

<b>Tab 1</b>	<b>SB 240</b> by <b>Rader</b> ; (Identical to H 01277) State Symbols
<b>Tab 2</b>	<b>SB 764</b> by <b>Baxley</b> ; (Identical to H 06041) Certified Pile Burning
<b>Tab 3</b>	<b>SB 806</b> by <b>Gainer</b> ; (Identical to H 00847) Public Records/Animal Health Records/Department of Agriculture and Consumer Services
<b>Tab 4</b>	<b>SB 980</b> by <b>Brandes</b> ; (Similar to H 00685) Lost, Stray, Unwanted, or Homeless Dogs and Cats
<b>Tab 5</b>	<b>SB 1282</b> by <b>Harrell</b> ; Animal Cremation

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**AGRICULTURE**  
**Senator Albritton, Chair**  
**Senator Gainer, Vice Chair**

**MEETING DATE:** Tuesday, January 21, 2020

**TIME:** 10:00—11:30 a.m.

**PLACE:** 301 Senate Building

**MEMBERS:** Senator Albritton, Chair; Senator Gainer, Vice Chair; Senators Broxson, Montford, and Rader

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 240</b> Rader (Identical H 1277)	State Symbols; Designating shelter animals as the official state pet, etc.  AG 01/21/2020 Favorable GO RC	Favorable Yeas 4 Nays 0
2	<b>SB 764</b> Baxley (Identical H 6041)	Certified Pile Burning; Removing a provision specifying the origin of debris authorized for certified pile burning, etc.  AG 01/21/2020 Favorable AEG AP	Favorable Yeas 5 Nays 0
3	<b>SB 806</b> Gainer (Identical H 847)	Public Records/Animal Health Records/Department of Agriculture and Consumer Services; Exempting from public records requirements certain animal health records submitted to or generated by the Department of Agriculture and Consumer Services or the state veterinarian in connection with the Bronson Animal Disease Diagnostic Laboratory; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.  AG 01/21/2020 Temporarily Postponed GO RC	Temporarily Postponed
4	<b>SB 980</b> Brandes (Similar H 685)	Lost, Stray, Unwanted, or Homeless Dogs and Cats; Requiring certain animal shelters, humane organizations, or animal control agencies that take receivership of any lost, stray, unwanted, or homeless dogs or cats to adopt written policies and procedures to achieve specified goals; authorizing employees, agents, or contractors of certain animal shelters or animal control agencies to implant dogs and cats with radio-frequency identification devices for certain purposes, etc.  AG 01/21/2020 Favorable IT RC	Favorable Yeas 4 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Agriculture

Tuesday, January 21, 2020, 10:00—11:30 a.m.

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TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
5	<b>SB 1282</b> Harrell	Animal Cremation; Designating "Sevilla's Law"; requiring a provider of companion animal cremation services to provide certain individuals and entities with a written description of the services that the provider offers; providing that the written description may not contain false or misleading information; requiring certain entities that make referrals to providers or accept deceased companion animals for cremation through a provider to make the provider's written description of services available to owners or their representatives, etc.	Favorable Yeas 4 Nays 0
		AG 01/21/2020 Favorable CM RC	

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Other Related Meeting Documents

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**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.)

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Prepared By: The Professional Staff of the Committee on Agriculture

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BILL: SB 240

INTRODUCER: Senator Rader

SUBJECT: State Symbols

DATE: January 21, 2020

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	_____	Becker	AG	<b>Favorable</b>
2.	_____	_____	GO	_____
3.	_____	_____	RC	_____

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**I. Summary:**

SB 240 designates any shelter animal that resides at or has been adopted from an animal shelter or an animal rescue organization as the official Florida state pet.

**II. Present Situation:**

Currently, there is no designated official state pet symbol for animals that reside in shelters or that have been adopted from an animal shelter or an animal rescue organization.

Chapter 15, F.S., designates official state emblems. To date, there are designations for a state motto, tree, fruit,<sup>1</sup> beverage,<sup>2</sup> citrus archive, anthem, song, shell, stone, gem, wildflower, play, animal, freshwater fish, saltwater fish, marine mammal, saltwater mammal, butterfly, reptile, saltwater reptile, tortoise, air fair, rodeo, festival, moving image center and archive, litter control symbol, pageant, opera program, renaissance festival, railroad museums, transportation museum, flagship, soil, fiddle contest, band, sports hall of fame, pie, honey, horse, and cattle breed.

**Shelter Animals**

The American Society for the Prevention of Cruelty to Animals was founded on the belief that animals are entitled to kind and respectful treatment at the hands of humans and must be protected under the law. It indicates that approximately 6.5 million companion animals enter U.S. animal shelters nationwide every year. Of those, approximately 3.3 million are dogs and 3.2 million are cats.

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<sup>1</sup> Section 15.0315, F.S., designates the orange as the official fruit of Florida.

<sup>2</sup> Section 15.032, F.S., designates orange juice as the official beverage of Florida.

Each year, approximately 1.5 million shelter animals are euthanized (670,000 dogs and 860,000 cats). The number of dogs and cats euthanized in United States shelters annually has declined from approximately 2.6 million in 2011. This decline can be partially explained by an increase in the percentage of animals adopted and an increase in the number of stray animals successfully returned to their owners.

Approximately 3.2 million shelter animals are adopted each year (1.6 million dogs and 1.6 million cats).

About 710,000 animals who enter shelters as strays are returned to their owners. Of those, 620,000 are dogs and only 90,000 are cats.<sup>3</sup>

### III. Effect of Proposed Changes:

**Section 1** creates s. 15.0528, F.S., to designate any shelter animal that resides at or has been adopted from an animal shelter or an animal rescue organization as the official Florida state pet.

**Section 2** provides that this act shall take effect upon becoming a law.

### IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

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<sup>3</sup> See <https://www.aspc.org/animal-homelessness/shelter-intake-and-surrender/pet-statistics> (Last visited January 16, 2020).

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates section 15.0528 of the Florida Statutes.

**IX. Additional Information:**

## A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

## B. Amendments:

None.

By Senator Rader

29-00087-20

2020240\_\_

1                           A bill to be entitled  
2           An act relating to state symbols; creating s. 15.0528,  
3           F.S.; designating shelter animals as the official  
4           state pet; providing an effective date.

5  
6   Be It Enacted by the Legislature of the State of Florida:

7  
8           Section 1. Section 15.0528, Florida Statutes, is created to  
9   read:

10           15.0528 Official state pet.-Any shelter animal that resides  
11           at or has been adopted from an animal shelter or an animal  
12           rescue organization is designated as the official Florida state  
13           pet.

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



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Governmental Oversight and Accountability, *Vice Chair*  
Agriculture  
Appropriations Subcommittee on Health  
and Human Services  
Children, Families, and Elder Affairs

### JOINT COMMITTEE:

Joint Legislative Auditing Committee

**SENATOR KEVIN J. RADER**

29th District

September 19, 2019

Chairman Ben Albritton  
Committee on Agriculture  
335 Knott Building  
404 S. Monroe Street  
Tallahassee, FL 32399-1100

Chairman Albritton,

I respectfully request that you place SB 240, relating to State Symbols, on the agenda of the Committee on Agriculture at your earliest convenience.

Should you have any questions or concerns, please feel free to contact me or my office. Thank you in advance for your consideration.

Kindest Regards,

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

Senator Kevin J. Rader  
Florida Senate, District 29

cc:

Katherine Becker, Staff Director  
Lauren Zaugg, Administrative Assistant

REPLY TO:

- 5301 North Federal Hwy, Suite 135, Boca Raton, Florida 33487 (561) 443-8170
- 222 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5029

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BILL GALVANO**  
President of the Senate

**DAVID SIMMONS**  
President Pro Tempore



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THE FLORIDA SENATE

APPEARANCE RECORD

11/21/2020

Meeting Date

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

SB 240

Bill Number (if applicable)

Topic Stat symbol - Pets

Amendment Barcode (if applicable)

Name JACK CORRY

Job Title \_\_\_\_\_

Address 730 East Park Ave

Phone 850-893-0995

Street Walt

City FL State 3234 Zip

Email JACKCORRY@PACONSA.org

Speaking:  For  Against  Information

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

Representing Fix 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.

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)

1/21/20

Meeting Date

240

Bill Number (if applicable)

Topic State Symbols

Amendment Barcode (if applicable)

Name Kate MacFall

Job Title State Director

Address 1424 Metropolitan Center

Phone 850 508-1001

Street

Tallahassee FL 32308

Email kmacfall@hsos.org

City

State

Zip

Speaking:  For  Against  Information

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

Representing Homans 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.

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

S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

TI

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

1-21-2020

Meeting Date

240

Bill Number (if applicable)

Topic State Symbol

Amendment Barcode (if applicable)

Name Amy Datz

Job Title \_\_\_\_\_

Address \_\_\_\_\_

Phone 850 322-7599

Street

Email \_\_\_\_\_

City

State

Zip

Speaking:  For  Against  Information

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

Representing Environmental Caucus of FL  
post partisan

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**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

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

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Prepared By: The Professional Staff of the Committee on Agriculture

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BILL: SB 764

INTRODUCER: Senator Baxley

SUBJECT: Certified Pile Burning

DATE: January 21, 2020

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Akhvein	Becker	AG	<b>Favorable</b>
2.			AEG	
3.			AP	

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**I. Summary:**

SB 764 removes a statutory provision that requires certified pile burning to be restricted to the site on which the debris originated.

**II. Present Situation:**

A certified pile burn is the burn disposal of piled, naturally occurring debris from agricultural, silvicultural, land-clearing, or tree-cutting debris originating onsite. Open burning, which includes pile burning, is authorized by the Florida Forest Service within the Department of Agriculture and Consumer Services. A burn authorization from the Florida Forest Service must be obtained on the day of the burn. The Florida Forest Service manages more than 1 million acres of state forests and provides forest management assistance on more than 17 million acres of private and community forests. It is also responsible for protecting more than 26 million acres of homes, forestland, and natural resources from the devastating effects of wildfire.

**III. Effect of Proposed Changes:**

**Section 1** amends s. 590.125, F.S., to remove a statutory provision that requires certified pile burning to be restricted to the site on which the debris originated.

**Section 2** provides that this act shall take effect July 1, 2020.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None identified.

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

None.

**B. Private Sector Impact:**

The Department of Agriculture and Consumer Services has indicated that this bill will change how debris is classified and handled. If allowed to be hauled off-site, it becomes a debris management issue that falls under the Department of Environmental (DEP) Protection's Solid Waste Section. Burning debris off-site would require a person to obtain a permit from DEP and to use an air curtain incinerator.

**C. Government Sector Impact:**

The bill would require the Florida Forest Service to update regulations for its pile burning program. The Florida Forest Service has also indicated a concern that pile burning of offsite debris at one location might become continuous and might allow pests and diseases to be transferred from one location to another.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill amends section 590.125 of the Florida Statutes.

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

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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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By Senator Baxley

12-00861A-20

2020764\_\_

1 A bill to be entitled  
 2 An act relating to certified pile burning; amending s.  
 3 590.125, F.S.; removing a provision specifying the  
 4 origin of debris authorized for certified pile  
 5 burning; providing an effective date.  
 6  
 7 Be It Enacted by the Legislature of the State of Florida:  
 8  
 9 Section 1. Paragraph (a) of subsection (4) of section  
 10 590.125, Florida Statutes, is amended to read:  
 11 590.125 Open burning authorized by the Florida Forest  
 12 Service.—  
 13 (4) CERTIFIED PILE BURNING.—  
 14 (a) Certified pile burning pertains to the disposal of  
 15 piled, naturally occurring debris from agricultural,  
 16 silvicultural, land-clearing, or tree-cutting debris ~~originating~~  
 17 ~~onsite~~. Certified pile burning must be conducted in accordance  
 18 with the following:  
 19 1. A certified pile burner must ensure, before ignition,  
 20 that the piles are properly placed and that the content of the  
 21 piles is conducive to efficient burning.  
 22 2. A certified pile burner must ensure that the authorized  
 23 burn is completed no later than 1 hour after sunset. If the burn  
 24 is conducted in an area designated by the Florida Forest Service  
 25 as smoke sensitive, a certified pile burner must ensure that the  
 26 authorized burn is completed at least 1 hour before sunset.  
 27 3. A written pile burning plan must be prepared before  
 28 receiving authorization from the Florida Forest Service to burn  
 29 and must be onsite and available for inspection by a department

Page 1 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

12-00861A-20

2020764\_\_

30 representative.  
 31 4. The specific consent of the landowner or his or her  
 32 agent must be obtained before requesting authorization to burn.  
 33 5. An authorization to burn must be obtained from the  
 34 Florida Forest Service or its designated agent before igniting  
 35 the burn.  
 36 6. There must be adequate firebreaks and sufficient  
 37 personnel and firefighting equipment at the burn site to contain  
 38 the burn to the piles authorized.  
 39 Section 2. This act shall take effect July 1, 2020.

Page 2 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

# THE FLORIDA SENATE

**COMMITTEES:**

Ethics and Elections, *Chair*  
Appropriations Subcommittee on Education  
Education  
Finance and Tax  
Health Policy  
Judiciary

**JOINT COMMITTEE:**

Joint Legislative Auditing Committee

**SENATOR DENNIS BAXLEY**

12th District

November 26, 2019

The Honorable Chairman Ben Albritton  
308 Senate Office Building  
Tallahassee, Florida 32399

Dear Chairman Albritton,

I would like to request that SB 764 Certified Pile Burning be heard in the next Agriculture Committee meeting.

This bill allows the disposal and burning of debris from agricultural, silvicultural, land-clearing, or tree-cutting debris. A certified pile burner must ensure before ignition, that the piles are properly placed and that the content of the piles is conducive to efficient burning.

Thank you for your favorable consideration.

Onward & Upward,



Senator Dennis K. Baxley  
Senate District 12

DKB/dd

cc: Katherine Becker, Staff Director

320 Senate Office Building, 404 South Monroe St, Tallahassee, Florida 32399-1100 • (850) 487-5012  
Email: [baxley.dennis@flsenate.gov](mailto:baxley.dennis@flsenate.gov)

**Bill Galvano**  
President of the Senate

**David Simmons**  
President Pro Tempore



**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.)

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Prepared By: The Professional Staff of the Committee on Agriculture

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BILL: SB 806

INTRODUCER: Senator Gainer

SUBJECT: Public Records/Animal Health Records/Department of Agriculture and Consumer Services

DATE: January 17, 2020

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Akhavein</u>	<u>Becker</u>	<u>AG</u>	<u>Pre-meeting</u>
2.	<u>                    </u>	<u>                    </u>	<u>GO</u>	<u>                    </u>
3.	<u>                    </u>	<u>                    </u>	<u>RC</u>	<u>                    </u>

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**I. Summary:**

SB 806 creates a public records exemption for certain for animal health records submitted to or generated by the Department of Agriculture and Consumer Services (department) or the state veterinarian in connection with the Bronson Animal Disease Diagnostic Laboratory. The department relies upon these submissions to conduct disease surveillance, control, and eradication. This exemption applies to records and information held before, on, or after July 1, 2020.

This exemption is subject to the Open Government Sunset Review Act and shall stand repealed on October 2, 2025, unless reviewed and saved from repeal through reenactment by the Legislature.

**II. Present Situation:**

**Access to Public Records - Generally**

The Florida Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.<sup>1</sup> The right to inspect or copy applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.<sup>2</sup>

Additional requirements and exemptions related to public records are found in various statutes and rules, depending on the branch of government involved. For instance, section 11.0431, Florida Statutes (F.S.), provides public access requirements for legislative records. Relevant

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<sup>1</sup> FLA. CONST. art. I, s. 24(a).

<sup>2</sup> *Id.*

exemptions are codified in s. 11.0431(2)-(3), F.S., and the statutory provisions are adopted in the rules of each house of the legislature.<sup>3</sup> Florida Rule of Judicial Administration 2.420 governs public access to judicial branch records.<sup>4</sup> Lastly, chapter 119, F.S., provides requirements for public records held by executive agencies.

### **Executive Agency Records – The Public Records Act**

Chapter 119, F.S., known as the Public Records Act, provides that all state, county and municipal records are open for personal inspection and copying by any person, and that providing access to public records is a duty of each agency.<sup>5</sup>

A public record includes virtually any document or recording, regardless of its physical form or how it may be transmitted.<sup>6</sup> The Florida Supreme Court has interpreted the statutory definition of “public record” to include “material prepared in connection with official agency business which is intended to perpetuate, communicate, or formalize knowledge of some type.”<sup>7</sup>

The Florida Statutes specify conditions under which public access to public records must be provided. The Public Records Act guarantees every person’s right to inspect and copy any public record at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record.<sup>8</sup> A violation of the Public Records Act may result in civil or criminal liability.<sup>9</sup>

The Legislature may exempt public records from public access requirements by passing a general law by a two-thirds vote of both the House and the Senate.<sup>10</sup> The exemption must state with specificity the public necessity justifying the exemption and must be no broader than necessary to accomplish the stated purpose of the exemption.<sup>11</sup>

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<sup>3</sup> See Rule 1.48, *Rules and Manual of the Florida Senate*, (2018-2020) and Rule 14.1, *Rules of the Florida House of Representatives*, Edition 2, (2018-2020)

<sup>4</sup> *State v. Wooten*, 260 So. 3d 1060 (Fla. 4<sup>th</sup> DCA 2018).

<sup>5</sup> Section 119.01(1), F.S. Section 119.011(2), F.S., defines “agency” as “any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.”

<sup>6</sup> Section 119.011(12), F.S., defines “public record” to mean “all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.”

<sup>7</sup> *Shevin v. Byron, Harless, Schaffer, Reid and Assoc., Inc.*, 379 So. 2d 633, 640 (Fla. 1980).

<sup>8</sup> Section 119.07(1)(a), F.S.

<sup>9</sup> Section 119.10, F.S. Public records laws are found throughout the Florida Statutes, as are the penalties for violating those laws.

<sup>10</sup> FLA. CONST. art. I, s. 24(c).

<sup>11</sup> *Id. See, e.g., Halifax Hosp. Medical Center v. News-Journal Corp.*, 724 So. 2d 567 (Fla. 1999) (holding that a public meetings exemption was unconstitutional because the statement of public necessity did not define important terms and did not justify the breadth of the exemption); *Baker County Press, Inc. v. Baker County Medical Services, Inc.*, 870 So. 2d 189 (Fla. 1st DCA 2004) (holding that a statutory provision written to bring another party within an existing public records exemption is unconstitutional without a public necessity statement).

General exemptions from the public records requirements are contained in the Public Records Act.<sup>12</sup> Specific exemptions often are placed in the substantive statutes relating to a particular agency or program.<sup>13</sup>

When creating a public records exemption, the Legislature may provide that a record is “exempt” or “confidential and exempt.” Custodians of records designated as “exempt” are not prohibited from disclosing the record; rather, the exemption means that the custodian cannot be compelled to disclose the record.<sup>14</sup> Custodians of records designated as “confidential and exempt” may not disclose the record except under circumstances specifically defined by the Legislature.<sup>15</sup>

### **Open Government Sunset Review Act**

The Open Government Sunset Review Act<sup>16</sup> (the Act) prescribes a legislative review process for newly created or substantially amended<sup>17</sup> public records or open meetings exemptions, with specified exceptions.<sup>18</sup> It requires the automatic repeal of such exemption on October 2nd of the fifth year after creation or substantial amendment, unless the Legislature reenacts the exemption.<sup>19</sup>

The Act provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary.<sup>20</sup> An exemption serves an identifiable purpose if it meets one of the following purposes *and* the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption:

- It allows the state or its political subdivisions to effectively and efficiently administer a governmental program, and administration would be significantly impaired without the exemption;<sup>21</sup>
- It protects sensitive, personal information, the release of which would be defamatory, cause unwarranted damage to the good name or reputation of the individual, or would jeopardize the individual’s safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is exempt;<sup>22</sup> or
- It protects information of a confidential nature concerning entities, such as trade or business secrets.<sup>23</sup>

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<sup>12</sup> See, e.g., s. 119.071(1)(a), F.S. (exempting from public disclosure examination questions and answer sheets of examinations administered by a governmental agency for the purpose of licensure).

<sup>13</sup> See, e.g., s. 213.053(2)(a), F.S. (exempting from public disclosure information contained in tax returns received by the Department of Revenue).

<sup>14</sup> See *Williams v. City of Minneola*, 575 So. 2d 683, 687 (Fla. 5th DCA 1991).

<sup>15</sup> *WFTV, Inc. v. The School Board of Seminole*, 874 So. 2d 48 (Fla. 5th DCA 2004).

<sup>16</sup> Section 119.15, F.S.

<sup>17</sup> An exemption is considered to be substantially amended if it is expanded to include more records or information or to include meetings as well as records. Section 19.15(4)(b), F.S.

<sup>18</sup> Section 119.15(2)(a) and (b), F.S., provide that exemptions that are required by federal law or are applicable solely to the Legislature or the State Court System are not subject to the Open Government Sunset Review Act.

<sup>19</sup> Section 119.15(3), F.S.

<sup>20</sup> Section 119.15(6)(b), F.S.

<sup>21</sup> Section 119.15(6)(b)1., F.S.

<sup>22</sup> Section 119.15(6)(b)2., F.S.

<sup>23</sup> Section 119.15(6)(b)3., F.S.

The Act also requires specified questions to be considered during the review process.<sup>24</sup> In examining an exemption, the Act directs the Legislature to carefully question the purpose and necessity of reenacting the exemption.

If the exemption is continued and expanded, then a public necessity statement and a two-thirds vote for passage are required.<sup>25</sup> If the exemption is continued without substantive changes or if the exemption is continued and narrowed, then a public necessity statement and a two-thirds vote for passage are *not* required. If the Legislature allows an exemption to sunset, the previously exempt records will remain exempt unless provided for by law.<sup>26</sup>

### **Animal Health Records Held by the Department of Agriculture and Consumer Services**

The Division of Animal Industry is responsible for enforcing animal health regulations in Florida and protecting the state from animal pests and diseases. District veterinarians and animal health inspectors throughout the state work with producers, animal owners, and private veterinarians to monitor and enhance the health and welfare of Florida's animals. Under Florida's Comprehensive Emergency Management Plan, the department serves as the lead agency for animal and agricultural issues, planning and coordinating the state's response to emergencies ranging from hurricanes to animal disease outbreaks.

The Bronson Animal Disease Diagnostic Laboratory (BADDL) is located in Osceola County. It provides scientific expertise in the detection and investigation of animal diseases that affect livestock, companion animals, and public health. It is the only animal disease diagnostic laboratory in Florida that is fully accredited by the American Association of Veterinary Laboratory Diagnosticians.<sup>27</sup> All tests and accompanying results submitted to BADDL are public records subject to disclosure as provided in s. 119.07(1), F.S., and section 24(a), Article 1 of the State Constitution.

In contrast, the records of other private and state supplemented animal diagnostic laboratories, including the University of Florida Laboratory, are confidential. Though the University of Florida Laboratory is a government entity subject to s. 119.07(1), F.S., and section 24(a), Article 1 of the State Constitution, its records are confidential and exempt as provided by s. 474.2167, F.S. The exemption set out in s. 474.2167, F.S., only applies to records held by any "state college of veterinary medicine." BADDL does not have a similar exemption from public records requirements. While both the University of Florida Laboratory and BADDL receive submissions from accredited veterinarians who may assume the records will be kept private,

<sup>24</sup> Section 119.15(6)(a), F.S. The specified questions are:

- What specific records or meetings are affected by the exemption?
- Whom does the exemption uniquely affect, as opposed to the general public?
- What is the identifiable public purpose or goal of the exemption?
- Can the information contained in the records or discussed in the meeting be readily obtained by alternative means? If so, how?
- Is the record or meeting protected by another exemption?
- Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?

<sup>25</sup> See generally s. 119.15, F.S.

<sup>26</sup> Section 119.15(7), F.S.

<sup>27</sup> See <https://www.fdacs.gov/Divisions-Offices/Animal-Industry> (Last visited January 16, 2020).

pursuant to s. 474.2165(4), F.S., BADDL records must be disclosed upon request, as they are public records.

In the absence of the proposed public records exemptions, animal owners and veterinarians have been reluctant to report animal diseases to the department or to use the service of the BADDL for fear that their personal information or the animal's medical information may be made public. Competitors could manipulate information gleaned from public records requests regarding animal disease diagnostics to create unwarranted consumer uncertainty about Florida producers' meat or dairy products. To avoid this potential harm, producers find other options for disease diagnostics at private laboratories or laboratories in other states, and the department is not made privy to valuable disease information, which hinders its efforts to protect the public health and welfare.

### III. Effect of Proposed Changes:

**Section 1** amends s. 585.61, F.S., to provide a public records exemption for certain animal health records submitted to or generated by the department or the state veterinarian in connection with the Bronson Animal Disease Diagnostic Laboratory. Any of the following information would be exempt:

- The diagnosis, treatment, or effect of the medical condition of an animal.
- The prescribing, dispensing, or administering of drugs, medicine, appliances, applications, or treatment of any nature to prevent, cure, or relieve and animal's wound, fracture, bodily injury, or disease.
- A manual procedure for the diagnosis of, or treatment related to, an animal's pregnancy, fertility, or infertility.

The exemption does not apply to official certificates of veterinary inspection or any document required by law to transport an animal in this state. The exemption does apply to animal health records held before, on, or after July 1, 2020.

This section is subject to the Open Government Sunset Review Act and shall stand repealed on October 2, 2025, unless reviewed and saved from repeal through reenactment by the Legislature.

**Section 2** provides Legislative intent that it is a public necessity to make certain animal health records submitted to or generated by the department of the state veterinarian exempt from the state's public records laws. Because these records are currently public, animal owners have been reluctant to report animal diseases to the department or to use the service of the BADDL for fear that their personal information or the animal's medical information may be made public. Competitors could manipulate information gleaned from public records requests regarding animal disease diagnostics to create unwarranted consumer uncertainty about Florida producers' meat or dairy products. To avoid this potential harm, producers find other options for disease diagnostics at private laboratories or laboratories in other states, and the department is not made privy to valuable disease information, which is contrary to the public health and welfare.

**Section 3** provides that this act shall take effect July 1, 2020.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:****Vote Requirement**

Article I, s. 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records requirements. This bill enacts a new exemption for certain animal health records, thus, the bill requires a two-thirds vote to be enacted.

**Public Necessity Statement**

Article I, s. 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public records requirements to state with specificity the public necessity justifying the exemption. Section 2 of the bill contains a statement of public necessity for the exemption.

**Breadth of Exemption**

Article I, s. 24(c) of the State Constitution requires an exemption to the public records requirements to be no broader than necessary to accomplish the stated purpose of the law. The purpose of the law is to protect animal owners from competitors who could manipulate information gleaned from public records requests regarding animal disease diagnostics to create unwarranted consumer uncertainty about Florida producers' meat or dairy products. To avoid this potential harm, producers find other options for disease diagnostics at private laboratories or laboratories in other states, and the department is not made privy to valuable disease information, which hinders its efforts to protect the public health and welfare. This bill exempts only the following from the public records requirements:

- The diagnosis, treatment, or effect of the medical condition of an animal.
- The prescribing, dispensing, or administer of drugs, medicine, appliances, applications, or treatment of any nature to prevent, cure, or relieve and animal's wound, fracture, bodily injury, or disease.
- A manual procedure for the diagnosis of, or treatment related to, an animal's pregnancy, fertility, or infertility.

The exemption does not appear to be broader than necessary to accomplish the purpose of the law.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None identified.

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

None.

**B. Private Sector Impact:**

Some agricultural companies are sending their samples to out-of-state laboratories because they are concerned that the laboratory records kept at the Bronson Animal Disease Diagnostic Laboratory (BADDL) are open to public records requests. The tests are at a higher cost, and test reporting is delayed. In addition to the increased burden on agricultural companies, delayed test reporting could result in a critical delay to the state's response to an animal disease outbreak.

**C. Government Sector Impact:**

Currently, releasing medical records in the form of test or necropsy results is contrary to the model Veterinary Medical Practice Act.<sup>28</sup> This was noted during the most recent audit of the BADDL by the American Association of Veterinary Laboratory Diagnosticians (AAVLD) in November 2019. The AAVLD found that the BADDL's records are not exempt from Florida's open records laws, which creates a conflict with AAVLD's client confidentiality requirements. It is imperative that the BADDL continue as Florida's only nationally accredited animal disease diagnostic laboratory, to allow it to maintain high quality standards, and to test for diseases of high consequences as designated by the state and federal government, including African swine fever virus, foot and mouth disease, and highly pathogenic avian influenza.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

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<sup>28</sup> See <https://www.avma.org/policies/model-veterinary-practice-act> (Last visited January 16, 2020).

**VIII. Statutes Affected:**

This bill amends section 585.61 of the Florida Statutes.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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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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By Senator Gainer

2-00855-20

2020806\_\_

A bill to be entitled

An act relating to public records; amending s. 585.61, F.S.; exempting from public records requirements certain animal health records submitted to or generated by the Department of Agriculture and Consumer Services or the state veterinarian in connection with the Bronson Animal Disease Diagnostic Laboratory; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

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

Section 1. Section 585.61, Florida Statutes, is amended to read:

585.61 Animal disease diagnostic laboratory; public records exemption.—

(1) There is established an animal disease diagnostic laboratory in Osceola County designated as the "Bronson Animal Disease Diagnostic Laboratory."

(2) The construction and operation of the laboratory established by this section are shall be under the supervision and control of the department. It is shall be the duty of the department to operate the laboratory in an efficient manner so that any person who maintains animals in this state may obtain prompt and reliable diagnosis of animal diseases, including any disease which may affect poultry eggs, in this state, and recommendations for the control and eradication of such diseases, to the end that diseases of animals may be reduced and

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2020806\_\_

controlled, and eradicated when possible.

(3) Any person who maintains animals in this the state may use the services of the laboratory under the terms of this section and the rules adopted for such use by the department. The department shall require any user of its services to pay a fee not to exceed \$300 for any one of the services requested. All laboratory fees collected shall be deposited in the Animal Industry Diagnostic Laboratory Account within the General Inspection Trust Fund. The fees collected shall be used to improve the diagnostic laboratory services as provided ~~for~~ by the Legislature in the General Appropriations Act.

(4) (a) The following information is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

1. Records generated or received by the department or the state veterinarian in connection with services provided by the laboratory which document any of the following:

a. The diagnosis, treatment, or effect of the medical condition of an animal.

b. The prescribing, dispensing, or administering of drugs, medicine, appliances, applications, or treatment of any nature to prevent, cure, or relieve an animal's wound, fracture, bodily injury, or disease.

c. A manual procedure for the diagnosis of, or treatment related to, an animal's pregnancy, fertility, or infertility.

The exemption granted by this paragraph does not apply to official certificates of veterinary inspection or any document required by law to transport an animal in this state.

2. If such information is contained in documents related to

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59 the medical diagnosis or treatment of an animal, the name, home  
 60 address, work address, telephone number, and e-mail address of a  
 61 person or business entity that makes the animal or the animal's  
 62 medical record available to the department or the state  
 63 veterinarian by using the services of the laboratory to obtain a  
 64 medical diagnosis or treatment for the animal.

65 3. If such information is contained in a document related  
 66 to the medical diagnosis or treatment of an animal by the  
 67 laboratory, the name of any department employee, contract  
 68 employee, or volunteer who diagnosed or treated the medical  
 69 condition of an animal pursuant to this chapter.

70 (b) The exemptions from public records requirements granted  
 71 under this subsection apply to records and information held  
 72 before, on, or after July 1, 2020.

73 (c) This subsection is subject to the Open Government  
 74 Sunset Review Act in accordance with s. 119.15 and shall stand  
 75 repealed on October 2, 2025, unless reviewed and saved from  
 76 repeal through reenactment by the Legislature.

77 Section 2. The Legislature finds that it is a public  
 78 necessity that animal health records submitted to or generated  
 79 by the Department of Agriculture and Consumer Services or the  
 80 state veterinarian, in the performance of their official duties  
 81 under chapter 585, Florida Statutes, be made exempt from s.  
 82 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
 83 State Constitution. The department and the state veterinarian  
 84 are charged with surveilling and eradicating animal disease in  
 85 the state. To that end, the department relies heavily on animal  
 86 owners to submit information or to make animals available to the  
 87 department's animal disease diagnostic laboratory for disease

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88 diagnostics. In the absence of the proposed exemptions, animal  
 89 owners are reluctant to report animal diseases to the department  
 90 or to use the services of the animal disease diagnostic  
 91 laboratory for fear that their personal information or the  
 92 animal's medical information may be disclosed pursuant to a  
 93 public records request. Currently, competitors can manipulate  
 94 information gleaned from public records requests regarding  
 95 animal disease diagnostics to create unwarranted consumer  
 96 uncertainty about Florida producers' meat or dairy products. To  
 97 avoid this potential harm, producers find other options for  
 98 disease diagnostics at private laboratories or laboratories in  
 99 other states, and the department is not made privy to valuable  
 100 disease information, which is contrary to the public health and  
 101 welfare.

102 Section 3. This act shall take effect July 1, 2020.

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**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.)

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Prepared By: The Professional Staff of the Committee on Agriculture

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BILL: SB 980

INTRODUCER: Senator Brandes

SUBJECT: Lost, Stray, Unwanted, or Homeless Dogs and Cats

DATE: January 21, 2020

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Akhvein</u>	<u>Becker</u>	<u>AG</u>	<b>Favorable</b>
2.	_____	_____	<u>IT</u>	_____
3.	_____	_____	<u>RC</u>	_____

---

**Summary:**

SB 980 directs animal control agencies and humane organizations to adopt community-focused policies and procedures to maximize live outcomes for animals, while also balancing animal welfare and public safety. The bill requires these entities to write and adopt policies and procedures to achieve these goals. It also gives authority to employees, agents or contractors of humane societies or animal control to apply radio-frequency identification devices for the purposes of pet identification and assisting pet owners in being reunited with lost pets.

**I. Present Situation:**

Animal sheltering operations that are primarily focused on the live release or adoption rate of their animals are not required by statute to consider other factors when measuring their success. As a result, some shelters may not give due consideration to other factors for success, including animal welfare and public safety. Operations solely focused on live release rates may suffer from overcrowding, fighting, compromised safety for the animals and staff, disease outbreaks, suffering, or the release of dangerous dogs into the community.

In 2018, the Florida Animal Control Association (FACA) and The Florida Association of Animal Welfare Organizations (FAAWO) published “Best Practices for Humane Care & High Live Release Programming” in recognition that animal sheltering operations have a responsibility to provide quality and humane care to every animal received and to be diligent in efforts to find appropriate live outcomes for as many animals as possible. The FACA and FAAWO also acknowledge and take seriously their responsibility for public safety and promoting safe interactions between the community and its pets. The document provides the following minimum best practices programming recommendations:

1. Offer flexible adoption fees;
2. Host adoption events;
3. Offer animals for adoption at offsite venues;
4. Engage in community outreach;
5. Use social media;
6. Offer an open/easy adoption process;
7. Provide assistance to adopters;
8. Use volunteers/fosters including foster to adopt;
9. Work with legitimate rescue organizations;
10. Have user friendly hours of operation;
11. Reserve certain hours for live release only;
12. Offer a lost/found program that is monitored by staff/volunteers;
13. Work with area organizations and individuals to offer pet retention resources;
14. Collaborate to maximize resources;
15. Conduct frequent budget analysis to identify resource limitations and plan for future needs;
16. Veterinary care must be offered by shelter veterinarian, contracted veterinarian or veterinary consultation;
17. Euthanasia should be the last option and provisions outlined in statute must be followed;
18. Animal shelters and rescue organizations should operate with transparency; and
19. Steps must be taken to minimize the length of stay and to avoid operating above capacity for care.<sup>1</sup>

## II. Effect of Proposed Changes:

**Section 1** amends s. 823.151, F.S., to provide legislative findings that animal shelter operating practices that primarily focus on the live release rate of animals can lead to serious problems for public health and safety and animal welfare.

---

<sup>1</sup> Florida Animal Control Association and The Florida Association of Animal Welfare Organizations, "Best Practices for Humane Care & High Live Release Programming," See <https://floridaanimalcontrol.org/wp-content/uploads/2018/11/Best-Practices-Final-PDF.pdf> (Last visited January 16, 2020).

Agencies may refuse admission to animals that may not be adoptable, denying animals in need a safe haven. Alternatively, shelters may experience overcrowded conditions, fighting, compromised safety for animals and staff, disease outbreaks, and suffering, resulting in dangerous dogs being released into the community in order to meet statistical live-release goals.

Therefore, by this bill, the Legislature declares that the policy of this state is that animal control agencies and humane organizations shall adopt community-focused policies and procedures to maximize live outcomes for animals, while also balancing animal welfare and public safety.

The bill requires public or private animal shelters, humane organizations, or animal control agencies to adopt written policies and procedures to achieve the following goals:

- Ensure every lost, stray, unwanted, or homeless pet in its custody has appropriate shelter and care;
- Make every animal deemed healthy and safe available for adoption;
- Assess the medial and behavioral needs of homeless animals and ensure that those needs are met;
- Consider the needs of the community and secure public trust;
- Alleviate suffering and make appropriate euthanasia decisions;
- Consider the health and wellness of animals in each community when transferring animals;
- Foster a culture of transparency and ethical decision-making; and
- Strive to follow the Best Practices for Humane Care and High Live Release Programming.

All provisions of this bill are required to be made public pursuant to Chapter 119, F.S., concerning public records. Employees, agents, or contractors of the affected agencies may implant dogs and cats with radio-frequency identification devices in order to reduce the number of pets entering shelters, save taxpayer dollars, and assist pet owners in being reunited with lost pets. Such persons may contact the owner of record of a radio-frequency identification device to verify pet ownership.

**Section 2** provides that this act shall take effect July 1, 2020.

### III. **Constitutional Issues:**

#### A. Municipality/County Mandates Restrictions:

None.

#### B. Public Records/Open Meetings Issues:

None.

#### C. Trust Funds Restrictions:

None.

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D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

**IV. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Indeterminate.

C. Government Sector Impact:

Indeterminate.

**V. Technical Deficiencies:**

None.

**VI. Related Issues:**

None.

**VII. Statutes Affected:**

This bill amends section 823.151 of the Florida Statutes.

**VIII. Additional Information:**

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Brandes

24-00543C-20

2020980\_\_

1 A bill to be entitled  
 2 An act relating to lost, stray, unwanted, or homeless  
 3 dogs and cats; amending s. 823.151, F.S.; providing  
 4 legislative findings and intent; requiring certain  
 5 animal shelters, humane organizations, or animal  
 6 control agencies that take receivership of any lost,  
 7 stray, unwanted, or homeless dogs or cats to adopt  
 8 written policies and procedures to achieve specified  
 9 goals; requiring that additional specified records be  
 10 available to the public; authorizing employees,  
 11 agents, or contractors of certain animal shelters or  
 12 animal control agencies to implant dogs and cats with  
 13 radio-frequency identification devices for certain  
 14 purposes; authorizing employees, agents, or  
 15 contractors of certain animal shelters or animal  
 16 control agencies to contact certain owners of record  
 17 to verify pet ownership; providing an effective date.  
 18

19 Be It Enacted by the Legislature of the State of Florida:

20  
 21 Section 1. Section 823.151, Florida Statutes, is amended to  
 22 read:

23 823.151 Lost, ~~or~~ stray, unwanted, or homeless dogs and  
 24 cats.—

25 (1) The Legislature finds that natural disasters, such as  
 26 hurricanes, may result in an increase in owned dogs and cats  
 27 becoming lost or stray. The Legislature further finds that dog  
 28 and cat owners statewide should be afforded the opportunity to  
 29 quickly and reliably claim their lost pets. It is therefore

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30 declared to be the public policy of the state that animal  
 31 control agencies and humane organizations shall adopt policies  
 32 and procedures to help return lost cats or dogs to identified  
 33 owners.

34 (2) ~~(e)~~ A public or private animal shelter, humane  
 35 organization, or animal control agency operated by a humane  
 36 organization or by a county, municipality, or other incorporated  
 37 political subdivision which ~~that~~ takes receivership of any lost  
 38 or stray dogs or cats shall adopt written policies and  
 39 procedures to ensure that every reasonable effort is made to  
 40 quickly and reliably return owned animals to their owners. Such  
 41 policies and procedures shall include:

42 (a)1- Upon intake, screening of lost or stray dogs and cats  
 43 for identification, including tags, licenses, implanted  
 44 microchips, and tattoos.

45 (b)2- A process for matching received lost or stray dogs  
 46 and cats with any reports of lost pets received by the shelter  
 47 from owners.

48 (c)3- Public notice of lost or stray dogs and cats  
 49 received, provided at the shelter or on the Internet, as  
 50 appropriate, within 48 hours of the animal's admission.

51 (d)4- Reasonable efforts to notify identified owners of  
 52 lost or stray dogs and cats within 48 hours of identification.  
 53 Such reasonable efforts may include, but are not limited to,  
 54 attempts to contact identified owners by telephone, by  
 55 electronic mail, by United States mail, or by personal service  
 56 at the owner's last known phone number and address.

57 (e)5- Notice to the public of the shelter's location,  
 58 hours, fees, and the return-to-owner process posted on the

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59 Internet, with the shelter's business hours posted outside the  
60 shelter facility and recorded on the shelter's telephone  
61 answering system message.

62 ~~(f)6-~~ Access for owners to retrieve dogs and cats at least  
63 1 weekend day per week and after 5:00 p.m. 1 weekday per week,  
64 provided that complying with the requirements of this paragraph  
65 ~~subparagraph~~ does not require an increase in total operating  
66 hours.

67 ~~(g)7-~~ Direct return-to-owner protocols that allow animal  
68 control officers in the field to directly return lost or stray  
69 dogs and cats to their owners when the owners have been  
70 identified.

71 ~~(h)8-~~ Procedural safeguards to minimize the euthanasia of  
72 owned dogs and cats. Such safeguards shall include, but are not  
73 limited to, record verification to ensure that each animal to be  
74 euthanized is the correct animal designated for the procedure  
75 and proper scanning for an implanted microchip using a universal  
76 scanner immediately prior to the procedure.

77 ~~(i)9-~~ Temporary extension of local minimum stray hold  
78 periods after a disaster is declared by the President of the  
79 United States or a state of emergency is declared by the  
80 Governor, if deemed necessary by a local government in the area  
81 of the declaration.

82 ~~(b) Records related to this section and maintained by a~~  
83 ~~public or private animal shelter, humane organization, or animal~~  
84 ~~control agency operated by a humane society or by a county,~~  
85 ~~municipality, or other incorporated political subdivision must~~  
86 ~~be made available to the public pursuant to chapter 119.~~

87 (3) The Legislature finds shelter operating practices that

24-00543C-20

2020980\_\_

88 primarily focus on the live release rate of animals can lead to  
89 serious problems with public health and safety and animal  
90 welfare. In the absence of a balanced approach to sheltering  
91 which includes consideration of all aspects of animal welfare  
92 and public safety, agencies may refuse admission to animals they  
93 cannot subsequently offer for adoption, denying animals in need  
94 a safe haven. Alternatively, these shelter practices can result  
95 in overcrowded conditions, fighting, compromised safety for  
96 animals and staff, disease outbreaks, and suffering. Further,  
97 dangerous dogs may be released into the community in order to  
98 meet statistical live-release goals. It is therefore declared to  
99 be the policy of this state that animal control agencies and  
100 humane organizations shall adopt community-focused policies and  
101 procedures to maximize live outcomes for animals, while also  
102 balancing animal welfare and public safety.

103 (4) A public or private animal shelter, humane  
104 organization, or animal control agency operated by a humane  
105 organization or by a county, municipality, or other incorporated  
106 political subdivision which takes receivership of any lost,  
107 stray, unwanted, or homeless dogs or cats shall adopt written  
108 policies and procedures to achieve all of the following goals:

109 (a) Ensure every lost, stray, unwanted, or homeless pet in  
110 its custody has appropriate shelter and care.

111 (b) Make every animal deemed healthy and safe available for  
112 adoption.

113 (c) Assess the medical and behavioral needs of homeless  
114 animals and ensure these needs are addressed on a case-by-case  
115 basis regardless of breed, including full disclosure of all  
116 medical conditions and behavioral issues.



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117 (d) Consider the needs of the community and secure public  
 118 trust.

119 (e) Alleviate suffering and make appropriate euthanasia  
 120 decisions.

121 (f) Consider the health and wellness of animals in each  
 122 community when transferring animals.

123 (g) Foster a culture of transparency and ethical  
 124 decisionmaking.

125 (h) Strive to follow the Best Practices for Humane Care and  
 126 High Live Release Programming as published and made available  
 127 online in 2018 by the Florida Animal Control Association and the  
 128 Florida Association of Animal Welfare Organizations.

129 (5) Records related to this section and maintained by a  
 130 public or private animal shelter, humane organization, or animal  
 131 control agency operated by a humane society or by a county,  
 132 municipality, or other incorporated political subdivision must  
 133 be made available to the public pursuant to chapter 119.

134 (6) Employees, agents, or contractors of a public or  
 135 private animal shelter or animal control agency operated by a  
 136 humane organization or by a county, municipality, or other  
 137 incorporated political subdivision may implant dogs and cats  
 138 with radio-frequency identification devices for the purposes of  
 139 pet identification in order to reduce the number of pets  
 140 entering shelters, save taxpayer dollars, and assist pet owners  
 141 in being reunited with lost pets.

142 (7) Employees, agents, or contractors of a public or  
 143 private animal shelter or animal control agency operated by a  
 144 humane organization or by a county, municipality, or other  
 145 incorporated political subdivision may contact the owner of

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146 record of a radio-frequency identification device to verify pet  
 147 ownership.

148 Section 2. This act shall take effect July 1, 2020.

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The Florida Senate

## Committee Agenda Request

**To:** Senator Ben Albritton  
Committee on Agriculture

**Subject:** Committee Agenda Request

**Date:** January 13, 2019

---

I respectfully request that **Senate Bill #980**, relating to **Lost, Stray, Unwanted, or Homeless Dogs and Cats**, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in black ink, appearing to read "Jeff Brandes", written over a horizontal line.

Senator Jeff Brandes  
Florida Senate, District 24

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

11/21/20  
Meeting Date

980  
Bill Number (if applicable)

Topic \_\_\_\_\_

Amendment Barcode (if applicable)

Name Diana Ferguson

Job Title Attorney

Address 119 S Monroe St 202  
Street

Phone 850-681-6788

Tale FL 32308  
City State Zip

Email dferguson@rutledge-ecna.com

Speaking:  For  Against  Information

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

Representing FL Animal Control 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)

1/21/2020  
Meeting Date

SB 980  
Bill Number (if applicable)

Topic Ped Adoption

Amendment Barcode (if applicable)

Name JACK CORY

Job Title \_\_\_\_\_

Address 730 East Port Ail

Phone 950-893-0995

Street  
Wichita Ky 32301  
City State Zip

Email JACKCORY@FACTORIA.COM

Speaking:  For  Against  Information

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

Representing Friy Florck

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.

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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)

1/21/2020  
Meeting Date

980  
Bill Number (if applicable)

Topic \_\_\_\_\_

Amendment Barcode (if applicable)

Name Jennifer Bitner

Job Title Pensacola Humane Society - Executive Director

Address 520 5th

Phone 850-339-2149

Street  
Pensacola FL 32505  
City State Zip

Email jennifer@pensacolahumane.org

Speaking:  For  Against  Information

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

Representing Pensacola Humane Society

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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

**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.)

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Prepared By: The Professional Staff of the Committee on Agriculture

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BILL: SB 1282

INTRODUCER: Senator Harrell

SUBJECT: Animal Cremation

DATE: January 21, 2020

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Akhvein	Becker	AG	<b>Favorable</b>
2.			CM	
3.			RC	

---

**I. Summary:**

SB 1282 designates this act as “Sevilla’s Law.” It requires a provider of companion animal cremation to provide a written description of their services to the owner of the deceased animal, the person making cremation arrangements for the owner, veterinarians, pet shops, the Department of Agriculture and Consumer Services (department), and any person, upon request. It prohibits written descriptions of services to contain false or misleading information. The provider must include a certification along with the returned cremation remains. The bill provides criteria for the certification. The bill provides civil penalties for unlawful acts by the provider. It also provides for the powers of the department and authorizes it to adopt rules to carry out the provisions of the act.

**II. Present Situation:**

Pets are important to a family and they want their pet to be treated in a compassionate, dignified manner after its passing. Not only are pet owners faced with the loss of a treasured friend, but they are also faced with the disposition of the pet after their passing. Burials of pets are one of the most commonly practiced unspoken traditions of our species, but in recent years, the popularity of pet cremation has risen.

“Sevilla” was cremated before its owners could say their final farewells or attend the private cremation that they had ordered. The owners were concerned and had the University of Florida Maples Center for Forensic Medicine analyze the ashes provided by the funeral home and crematorium. The DNA analysis indicated that the forensic scientists were unable to determine that the ashes were those of a cat, and even more disturbing to the owners was that there was human DNA in the cremains. Additionally, the microchip in Sevilla was not found by the analysis. This bill would provide additional regulation of pet cremation.

### III. Effect of Proposed Changes:

**Section 1** creates s. 501.961, F.S., to create the act cited as “Sevilla’s Law.” It provides definitions for the terms “commingling of significant amounts of cremation remains from different animals,” “communal cremation,” “companion animal or animal,” cremation remains,” “department,” “individually partitioned cremation,” “on a regular basis,” and “provider.”

The bill requires a provider of companion animal cremation services to provide, without charge, to all of the following a written description of the services that the provider offers:

- The owner of each deceased animal for whom the provider agrees to provide cremation services, or the person making cremation arrangements on the owner’s behalf;
- All veterinarian, pet shops, and other persons or entities known to the provider who refer animal owners or bring deceased animals to the provider on a regular basis;
- The department; and
- Any other person, upon request.

The required written description of services:

- May be in the form of a brochure;
- Must be provided in quantities sufficient to allow its distribution to animal owners whose business is being referred or brought to the provider;
- Must include a detailed explanation of each service offered for each type or level of cremation service offered; and
- May not include false or misleading information.

A written description is misleading if it:

- Fails to include a detailed explanation of the cremation services offered or fails to include, for each type or level of cremation service offered, any of the disclosures required;
- Uses the terms “private” or “individual” with respect to any communal cremation procedure or with respect to an individually partitioned cremation procedure that will cremate more than one companion animal at the same time;
- Uses the terms “individually partitioned” or “separate” with respect to a communal cremation process; or
- Includes any text, picture, illustration, or combination thereof, or uses any layout, typography, or color scheme, which reasonably causes confusion about the nature of the services to be provided or obstructs certain parts of the written description of services.

The bill requires entities that make referrals to providers or accepts deceased companion animals for cremation through a provider to make the provider’s written description of services available to owners or their representatives. It requires providers to include a certification with the returned animal’s remains and provides requirements for such certification. It provides that the following acts are unlawful and come with civil penalties:

- For a provider to prepare or distribute a written description of services that the provider knows or should know to be false or misleading.
- To intentionally fail to prepare or distribute a written description of services as required by this section.

- To knowingly make a false certification concerning persons referring or bringing business to a provider.

The bill provides circumstances under which a person commits an unfair or deceptive act or practice or engages in an unfair method of competition in violation of certain provisions. It provides that a person who is injured by a violation of this act may bring a civil action to recover damages or punitive damages, including costs, court costs, and attorney fees. The bill provides for the powers of the Department of Agriculture and Consumer Services and authorizes the department to adopt rules to implement the act.

**Section 2** provides that this act shall take effect July 1, 2020.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.



**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates section 501.961 of the Florida Statutes.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

By Senator Harrell

25-01440-20

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1 A bill to be entitled  
 2 An act relating to animal cremation; creating s.  
 3 501.961, F.S.; providing a short title; defining  
 4 terms; requiring a provider of companion animal  
 5 cremation services to provide certain individuals and  
 6 entities with a written description of the services  
 7 that the provider offers; requiring the written  
 8 description to include a detailed explanation of each  
 9 service offered; providing that the written  
 10 description may not contain false or misleading  
 11 information; requiring certain entities that make  
 12 referrals to providers or accept deceased companion  
 13 animals for cremation through a provider to make the  
 14 provider's written description of services available  
 15 to owners or their representatives; requiring certain  
 16 providers to include a certification with the returned  
 17 animal's remains; providing requirements for the  
 18 certification; providing that certain acts are  
 19 unlawful; providing civil penalties for initial and  
 20 subsequent offenses; providing circumstances under  
 21 which a person commits an unfair or deceptive act or  
 22 practice or engages in an unfair method of competition  
 23 in violation of certain provisions; providing for a  
 24 private right of action; providing powers of the  
 25 Department of Agriculture and Consumer Services;  
 26 requiring the department to adopt rules; providing an  
 27 effective date.  
 28  
 29 Be It Enacted by the Legislature of the State of Florida:

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30  
 31 Section 1. Section 501.961, Florida Statutes, is created to  
 32 read:  
 33 501.961 Animal cremation.—  
 34 (1) SHORT TITLE.—This section may be cited as "Sevilla's  
 35 Law."  
 36 (2) DEFINITIONS.—As used in this section, the term:  
 37 (a) "Commingling of significant amounts of cremation  
 38 remains from different animals" means the commingling of remains  
 39 such that specific cremation remains cannot be attributed to a  
 40 particular animal or the cremation remains attributed to one  
 41 companion animal contain more than 1 percent by weight of  
 42 cremation remains from one or more other companion animals. The  
 43 term does not include the presence, in the cremation remains of  
 44 a companion animal, of the remains of any creature that was  
 45 contained within the body of that animal at the time of  
 46 cremation, including parasites, insects, food, or creatures  
 47 eaten by that companion animal.  
 48 (b) "Communal cremation" means a cremation process in which  
 49 companion animals are cremated together without effective  
 50 partitions or separation during the cremation process such that  
 51 the commingling of significant amounts of cremation remains from  
 52 different companion animals is likely or certain to occur.  
 53 (c) "Companion animal" or "animal" means a deceased animal  
 54 that had a companion relationship or a pet relationship with its  
 55 owner at the time of the animal's death.  
 56 (d) "Cremation remains" means the material remaining after  
 57 the cremation of an animal, which may include ashes, skeletal  
 58 remains, and other residue resulting from the incineration

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59 process, and which may be pulverized or otherwise processed by  
60 the provider of cremation services.

61 (e) "Department" means the Department of Agriculture and  
62 Consumer Services.

63 (f) "Individually partitioned cremation" means a cremation  
64 process in which the commingling of significant amounts of  
65 cremation remains from different companion animals is unlikely  
66 to occur and:

67 1. Only one companion animal at a time is cremated in the  
68 incinerator; or

69 2. More than one companion animal is cremated in the  
70 incinerator at the same time, but each of the animals is  
71 completely separated from the others by partitions during the  
72 cremation process.

73 (g) "On a regular basis" means that the person or business  
74 entity referring animal owners or bringing business to a  
75 provider:

76 1. Has an ongoing contractual or agency relationship with  
77 the provider relating to the cremation of companion animals;

78 2. Regularly receives compensation or consideration from  
79 the provider or animal owners relating to the cremation of  
80 companion animals by the provider; or

81 3. Refers or brings to the provider the business of more  
82 than five animal owners in an average month.

83 (h) "Provider" means a person, company, or other entity  
84 engaging in the business of cremating deceased companion animals  
85 in this state.

86 (3) WRITTEN DESCRIPTION OF SERVICES.—

87 (a) A provider of companion animal cremation services shall

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88 provide, without charge, to all of the following a written  
89 description of the services that the provider offers:

90 1. The owner of each deceased animal for whom the provider  
91 agrees to provide cremation services, or the person making  
92 cremation arrangements on the owner's behalf.

93 2. All veterinarians, pet shops, and other persons or  
94 entities known to the provider who refer animal owners or bring  
95 deceased animals to the provider on a regular basis.

96 3. The department.

97 4. Any other person, upon request.

98 (b) The written description of services:

99 1. May be in the form of a brochure;

100 2. Must be provided in quantities sufficient to allow its  
101 distribution to animal owners whose business is being referred  
102 or brought to the provider;

103 3. Must include a detailed explanation of each service  
104 offered for each type or level of cremation service offered. If  
105 any part of the deceased companion animal will be removed, used,  
106 or sold by the provider before or after the cremation, the  
107 written description of services must disclose that fact; and

108 4. May not include false or misleading information. A  
109 written description of services is misleading if it:

110 a. Fails to include a detailed explanation of the cremation  
111 services offered or fails to include, for each type or level of  
112 cremation service offered, any of the disclosures required under  
113 this subsection;

114 b. Uses the terms "private" or "individual" with respect to  
115 any communal cremation procedure or with respect to an  
116 individually partitioned cremation procedure that will cremate

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117 more than one companion animal at the same time;  
 118 c. Uses the terms "individually partitioned" or "separate"  
 119 with respect to a communal cremation process; or  
 120 d. Includes any text, picture, illustration, or combination  
 121 thereof, or uses any layout, typography, or color scheme, which  
 122 reasonably causes confusion about the nature of the services to  
 123 be provided or obstructs certain parts of the written  
 124 description of services.

125 (4) PERSONS REFERRING OR BRINGING BUSINESS TO A PROVIDER.—  
 126 (a) A veterinarian, pet shop, or another person who refers  
 127 owners of deceased animals, or persons making arrangements on an  
 128 owner's behalf, to a provider on a regular basis shall, at the  
 129 time of the referral, make a copy of the provider's written  
 130 description of services available to such person.

131 (b) A veterinarian, pet shop, or other person or business  
 132 entity that accepts, on a regular basis, deceased companion  
 133 animals for cremation through services obtained from a provider  
 134 shall make a copy of the provider's written description of  
 135 services available to each animal owner, or person making  
 136 arrangements on the owner's behalf, from whom a deceased  
 137 companion animal is accepted.

138 (c) A copy of the written description of services may be  
 139 given to the animal owner, or the person making arrangements on  
 140 the owner's behalf, at the time the services are offered.

141 (d) For purposes of this subsection, publishing or  
 142 otherwise disseminating advertising for a provider of companion  
 143 animal cremation services does not, in and of itself, constitute  
 144 referring or bringing business to that provider.

145 (5) CERTIFICATION; PENALTY FOR FALSE CERTIFICATION.—If a

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146 provider's services include the return of the cremation remains  
 147 of the cremated animal, the provider shall include a  
 148 certification along with the returned cremation remains. The  
 149 certification must declare, to the best of the provider's  
 150 knowledge and belief that, except as otherwise specifically  
 151 indicated on the certificate, the cremation and any other  
 152 services specified were provided in accordance with the  
 153 representations of the provider in the applicable portions of  
 154 the provider's written description of services.

155 (6) UNLAWFUL ACTS.—It is unlawful:  
 156 (a) For a provider to prepare or distribute a written  
 157 description of services that the provider knows or should know  
 158 to be false or misleading. A first offense is punishable by a  
 159 fine of at least \$1,001 but not more than \$1,500, and each  
 160 subsequent offense is punishable by a fine of at least \$2,000  
 161 but not more than \$2,500.

162 (b) To intentionally fail to prepare or distribute a  
 163 written description of services as required by this section. A  
 164 first offense is punishable by a fine of at least \$1,001 but not  
 165 more than \$1,500, and each subsequent offense is punishable by a  
 166 fine of at least \$2,000 but not more than \$2,500.

167 (c) To knowingly make a false certification under  
 168 subsection (4). A first offense is punishable by a fine of at  
 169 least \$1,001 but not more than \$1,500, and each subsequent  
 170 offense is punishable by a fine of at least \$2,000 but not more  
 171 than \$2,500.

172 (7) VIOLATION AS A DECEPTIVE ACT OR PRACTICE OR UNFAIR  
 173 TRADE PRACTICE.—A person who commits an act or practice declared  
 174 to be unlawful under subsection (6) or who violates this section

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175 commits an unfair or deceptive act or practice or unfair method  
 176 of competition in violation of part II of chapter 501 and is  
 177 subject to the penalties and remedies provided therein.

178 (8) PRIVATE RIGHT OF ACTION.—In addition to any other  
 179 penalties or remedies provided by law, a person who is injured  
 180 by a violation of this act may bring a civil action to recover  
 181 damages or punitive damages, including costs, court costs, and  
 182 attorney fees. This act may not be construed to limit any right  
 183 or remedy provided under law.

184 (9) POWERS OF THE DEPARTMENT.—

185 (a) The department may conduct an investigation of any  
 186 person or provider if there is an appearance, either upon  
 187 complaint or otherwise, that a violation of this section or of  
 188 any rule adopted or order issued pursuant to this section has  
 189 been committed or is about to be committed.

190 (b) The department may issue and serve subpoenas and  
 191 subpoenas duces tecum to compel the attendance of witnesses and  
 192 the production of all books, accounts, records, and other  
 193 documents and materials relevant to an examination or  
 194 investigation. The department, or its duly authorized  
 195 representative, may administer oaths and affirmations to any  
 196 person.

197 (c) The department may enter an order imposing one or more  
 198 of the penalties set forth in subsection (6) if the department  
 199 finds that a provider, person or business entity that regularly  
 200 refers animal owners to a provider, or an agent, a servant, or  
 201 an employee thereof, has:

202 1. Violated or is operating in violation of this section or  
 203 department rule or order;

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204 2. Refused or failed, or any of its principal officers has  
 205 refused or failed, after notice, to produce any records of such  
 206 organization or to disclose any information required to be  
 207 disclosed under this section or department rules; or

208 3. Made a material false statement in response to any  
 209 department request or investigation.

210 (d) Upon a finding as set forth in paragraph (c), the  
 211 department may enter an order that does one or more of the  
 212 following:

213 1. Issues a notice of noncompliance pursuant to s. 120.695.

214 2. Issues a cease and desist order that directs that the  
 215 person cease and desist specified activities.

216 3. Imposes an administrative fine in the Class II category  
 217 pursuant to s. 570.971 for each act or omission.

218 4. Imposes an administrative fine in the Class III category  
 219 pursuant to s. 570.971 for each act of omission that involves  
 220 fraud or deception.

221 (e) Except as otherwise provided in this section, the  
 222 administrative proceedings that could result in the entry of an  
 223 order imposing any of the penalties specified in paragraph (d)  
 224 are governed by chapter 120.

225 (f) All fines collected by the department under paragraph  
 226 (d) must be paid into the General Inspection Trust Fund.

227 (10) RULEMAKING AUTHORITY.—The department may adopt rules  
 228 pursuant to ss. 120.536(1) and 120.54 to implement this section.

229 Section 2. This act shall take effect July 1, 2020.

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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)

SB1282

Bill Number (if applicable)

Meeting Date

Topic HAMILTON FEDERALIST PAPER # 11 ~ CALLS US DOGS!

Amendment Barcode (if applicable)

Name DAVID BAUMARD CRODDIS JR

Job Title ~

Address 802 GEORGIA AVE

Phone 727-483-1330

Street

Palm Harbor FL

34683

Email MyA BridgePoint7 @ Gmail.com

City

State

Zip

Speaking:  For  Against  Information

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

Representing SELF

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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*DuB.Mc.f*

# APPEARANCE RECORD

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

1/21/2020  
Meeting Date

1282  
Bill Number (if applicable)

Topic Animal Cremation

Amendment Barcode (if applicable)

Name Laury Sullivan

Job Title \_\_\_\_\_

Address 2011 SW Mayflower Drive  
Street

Phone 772-538-4069

Palm City FL 34990  
City State Zip

Email servillaslaw@gmail.com

Speaking:  For  Against  Information

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

Representing Servilla's Law

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.**

# CourtSmart Tag Report

Room: SB 301

Caption: Agriculture Committee

Case No.:

Judge:

Type:

Started: 1/21/2020 10:00:31 AM

Ends: 1/21/2020 10:55:14 AM

Length: 00:54:44

10:00:35 AM Laureen call roll  
10:00:46 AM Chair Albritton ask to stand for pledge  
10:01:15 AM Chair Albritton welcomes everyone  
10:01:56 AM Vice-Chair Gainer advises that SB 806 is Temporarily Postponed.  
10:02:08 AM Chair Albritton ask to move to tab 2 SB 764  
10:02:16 AM Senator Baxley recognized to present SB 764  
10:02:25 AM Senator Baxley presents SB 764  
10:02:57 AM Chair Albritton thanks Senator Baxley  
10:03:10 AM Senator Rader has a question  
10:03:15 AM Senator Baxley answers  
10:03:29 AM Senator Rader with follow up question  
10:04:08 AM Senator Baxley answers  
10:04:18 AM Chair Albritton makes a comment  
10:04:40 AM Senator Baxley advises that he does not know  
10:04:48 AM Chair Albritton ask Senator Rader is he is finished  
10:04:55 AM Senator Broxson with a question  
10:06:21 AM Senator Baxley answers  
10:07:11 AM Senator Broxson with question  
10:07:17 AM Senator Baxley answers  
10:07:22 AM Chair Albritton makes a statement  
10:08:08 AM Chair Albritton ask if there are any other questions on the bill  
10:08:14 AM Chair Albritton advises there are no appearance cards for this bill  
10:08:22 AM Senator Rader with debate  
10:08:45 AM Chair Albritton ask if there is any other debate  
10:08:49 AM Senator Baxley waives close  
10:08:55 AM Laureen calls roll on SB 764  
10:09:08 AM Chair Albritton advise show SB 764 voted on favorably  
10:09:18 AM Chair Albritton states he has to leave to present bill in another meeting, he is handing gavel over to Vice Chair Gainer  
10:09:52 AM Vice-Chair Gainer states we are now taking up tab 1 SB 240  
10:10:08 AM Senator Rader presents SB 240  
10:10:35 AM Vice-Chair Gainer ask if there are any questions on the bill  
10:10:41 AM Senator Broxson has a question  
10:10:54 AM Senator Rader answers  
10:11:08 AM Senator Broxson ask the question, Why the bill?  
10:11:14 AM Senator Rader answers  
10:11:52 AM Senator Broxson with another question  
10:11:57 AM Senator Rader replies  
10:12:36 AM Senator Broxson with question  
10:12:42 AM Senator Rader answers  
10:13:14 AM Senator Montford with a question  
10:13:21 AM Senator Rader answers  
10:13:51 AM Senator Montford with a question  
10:14:11 AM Senator Rader answers  
10:14:19 AM Vice-Chair Gainer ask if there are any appearance forms  
10:14:25 AM Vice-Chair Gainer calls Jack Cory of Tallahassee for Fix Florida  
10:14:32 AM Jack Cory speaks  
10:15:08 AM Senator Broxson has a question  
10:16:08 AM Mr Cory answers  
10:16:57 AM Vice-Chair calls Kate MacFall of Tallahassee for Humane Society of United States  
10:17:07 AM Ms Macfall waives in support  
10:17:12 AM Vice-Chair Gainer calls Amy Datz, for Environmental Caucus of Florida Post Partisan



10:17:18 AM Amy Datz waives in support  
10:17:24 AM Vice-Chair ask if there are any other appearance forms  
10:17:29 AM NO  
10:17:36 AM Vice-Chair ask if there is any debate on bill  
10:17:44 AM Vice-Chair makes a statement  
10:18:30 AM Vice-Chair Gainer recognizes Senator Rader to close on bill  
10:18:36 AM Senator Rader makes closing remarks on bill  
10:19:06 AM Vice-Chair Gainer asks for roll call on SB 240  
10:19:17 AM Laureen calls roll on SB 240  
10:19:22 AM Vice-Chair Gainer advises to show SB 240 report out as favorable  
10:19:45 AM Vice-Chair Gainer advises to go to tab 4 SB 980, Senator Brandes is recognized  
10:20:06 AM Senator Brandes explains bill  
10:20:27 AM Vice-Chair Gainer ask if there are any questions on the bill  
10:21:05 AM Senator Rader has a question  
10:21:14 AM Senator Brandes answers  
10:21:22 AM Senator Rader with question  
10:21:38 AM Senator Brandes answers  
10:21:48 AM Senator Rader with one last question  
10:22:19 AM Senator Brandes answers  
10:22:54 AM Vice-Chair Gainer makes a comment  
10:23:16 AM Senator Montford has a question  
10:24:42 AM Senator Brandes answers  
10:25:01 AM Vice-Chair Gainer states there is an appearance card for Jack Cory, for Fix Florida of Tallahassee.  
10:25:19 AM Mr. Cory waives in support  
10:25:22 AM Vice Chair calls appearance card for Jennifer Bitner, Executive Director of Pensacola Humane Society of Pensacola FL.  
10:25:26 AM Ms. Bitner waives in support  
10:25:32 AM Diana Ferguson speaks for Florida Animal Control Association of Tallahassee  
10:26:13 AM Vice-Chair Gainer ask if there are any other questions  
10:26:22 AM Vice-Chair Gainer ask if there is any debate  
10:26:28 AM Vice-Chair Gainer ask Senator Brandes to close on bill  
10:26:34 AM Senator Brandes makes closing remarks  
10:26:37 AM Laureen calls roll on SB 980  
10:26:45 AM Vice-Chair Gainer states to show SB 980 reported out as favorably  
10:26:55 AM Vice-Chair Gainer advises we are taking an informal recess  
10:27:35 AM Recording Paused  
10:42:55 AM Recording Resumed  
10:42:59 AM Vice-Chair Gainer calls meeting back to order, we will take up SB 1282 by Senator Harrell.  
10:43:23 AM Senator Harrell explains the bill  
10:47:04 AM Vice-Chair Gainer ask if there are any questions on the bill  
10:47:16 AM Vice-Chair Gainer states we have 2 appearance forms  
10:47:22 AM Vice-Chair Gainer calls Laury Sullivan, of Palm City FL for Serilla's Law  
10:47:30 AM Ms. Sullivan speaks  
10:50:27 AM Vice-Chair Gainer ask if there are any questions  
10:50:38 AM Vice-Chair Gainer calls David Geddis, Jr, of Palm Harbor FL.  
10:50:57 AM Mr. Geddis, Jr speaks  
10:53:22 AM Vice-Chair Gainer asks if there is any debate  
10:53:36 AM Vice-Chair Gainer ask Senator Harrell to close on bill  
10:53:44 AM Senator Harrell asks for support on the bill  
10:53:56 AM Vice-Chair Gainer ask Laureen to call roll on bill SB 1282  
10:54:28 AM Laureen calls roll  
10:54:33 AM Vice-Chair Gainer advises to show SB 1282 reported out favorable  
10:54:45 AM Vice-Chair Gainer states there is no further business, Senator Montford moves we adjourn. Meeting is adjourned