title Chief of Police, Fellsmere PD

Address PO Box 14038

Street

Phone 850-219-3631

Tallahassee

FL

32317

City

State

Zip

Email kbriscoe@fpca.com

Speaking: [X] For [] Against [] Information

Waive Speaking: [X] In Support [] Against (The Chair will read this information into the record.)

Representing The Florida Police Chiefs Association

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/1/17
Meeting Date

176710
Bill Number (if applicable)
Amendment Barcode (if applicable)

Topic ANIMAL WELFARE AMENDMENT

Name JENNIFER HOBGOOD, PHD

Job Title DIRECTOR, STATE LEGISLATION, SOUTHEAST REGION

Address 1111 PO BOX 201854
Street

Phone 445 5245

TALLAHASSEE FL 32310
City State Zip

Email jen.hobgood@aspcanet.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing ASPCA

Appearing at request of Chair: Yes No Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/1/18

Meeting Date

1576

Bill Number (if applicable)

176710

Amendment Barcode (if applicable)

Topic Animal cruelty.

Name Kate MacFall

Job Title state director

Address 1624 Metropolitan Circle

Street

Tallahassee

City

State

Zip

Phone 850 508-1001

Email

Speaking: [X] For [] Against [] Information

Waive Speaking: [] In Support [] Against (The Chair will read this information into the record.)

Representing Humane Society of the United States

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [X] Yes [] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

CourtSmart Tag Report

Room: SB 301

Caption: Senate Agriculture Committee

Case No.:

Judge:

Type:

Started: 2/1/2018 11:30:41 AM

Ends: 2/1/2018 11:51:37 AM

Length: 00:20:57

11:30:41 AM Meeting Called to Order
11:30:44 AM Roll Call
11:30:55 AM Quorum Present
11:31:05 AM Senator Farmer is Excused
11:31:12 AM Tab 2 SB 1576
11:31:15 AM Senator Steube Explains SB 1576
11:32:00 AM Question from Senator Rouson
11:32:13 AM Senator Steube Responds
11:32:35 AM Question from Senator Hukill
11:32:56 AM Back and Forth between Senators Hukill and Steube
11:33:41 AM Amendment Barcode 176710
11:33:46 AM Amendment Barcode 176710 Explained by Senator Steube
11:34:42 AM Amendment to the Amendment Barcode 475346
11:34:45 AM Senator Steube Explains Amendment Barcode 475346
11:34:53 AM Question from Senator Rouson
11:35:15 AM Senator Steube Responds
11:35:17 AM Follow-up Question from Senator Rouson
11:35:34 AM Senator Steube Responds
11:35:53 AM Kate MacFall rep. Humane Society of The US Waives in Support of Amendment Barcode 176710
11:36:01 AM Jennifer Hobgood, PhD, rep. ASPCA Speaks in Support of Amendment Barcode 176710
11:37:08 AM Chief Keith Touchberry rep. The FL Police Chiefs Association Waives in Support
11:37:18 AM Amendment to Amendment Adopted (Barcode 475346)
11:37:25 AM Question from Senator Hukill on Amendment Barcode 176710
11:37:41 AM Senator Steube Responds
11:37:56 AM Follow-up Question from Senator Hukill
11:38:08 AM Senator Steube Responds
11:38:36 AM Senator Steube Waives Close on Amendment Barcode 176710
11:38:44 AM Amendment Barcode 176710 Adopted
11:38:50 AM Question from Senator Powell
11:39:09 AM Senator Steube Responds
11:39:22 AM Jack Cory rep. Fit Florida Waives in Support of SB 1576
11:39:27 AM Diana Ferguson rep. Animal Law Section of the FL Bar Waives in Support of SB 1576
11:39:32 AM Kate MacFall rep. the Humane Society of the US Waives in Support of SB 1576
11:39:36 AM Jennifer Hobgood, PhD, rep. ASPCA Waives in Support of SB 1576
11:39:45 AM Senator Steube Waives Close on SB 1576
11:40:03 AM SB 1576 is Reported Favorably
11:40:20 AM Tab 1 Presentation by Future Farmers of America
11:40:45 AM Kyle Garner and Kaylin Kleckner Present rep. Future Farmers of America
11:47:50 AM Comment from Senator Mayfield
11:48:37 AM Comment from Chair Grimsley
11:49:29 AM Comment from Senator Powell
11:50:07 AM Comment from Senator Rouson
11:51:04 AM Closing Comments from Chair Grimsley
11:51:31 AM Meeting Adjourned